TWO ROYCROFT BROTHERS AND TWO OF THEIR BROTHERS-IN-LAW, ALL MINERS AT TE AROHA

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Abstract: *James and William Roycroft commenced their mining careers at Thames, where they were notable athletes, especially James. But James also became notable for being accused of theft, violence, and excessive drinking. Both men moved to Waiorongomai in 1882, but as their involvement in mining continued to be mostly unprofitable they were also carters, contractors, and timber cutters and merchants. Their financial struggles never ceased, and William was forced into bankruptcy. James continued to drink to excess, and when his wife attempted to use legal means to stop this he used violence against her.*

Two brothers-in-law also mined at Waiorongomai for a time. Axel Leonard Forsman became a struggling farmer instead of a miner. When in Thames, he had been involved in petty squabbles and minor offences. His son Robert, a carpenter as well as a miner, imagined he had found oil near Waiorongomai. The most that was recorded about his children's lives was his daughter's 'wonderful egg' trick on her parents. John Henry Emett also had a variety of occupations and struggled financially; his mining at Waiorongomai in the 1890s was no more successful than the others'.

After leaving Waiorongomai, the families settled elsewhere, especially at Waihi, without achieving prosperity. James continued to drink to excess and to ill treat his wife, and was again accused of being a thief. His widow would struggle to cope with her large family after his death. In all these cases, their lives had features typical of many other working class people of the time.

THE ROYCROFT FAMILY

Robert Roycroft was born at Carlow, County Derry (he would have preferred Londonderry), Ireland, in August 1798. He enlisted in the 42nd Highlanders (the Black Watch) when under-age, serving nearly 25 years before being 'discharged unfit for further service'. He received a medal for fighting in the Battle of Waterloo. After leaving the army he became 'a labourer of indifferent character' and a musician.[1] In 1837, at the age of 37,

[1] Birth Certificate of Robert Roycroft, 28 August 1798, IGI Individual Record, Family Search International Genealogical Index, Church of Latter Day Saints; Death Certificates of James David Roycroft, 22 June 1897, 1897/2703; William Frederick

he married Jane (sometimes Jean) McIntosh, in Edinburgh, her birthplace, then 22, who had been born in March 1816.[2] According to a history of the fencibles, three children were born to them in Scotland: Margaret in 1840, Isabella in 1841, and John in 1845; the correct number and sequence was Isabella and Annie in 1840, Margaret in 1842, and John Archibald in 1845.[3] The family left Edinburgh in 1845 to settle in Howick, Roycroft being a 'military pensioner' or fencible, brought to Auckland to protect it from anticipated attacks by Maori.[4] They lived on a one-acre section in Howick Village, and received money instead of the five acres also applied for. For a time Roycroft was a music teacher.[5] A member of the Church of England, he was a subscriber to the Protestant School established in Howick in 1848.[6]

Robert and Jane had several more children while living at Howick. None of the births were registered until William Frederick, born in July 1849, was registered under an Act of 1912.[7] James David was born in July 1852, Jane in December 1854, and a second John Archibald in June 1857.[8] The first John Archibald fell down his parents' well in February 1851, and drowned, aged five.[9] The second one died at his mother's home in Thames in June 1881, aged only 24; a cab driver, he had suffered from a 'short but painful illness', namely acute phthisis, 'borne with Christian fortitude'.[10]

Roycroft, 12 October 1934, 1934/17428, BDM; *The Royal New Zealand Fencibles 1847-1852* (Auckland, 1997), p. 172; *New Zealand Herald*, 16 April 1873, p. 2.

[2] Death Certificate of Jane Roycroft, 27 November 1893, 1893/5428, BDM; *Royal New Zealand Fencibles*, p. 172; Robert Roycroft, www.geni.com.

[3] *Royal New Zealand Fencibles*, p. 172; Robert Roycroft, www.geni.com.

[4] *Royal New Zealand Fencibles*, p. 172; Death Certificates of Jane Roycroft, 27 November 1893, 1893/5428; James David Roycroft, 22 June 1897, 1897/2703; William Frederick Roycroft, 12 October 1934, 1934/17428, BDM; *The Royal New Zealand Fencibles 1847-1852*, pp. 57, 172; FamilySearch International Genealogical Index, Southwest Pacific, gives James David's date of birth as 23 July 1852.

[5] *Royal New Zealand Fencibles*, p. 172.

[6] *Royal New Zealand Fencibles*, p. 61.

[7] Birth Certificate of William Roycroft, 3 July 1849, registered under Amendment Act of 1912, 1913/274334, BDM.

[8] Robert Roycroft, www.geni.com.

[9] Inquest on John Roycroft, Internal Affairs Department, IA 1, 51/1281 (and 51/319), ANZ-W; *Royal New Zealand Fencibles*, p. 63.

[10] Death Certificate of John Archibald Roycroft, 6 June 1881, 1881/2205, BDM; *Thames Star*, 7 June 1881, p. 2; Death Notice, *Thames Advertiser*, 8 June 1881, p. 2.

Their eldest daughter Isabella married Thomas Rusden, a stonemason, in 1862, and would have eight children.[11] Their youngest daughter, Jane, married John Henry Emett, in 1872.[12] Emett, born in London in 1850, was the son of William, a foreman on the London docks, and Sarah Abbott.[13] With his four siblings, he lived in Bethnal Green.[14]

Margaret, born on 6 July 1842, who had arrived in Auckland when aged four, according to her obituary 'in her young days' was a servant for Francis Dillon Bell, a future politician and briefly Prime Minister,[15] and 'saw many stirring scenes during the Maori War'.[16] In May 1865 she married Axel Leonard Forsman,[17] then known as James Forsmann.[18] Originally Alex Lennart Forssman, he had been born in Gavle, the capital of the province of Gavelborg, Sweden, on 23 March 1840 (he recorded his birthplace variously as Gaole, Giffle and Jeffle).[19] When they were married 'in the house of Mr [Thomas] Rusden, Newton', Auckland, he was a

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[11] Marriage Certificate of Isabella Roycroft, 8 July 1862, 1862/4696; Birth Certificates of Elizabeth Jane Rusden, 1863/6559; Thomas Henry Rusden, 1865/25159; Frank Rusden, 1866/26948; William Robert Rusden, 1868/9834; Alice Maud Rusden, 1869/16904; Emily Jane Rusden, 1871/41497; Arthur Julian Rusden, 1872/18503; Albert James Rusden, 1877/728, BDM; Marriage Notice, *Daily Southern Cross*, 9 July 1862, p. 3.

[12] Marriage Certificate of Jane Roycroft, 19 December 1872, 1872/9182, BDM [Emett's first name recorded as Joseph]; Thames Presbyterian Church, Marriage Register 1871-1874, no. 285, Presbyterian Church Archives, Thames; Birth Notice, *Thames Advertiser*, 7 October 1874, p. 2.

[13] Death Certificate of John Henry Emett, 13 March 1906, 1906/1431, BDM; ancestry.co.uk.

[14] 1851 England Census, ancestry.co.uk.

[15] See William Downie Stewart, *The Right Honourable Sir Francis H.D. Bell, P.C., G.C.M.G., K.C.: His life and times* (Wellington, 1937).

[16] Te Aroha Magistrate's Court, Old Age Pension Claim Register 1899-1909, no. 89, BBAV 11503/1a, ANZ-A; *Auckland Star*, 12 November 1924, p. 5.

[17] For photograph of Forsman in old age, see Axel Leonard Forsman, www.geni.com.

[18] Marriage Certificate of Margaret Roycroft [recorded as Rycroft], 16 May 1865, 1865/5576, BDM.

[19] Te Aroha Magistrate's Court, Old Age Pension Claim Register 1899-1909, no. 90, BBAV 11503/1a, ANZ-A; Birth Certificates of Frederick William Forsman, 16 April 1880, 1880/4694; Archibald John Forsman, 6 August 1884, 1884/4147, BDM; Naturalization of Axel Leonard Forsman, 14 September 1905, REPRO 1646, file 1905/1522, p. 137, no. 44, ANZ-W; *The Times Atlas of the World*, 19ed. (London, 1992), map 50.

labourer, aged 25, and his bride, two years younger, was a servant.[20] Between 1866 and 1888 they would have ten children: Louisa Jane, Axel Robert, Suscelia (who died three weeks later), Alex Leonard, Isabella Margaret, Jane Maud, Jessie Eleanor, Frederick William, Archibald John, and Alfred Herman. He gave his name as James when recording the births of his first four children and the death of a daughter in 1870, but from 1880 onwards recorded his first names as Alex Leonard and his surname as Forsman.[21] That he was a sailor in his youth no doubt explained how he ended up in Auckland.[22]

In 1874, Roycroft leased a property in Papatoetoe, but then moved to Thames, where in October 1875, when living at Punga Flat, he died, aged 77, the last survivor of Waterloo to have been in the Thames district.[23] His widow lived with some of her children, first at Thames and then at Waiorongomai. In November 1893, the weekly relief granted to her was increased from 2s to 5s.[24] She died at Waiorongomai in November 1893, aged 77, from dropsy, debility, and old age.[25] One of her sons-in-law, Emett, was present at her death.[26]

WILLIAM AND JAMES ROYCROFT AT THAMES

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[20] Notices of Intentions to Marry 1865, folio 69, no. 2294, Births Deaths and Marriages, BDM 20/10, BDM.

[21] Birth Certificates of Louisa Jane Forssman, 1866/25848; Axel Robert Forssman, 1868/11562; Suscelia Forsman, 1870/16956; Axel Leonard Forssman, 1871/367; Isabella Margaret Forssman, 1873/22380; Jane Maud Forsman, 1876/17341; Jessie Eleanor Forsman, 22 June 1878, 1878/7065; Frederick William Forsman, 16 April 1880, 1880/4694; Archibald John Forsman, 6 August 1884, 1884/4147; Alfred Herman Forsman, 6 March 1888, 1888/13411; Death Certificate of Suscelia Forsman, 18 February 1870, 1870/16956, BDM.

[22] Avondale Asylum, Register of Admissions 1906-1912, no. 4227, YCAA 1021/5, ANZ-A.

[23] *Royal New Zealand Fencibles*, p. 172; *Thames Advertiser*, 19 October 1875, p. 2.

[24] Charitable Aid Board, *Waikato Times*, 3 November 1892, p. 2, 7 December 1893, p. 5.

[25] Death Certificate of Jane Roycroft, 27 November 1893, 1893/5428, BDM; St Mark's Church, Te Aroha, Burial Register 1889-1932, no. 32, Anglican Diocesan Archives, Hamilton.

[26] Death Certificate of Jane Roycroft, 27 November 1893, 1893/5428, BDM.

In June 1869, William took out a miner's right for the Karaka section of the Thames goldfield.[27] Despite mining there for more than a decade, he only became a shareholder once, in 1871 acquiring one-seventh of the interests of the Courier, at Waiotahi Creek.[28] His only other involvement in mining to be recorded was to acquire shares in a Tairua company in November 1875.[29] On 15 January 1879, he was appointed a constable in the Armed Constabulary, but 13 days later was 'Discharged as unsuitable'; no explanation for this decision was recorded.[30]

James was a much more prominent member of the Thames community. In 1876 he was described as a shoemaker, and he still owned a shoemaker's hammer 11 years later,[31] but there is no record of his making shoes to sell commercially. His first miner's right was taken out in late September 1868, for Karaka, like William's.[32] The following month he was an owner of the Lucky Star, also at Karaka, but sold his one-sixteenth interest two months later.[33] In December he was one of two owners of the Little and Good, at Punga Flat, where he was living, but sold his half-interest a month and a half later.[34] He continued to mine throughout his years in Thames. In February 1881, he sued another miner, James Strongman,[35] for £4 7s 9d, being wages owing.

> James Roycroft deposed that defendant took a contract with him in the Golden Crown mine to drive a hundred feet, and the first day he went to work was hurt, never came again until the contract was nearly finished. During his absence four of them drove thirty-six and a half feet at 19s 3d per foot. Strongman had

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[27] Thames Warden's Court, Register of Miners' Rights 1869, no. 2756, BACL 14358/3a, ANZ-A.

[28] Thames Warden's Court, Shortland Claims Register 1871-1872, no. 2609, BACL 14397/6a, ANZ-A.

[29] *New Zealand Gazette*, 18 November 1875, p. 736.

[30] Armed Constabulary Force, Register of Appointments in Armed Constabulary Force, p. 44, Police Department, P 8/3, ANZ-W.

[31] *Thames Advertiser*, 1 January 1876, p. 3, 8 July 1887, p. 2.

[32] Thames Warden's Court, Register of Miners' Rights 1868, no. 11987, BACL 14358/2a, ANZ-A.

[33] Thames Warden's Court, Claims Register 1868-1869, no. 1161, BACL 14397/3a, ANZ-A.

[34] Thames Warden's Court, Register of Claims 1875-1876, folio 3, BACL 14397/9a; Mining Registrar's Address Book 1872-1878, entry for 7 December 1874, BACL 14456/1a, ANZ-A.

[35] See *Thames Star*, 20 February 1894, p. 4, 10 March 1894, p. 2.

> a wages man on while he was disabled. Two of witnesses' mates left the contract and made over their percentage money to him. It was £8 15s 6d during the times Drummond was away. At the completion of the contract witness got part of his own share, but the amount he now sued for was their parts. Strongman received the whole percentage. There were no debts to be paid on first thirty-six and a half feet, they having paid all expenses before they left. Another contractor deposed that he had given over his percentage to Roycroft. James Strongman said he had received the percentage, £8 11s 6d, half of which he claimed. Out of this amount there was £5 10s to come for expenses. He had paid Roycroft £3 2s 9d on account of his share in the balance.

After the magistrate considered all these details about the contractors' finances, he non-suited James.[36]

Both brothers competed in races. At the Tararu sports in March 1873, William won the one-mile handicap race by about eight yards, despite a handicap of 30 yards, and of the other three starters James was a close third.[37] William easily won the one-mile handicap at that year's Christmas Sports, but was beaten in the half-mile race.[38] After this victory, William ceased to be a prominent athlete, but James continued to win races for some years. At games held at Parawai in November that year to celebrate the Prince of Wales' Birthday, he won the hop, skip, and jump race, was tied in the high jump, and was third, by only a few yards, in the mile race.[39] At the same time he challenged a rival to a 440-yard race, the winner to receive £5.[40] If it took place, the result was not noted in the press, but he won the 400-yard race at the Parawai Sports in the following month.[41] At the end of the year, presumably James was the Roycroft who won a 650-yard hurdle race and the three-quarters of a mile handicap race.[42] In the following March a challenge was arranged for £10 a side, James giving his opponent '15 yards out of 300 yards, and appears to be the favourite, he having challenged any other person on the field some time ago'.[43] When the race

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[36] Magistrate's Court, *Thames Advertiser*, 12 February 1881, p. 3.

[37] *Thames Advertiser*, 21 March 1873, p. 2.

[38] *Thames Advertiser*, 27 December 1873, p. 3.

[39] *Thames Advertiser*, 11 November 1873, p. 3.

[40] Advertisement, *Thames Advertiser*, 11 November 1873, p. 2.

[41] *Thames Advertiser*, 8 December 1873, p. 3.

[42] *Thames Advertiser*, 29 December 1873, p. 3.

[43] *Thames Advertiser*, 20 March 1874, p. 2.

was held, 'there was a difference about starting' and his opponent 'did not start. Roycroft went round, and now claims the stakes'.[44] How this dispute was resolved was not recorded. In December, when a publican challenged him to an 'impromptu foot race' in the main street, James was referred to as 'a well-known local ped'. He won after his opponent 'fell close to the winning-post, up to which the contesting men must have found it rough work to run on such a course without boots or shoes'.[45] In the following year, he participated in races in Auckland.[46]

From March 1866 onwards, James was a private in two companies of the Auckland Volunteers, the first 18 months as a cadet.[47] With his brother John, in December 1871 he joined the No. 2 Hauraki Rifle Volunteers (later the Hauraki Engineers) as a sapper.[48] He was also a member of the Thames Navals, transferring to another rifle company in 1875 and yet another in 1881.[49] He left the latter in March 1884 because of leaving the district.[50] In 1882, he applied for £30 land scrip for his service from 1866 onwards, but was declined.[51] In 1893, he again applied for a land grant, with the same result because he had not had five years of continuous efficient service in the Thames Rifle Rangers.[52]

James also became prominent for less desirable reasons. In November 1875, he was arrested on a charge of 'complicity' with another man in

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[44] *Thames Advertiser*, 30 March 1874, p. 3.

[45] *Thames Advertiser*, 14 December 1874, p. 2.

[46] Supreme Court, *Auckland Weekly News*, 15 January 1876, p. 15.

[47] Applications by Militia for Land Grants, 1882, no. 1064, Lands and Survey Department, LS 65/4, ANZ-W.

[48] Hauraki Engineers, Nominal Roll to 31 March 1879, Army Department, ARM 41, 1883/1ar, ANZ-W.

[49] Hauraki Rifle Volunteers, No. 3 Coy, Nominal Roll to 31 March 1877, Army Department, ARM 41, 1878/1r; Thames Rifle Rangers, No. 2 Coy, Nominal Roll to 31 December 1881, Army Department, ARM 41, 1888/1ao; Applications by Militia for Land Grants, 1882, no. 1064, Lands and Survey Department, LS 65/4, ANZ-W.

[50] Thames Rifle Rangers, No. 2 Coy, Nominal and Descriptive Roll to 31 December 1884, Army Department, ARM 41, 1888/1aq, ANZ-W.

[51] Applications by Militia for Land Grants, 1882, no. 1064, Lands and Survey Department, LS 65/4, ANZ-W.

[52] Applications for Land Grants, 1889-1892, no. 661, Lands and Survey Department, LS 66/7, ANZ-W; 'Unsubstantiated Claims under the Naval and Military Settlers and Volunteers Land Acts, 1889, 1891, and 1892', *AJHR*, 1894, H-23, p. 29.

stealing about 330oz of gold amalgam from the Tokatea Company's battery, at Whakaroa Creek, Coromandel, two months previously.[53] At the Coromandel trial, no evidence was offered against James Golding,[54] licensee of the Diggers' Rest Hotel, in the Upper Township, who had been accused of receiving the amalgam, as he had turned Queen's Evidence. One newspaper regretted that Golding 'gets off without punishment, as the police felt themselves compelled to compound his felony in order to sheet home the charge to the principal offender'.

> The shaft in which the amalgam was found is about 45 feet deep. At the time the amalgam was dropped into it it only contained water, but since then a man named William Jones, who has been carrying on sluicing arrangements in the neighbourhood, had his stream so conducted that the water and rubbish were carried into the shaft, and eventually it became filled up. It was the filling up of this shaft that directed suspicion towards Jones, after the police had obtained information that the amalgam was deposited there, and led to his arrest.

After further police investigations, the charge against Jones was withdrawn, and instead James was charged with stealing 588oz of amalgam, valued at £250, on 26 September, and Golding was charged 'with receiving the same, knowing it to have been stolen', on 26 September. At the hearing, no evidence was offered against Golding. John Robinson, manager of the Tokatea Company's battery,[55] describe placing cleaned amalgam in an iron safe, fastened with two padlocks. 'I know the accused James Roycroft. Have known him for several months. He has frequently called at the battery. On the afternoon of the 25th September he came in with a man named Barnett, and advanced towards me as I was in the act of putting a ball of amalgam into a dish … and said he would like to shake hands with me'. The battery was secured that night, but 'anyone could force the shutters in from the outside'. On the Monday morning an employee reported that a shutter had been removed, and when Robinson entered the building he found all the amalgam gone apart one ball belonging to another

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[53] *Thames Advertiser*, 9 November 1875, p. 2, 10 November 1875, p. 3.

[54] See *New Zealand Herald*, advertisement, 12 January 1871, p. 1, 13 May 1876, p. 3, 3 December 1879, p. 6, 5 October 1931, p. 9; *Auckland Star*, 3 May 1875, p. 2.

[55] See *Thames Star*, 7 September 1878, p. 2, 24 March 1880, p. 2, 19 September 1881, p. 3, 24 July 1882, p. 2, advertisement, 18 September 1883, p. 3, 6 November 1883, p. 2, Warden's Court, 30 November 1893, p. 2, 1 August 1894, p. 3.

company. 'Subsequently I discovered that a bucket of quicksilver had been taken, which I afterwards found on the tramway. I also found a steel bar in the battery, which evidently had been used for the purpose of forcing the locks from the safe'. After a battery hand confirmed this account, Golding gave evidence:

> I know the accused James Roycroft. He has been a lodger in my house for seven months. He was a lodger on Sunday, the 26th of September last. During the seven months he was mining he did not pay me the amount of his board and lodging. On the afternoon of Sunday, the 26th, Roycroft told me there was some amalgam at the Whakaroa battery, and he was going to take it that night. In consequence I said, "Be careful; it is a dangerous joke." To which he replied, "I will look out for that." About half-past five or six he had tea with me. Roycroft was about the house after tea. The bedroom occupied by the accused is separated by a small passage from my bedroom. The accused went out of my house about half-past seven or eight o'clock. I did not see him go; only missed him from the house. I next saw him about half-past nine. From that until ten o'clock saw him at his bedroom door I did not know he was there until I went out. As I opened my door the accused said, "Is that you?" I said, "Yes, it is me," when he said "By God, I thought I was caught!" I asked what it was. He said, "I have got it in a shirt outside behind a log." He went and brought it into my backyard. It was a very dark night. He said, "What will we do with it?" I said, "Plant it, I suppose." We then went into my back-shed, leaving the parcel in the yard. We got a sugar bag in the shed and put the amalgam into it and tied the mouth with a leather bootlace. I remarked there was a good lot. He said, "I wish there was more." I picked up the bag, and went towards my garden gate. The accused came as far as the gate, but did not enter the garden. I then dug a hole in the garden, and put in the bag containing the amalgam and covered it up. After doing so I returned, but did not see Roycroft. I concluded he had gone to bed. He told me he got very wet by falling into the creek opposite the New Zealand battery. I was not off my premised that night between the hours of six and ten o'clock. I was not easy in my mind that, consequently I was up at five a.m. next morning. I went into the garden and dug up the amalgam, which I had buried the night before, and put it into a sack and brought it into my backyard. The bag produced is the one, and the rope produced is the one I tied round it. I then went out and put it into the shaft on Murphy's Hill. The shaft was abandoned, and nearly three-quarters full of water. Upon doing this I returned to my house, and saw Roycroft about 7 o'clock the same morning, and told him I had put the amalgam down a shaft. He said it was a very good place. He asked me how we should get it out of there when we

> wanted it. I said we would require to get grappling irons. He said, "That is all right; it is a very good idea." I described the position of the shaft to Roycroft. I am not aware that the accused ever visited the shaft. I remember seeing Mr Robinson that morning, and he told me of the robbery. I told Roycroft that Mr Robinson had been speaking about the robbery. He said he was sorry for Robinson, but it was done too clean for him. Roycroft also asked how we should get it retorted. I mentioned a retort being at the New Zealand battery that would hold the lot of it. About ten o'clock there was something said about the races, and that he was going up to train for the cup, and he asked me to lend him £5, which I gave him. I recollect Sergeant Egan calling that day. We were all there talking about the races. After the sergeant left he remarked, "Little did the sergeant think I am the man that took it." On Tuesday morning the accused told me he had bought some clothing, and wanted me to lend him £5 more. I afterwards saw him at the Golconda Hotel, and gave him the £5; and we parted, he going to Auckland. Some time after I received a letter from him by the hands of a Mr [Albert Edward] Glover…. It was a request for £10; that he had made a match for £6 a-side. I gave Albert Glover the £10 for the accused. I had then given Roycroft £20 altogether, in addition to the £16 already owing me. I next saw Roycroft on or about the 28th October last at my house. He did not board with me, but stayed with his brother-in-law. Roycroft asked me if I had been to get the amalgam. I said, "No; the shaft was filled up." Roycroft stayed three or four days at Coromandel at that time. He said before leaving it would be better to leave the amalgam in the shaft for twelve months.

After several other witnesses corroborated the evidence of Robinson and Golding, Roycroft 'declined to say anything', and was committed for trial in the Supreme Court and sent to Auckland to await trial.[56] (Glover would be prominent in Auckland politics, both local and national; his father, Uriah, was a publican at Coromandel for many years.)[57]

After the trial, the head of the Thames police stated that he had suspected James from the start, and had him searched at both Auckland and Thames, under various pretexts, without success. 'The police, to all outward appearance, withdrew from the case, but a stranger was sent from the Thames, and after looking for a "missing horse," and chopping firewood

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[56] *Coromandel Mail*, 13 November 1875, reprinted in *Thames Advertiser*, 15 November 1875, p. 3.

[57] See *Cyclopedia of New Zealand*, vol. 2, p. 133; *Observer*, 31 January 1920, p. 10, 7 February 1920, p. 10.

for a few days, he continued to get sufficient evidence to warrant the arrest' of James and another man, who was quickly found to be innocent.[58]

At the Supreme Court trial in the following January, Robinson repeated his evidence. He stated that James knew the amalgam 'was usually put into the box'. When a bag of amalgam was produced in court, he said it 'was the same; it was clean and uncleaned mixed together', 322oz of cleaned and about 250oz of uncleaned. When going to inform the police, he had sheltered from rain in Golding's hotel.

> I told Golding of the robbery, and told him he might have any rewards that might be forthcoming, if he would give me any information. He gave me none. He told me that Roycroft was in bed when I had been in his place on the Sunday. I said it was very early for Roycroft to be in bed, when he answered that the poor fellow was tired. He described two bushmen who had been in his place, and left about 8 o'clock. He said they went up the tramway towards the battery. He said they were strangers. I told him it was no stranger that had committed the robbery.

A battery hand described digging in the shaft where the gold was found, four days after the robbery. Golding 'deposed that prisoner had been known to him for a twelvemonth', and repeated his evidence, with the variant that it was James who suggested that the New Zealand battery would be used to retort the amalgam. In October, when they met again, James asked whether Golding 'had been near the amalgam'. Told this he had not, because the shaft had been filled with mullock, James 'said it did not matter, as it could be emptied in two or three days'. Golding warned him that 'people were making a good many inquiries about him', and, having refused to lend him £10 on the previous day, now lent him £2. James 'said it would be best to leave the amalgam where it was for twelve months. Witness told him that he was very sorry he had anything to do with the robbery, as people were suspecting him'. Under cross-examination, Golding claimed not to know what had made James tell him about the amalgam, of which he had known nothing. 'He admitted that he gave information to the police, though he had hesitated to do so for a long time, as he was in doubt what was the best thing to be done'. The judge's questions elicited the following responses:

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[58] *Thames Advertiser*, 17 November 1875, p. 2.

> I had not been engaged with prisoner in any joint transaction before this. He was not particularly friendly with me. I do not know that he thought me a rogue as well as himself. It was certainly strange that he should tell me that he was going to commit a robbery. I do not know why he should have trusted me with the amalgam to bury it. I never consulted with him about throwing it down the shaft. He seemed perfectly satisfied with my doing so. I have given all the conversations which took took place between us on the subject. I had no previous reason to suppose him to be capable of stealing. The reward offered was £100, I think. I did not give information for the sake of that.

The detective who arrested him quoted James as saying 'he had not been out on the night of the robbery. He said he had met with an accident in the yard which had dirtied his trousers. He said he had not been at the battery the night before the robbery, but on the Saturday before that'.

The judge explained to the jury that 'the unsupported evidence of an accomplice could be taken, but the invariable practice was that it should not be believed unless corroborated in some essential particulars'. He stressed that there was

> no corroboration of Golding's evidence in any material particular. Could not the theory of Golding himself having committed the robbery after everybody had retired to rest be found to be consistent with the evidence? He certainly acted with the amalgam as if he was the principal and the prisoner only an accomplice. Perhaps his having gained some knowledge of the theft put Golding into his power, and thus enabled him to draw the sums of money which he had done.

After only 15 minutes' deliberation, the jury found James not guilty.[59] Perhaps the verdict should have been 'not proven', as the judge clearly considered that he was involved, even if not the main offender.

In November 1880, James and two other men were charged 'with creating a disturbance and fighting' near Totara Point; all pleaded guilty,

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[59] Supreme Court, *Auckland Weekly News*, 15 January 1876, p. 15; for the judge's notes, see Supreme Court, Judge's Notebooks, Gillies J, Circuit Criminal Cases 1875-1877, BBAE A304/252, pp. 129-135.

James and another man admitting to 'riot'.[60] Their solicitor argued that they 'went out not in malice, but with good feeling, for the purpose of indulging in a little friendly sport. On their behalf he asked the Court to deal with the case leniently'. James had backed those who fought first, 'and in the course of the fight' had 'came to blows also'. As the police 'did not wish to press for a heavy penalty', he was ordered to keep the peace for 12 months with a 'recognisance' of £100; one of the other men, who had been thrice convicted of fighting, had to find two sureties as well.[61]

Drunkenness again led to violence in later years. In June 1883, James was convicted of being drunk and disorderly, assaulting a constable, and 'maliciously damaging' the latter's uniform, but avoided imprisonment by being able to pay the fines imposed.[62] When the constable warned him that he would be locked up for being drunk and noisy, James had responded: 'Who the --- will you lock up?', and challenged him to try: 'There is not a man here who could lock me up'. It took two policemen to subdue him, and the sergeant stated that he used 'most offensive language', a charge he denied, as he did all the other charges.[63] Even when drunk, James must have been a formidable fighter, not only being fit through mining and competitive running but also being almost six feet tall.[64] Six months later, he was again convicted of being drunk and disorderly, and only avoided seven days' imprisonment by paying the 40s fine.[65]

James was married in August 1878, at Coromandel, where he had been mining at Coromandel for four months, to Eliza Tovey. Her age was recorded as 21, making her four years his junior.[66] In fact she was nearly

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[60] Thames Magistrate's Court, Criminal Record Book 1879-1881, entry for 18 November 1880, BACL 13736/39a, ANZ-A; Magistrate's Court, *Thames Star*, 18 November 1880, p. 2.

[61] Police Court, *Thames Advertiser*, 19 November 1880, p. 2.

[62] Thames Magistrate's Court, Criminal Record Book 1881-1883, 136-138/1883, BACL 13736/35a, ANZ-A; Police Court, *Thames Star*, 12 June 1883, p. 2.

[63] Police Court, *Thames Advertiser*, 13 June 1883, p. 2.

[64] Thames Rifle Rangers, No. 2 Coy, Nominal and Descriptive Roll to 31 December 1884, Army Department, ARM 41, 1888/1aq, ANZ-W.

[65] Thames Magistrate's Court, Criminal Record Book 1883-1886, 337/1883, BACL 13736/36a, ANZ-A.

[66] Notices of Intentions to Marry 1878, folio 201, Births Deaths and Marriages, BDM 20/23, ANZ-W; Marriage Certificate of James Roycroft, 10 August 1878, 1878/1755**,** BDM;

18, having been born in London in December 1860 to Robert and Mary Ann (the birth was not registered until the following year).[67] She was still recorded as being aged 21 when her second child was born in November 1880, and when her fourth was born in July 1884, as recorded she had aged only two years since her marriage.[68] Their first child, Jane Eliza, was born in September 1879, at Coromandel, where James was still mining.[69] Isabella, commonly known as Bella,[70] was born at Thames in November 1880,[71] as was Mary Ellen in May 1883.[72] Eliza was born in July 1884.[73] Robert James was born in 1885, James David in 1887, Florence Myrtle in 1889, William John in 1893, Albert James in 1894, and Violet Louisa in 1896.[74] For some unknown reason, the birth of William John was not recorded until 1956, after his eldest brother Robert James made a statutory declaration supported by the Roycroft Family Bible.[75]

During most or all of the time William and James were in Thames, their brothers-in-law were mining there also.[76] Emett had moved there

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Church of England, Coromandel Marriage Register 1871-1879, no. 18, Anglican Archives, Auckland.

[67] Birth Certificates of William John Roycroft, 3 March 1893, 1956/133192; Charles Jeffrey Carter, 29 May 1900, 1900/9024, BDM; Birth details of Eliza Tovey, born 9 December 1860, FamilySearch International Genealogical Index; ancestry.co.uk.

[68] Birth Certificates of Isabella Roycroft, 27 November 1880, 1880/19672; Eliza Roycroft, 31 July 1884, 1884/6198, BDM.

[69] Birth Certificate of Jane Eliza Roycroft, 5 September 1879, 1879/14820, BDM; Church of England, Coromandel Baptisms Register 1865-1910, no. 200, Anglican Archives, Auckland.

[70] Waiorongomai Sunday School, Admission Book 1884-1889, n.d. [before 3 January 1886], Methodist Archives, Auckland.

[71] Birth Certificate of Isabella Roycroft, 27 November 1880, 1880/19672, BDM.

[72] Birth Certificate of Mary Ellen Roycroft, 9 May 1883, 1883/5894, BDM.

[73] Birth Certificate of Eliza Roycroft, 31 July 1884, 1884/6198, BDM.

[74] Birth Certificates of Robert James Roycroft, 1885/17945; James David Roycroft, 1887/5372; Florence Myrtle Roycroft, 1889/7849; William John Roycroft, 3 March 1893, 1956/133192; Albert James Roycroft, 1894/8122; Violent Louisa Roycroft, 1896/1819, BDM.

[75] Birth Certificate of William John Roycroft, 3 March 1893, 1956/133192, BDM.

[76] Birth Certificate of Frederick William Forsman, 16 April 1880, 1880/4694, BDM; *Thames Advertiser*, 7 October 1874, p. 2.

shortly after arriving in New Zealand, and was a miner during the 1870s without becoming an owner of a claim.[77]

MINING AT WAIORONGOMAI

James took out his first miner's right for Waiorongomai in mid-May 1882, and William acquired his five months' later.[78] In the weeks before taking out a miner's right James worked for wages in the Coquette, being forced to sue two of the owners for payment,[79] but did not mine in this district thereafter. William first acquired a claim in June 1886, when he became the sole owner of the Dawn, at Stoney Creek.[80] In July he was registered as sole owner of the Two Brothers, formerly the Success;[81] its name suggests that James may have assisted in working it. Almost immediately, protection was sought and granted for both claims.[82] Three months later, 'Roycroft and party' were about to put a trial parcel from Stoney Creek through the battery, and were expecting a payable return.[83] As no more was heard of this trial, it clearly was not payable. Renewed protection was sought for the Dawn at the end of October, and granted; both claims were declared abandoned in May 1888.[84]

In January 1895, William marked out a prospecting area at Stoney Creek.[85] With Robert Michael,[86] the Stoney Creek Syndicate granted him £6

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[77] *Ohinemuri Gazette*, 14 March 1906, p. 2; Thames Presbyterian Church, Marriage Register 1871-1874, no. 285, Presbyterian Church Archives, Thames; Birth Notice, *Thames Advertiser*, 7 October 1874, p. 2.

[78] Te Aroha Warden's Court, Miner's Right no. 1893, issued 15 May 1882, Miners' Rights Butt Book 1882, BBAV 11533/1i; Miner's Right no. 2260, issued 19 October 1882, Miners' Rights Butt Book 1882, BBAV 11533/1j, ANZ-A.

[79] Te Aroha Warden's Court, Plaint Book 1880-1898, 46, 48/1882, BBAV 11547/1a, ANZ-A.

[80] Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folio 133, BBAV 11567/1a, ANZ-A.

[81] Te Aroha Warden's Court, Register of Te Aroha Claims 1880-1888, folio 135, BBAV 11567/1a, ANZ-A.

[82] Te Aroha Warden's Court, Register of Applications 1883-1900, nos. 69, 70 of 1886, BBAV 11505/1a, ANZ-A.

[83] Te Aroha Correspondent, *Thames Advertiser*, 8 October 1886, p. 3.

[84] Te Aroha Warden's Court, Register of Applications 1883-1900, 84/1886, BBAV 11505/1a; Register of Te Aroha Claims 1880-1888, folios 133, 135, BBAV 11567/1a, ANZ-A.

[85] Te Aroha Warden's Court, Mining Applications 1895, 1/1895, BBAV 11289/14a, ANZ-A.

to prospect for six weeks.[87] At the beginning of February, they informed its supervisor, Thomas Gavin,[88] that they had driven 40 feet towards a reef but had not cut it. 'The Country is very loose & consists of blue rock & we have had to timber all the way'.[89] One month later, after driving another 40 feet they had cut a small but unpayable leader.[90] By April, they had driven another 24 feet and cut two small and unpayable stringers, and upon reaching hard rock had put in a 20-foot crosscut. 'We obtained prospects in the cross-cut but very loose country'.[91] The ever-hopeful local newspaper stated that they were 'doing good work and getting a little gold. A small leader carrying rich gold has been cut. The drive is now in 90ft, and they daily expect to cut the reef'.[92] Gavin considered 'the state of things at the mine to be very encouraging', and informed syndicate members that 'the men were working to get out a few tons for bulk test which would be brought down as soon as the track was cleared'. They had pegged out the ground as a special claim.

> The outcrop of the reef is on the top of a spur and is in about 2ft in thickness.
> A drive has been put in some 70ft below the outcrop, expecting to reach the reef with about 40ft of tunnelling, but although the drive is now in about 100ft they have not yet picked up the reef, although two small leaders were cut and one of which prospected fair gold. The country through which the men have driven is all loose, and has every appearance of having been a slip at some remote period. The drive has been heavily timbered all the way, which has meant a large amount of labour, but the solid country has now been reached, and is a rotten sandstone formation and carrying a little loose gold.
> The opinion expressed by Mr Gavin (Director) and others is that the drive is right over the reef, and that another tunnel will have

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[86] See paper on his life.

[87] Memorandum of March 1895, Mines Department, MD 1, 97/1072, ANZ-W; *Te Aroha News*, 3 April 1895, p. 2.

[88] See paper on his life.

[89] W.F. Roycroft and R.J. Michael to Thomas Gavin, 4 February 1895, Mines Department, MD 1, 97/1072, ANZ-W.

[90] W.F. Roycroft and R.J. Michael to Thomas Gavin, 4 March 1895, Mines Department, MD 1, 97/1072, ANZ-W.

[91] W.F. Roycroft to Thomas Gavin, 1 April 1895, Mines Department, MD 1, 97/1072, ANZ-W.

[92] *Te Aroha News*, 3 April 1895, p. 2.

> to be commenced lower down in the solid country. The men are now at work on the outcrop, taking out a few tons of quartz for a crushing, in order to more thoroughly test the reef before commencing another drive. Splendid prospects are obtainable by crushing and panning of quartz taken from the blow. No doubt when the bulk is treated it will yield at least from 2oz to 7oz per ton.[93]

Later they found another reef containing 'a little stone when broken down', and several tons were extracted for crushing.[94] At the end of the month, they were working in the drive, breaking out quartz from 'the blow of the reef', and prospecting.[95] By mid-May, when their prospecting continued because a government subsidy had been renewed for two more months, they had driven 25 feet on the reef and obtained 'small prospects'.[96] Three weeks later, the *Te Aroha News* reported that 'good gold' had been struck, but although the assay value was 1 1/2oz to the ton, treatment produced only 17dwt.[97] By July 'considerable work' had been done in the low level, which would be extended once the prospecting license became a licensed holding.[98] Late that month a new drive was commenced in readiness for 'systematic work on a large scale' once a battery was erected nearby.[99] In early August William reported that the 'well-defined' reef had been 'opened out at a much lower level than where the last crushing was taken from', looked 'exceedingly well', and was increasing in size as it went down.[100] During that month he applied for a water race and machine site.[101]

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[93] *Te Aroha News*, 10 April 1895, p. 2.

[94] *Te Aroha News*, 24 April 1895, p. 2.

[95] W.F. Roycroft to Thomas Gavin, 29 April 1895, Mines Department, MD 1, 97/1072, ANZ-W.

[96] *Te Aroha News*, 8 May 1895, p. 2; W.F. Roycroft to Thomas Gavin, 17 May 1895, Mines Department, MD 1, 97/1072, ANZ-W.

[97] *Te Aroha News*, 8 June 1895, p. 2, 15 June 1895, p. 2.

[98] *Te Aroha News*, 6 July 1895, p. 2.

[99] Te Aroha Correspondent, *New Zealand Herald*, 1 August 1895, p. 6.

[100] *Te Aroha News*, 3 August 1895, p. 2, 31 August 1895, p. 2.

[101] Te Aroha Warden's Court, Mining Applications 1895, 55-56/1895, BBAV 11289/14a, ANZ-A.

His last report on his subsidized prospecting was in early September, when he was tunnelling, prospecting, and taking some quartz to the battery.[102]

In September, William was registered as owner of the Hot Springs, of 30 acres, and the following March as owner of Hot Springs No. 2, of 20 acres, both near Stoney Creek.[103] At the end of April 1896, he was registered as the owner of the Stoney Creek, 40 acres, which he had applied for in the previous October.[104] In May and June 1896 he applied, successfully, for six months' protection for all three claims, now amalgamated, because they were 'under offer in London'. Six weeks' work had been done on the Hot Springs, six months' on Hot Springs No. 2, and none on the third one.[105] He had applied for protection for the Hot Springs in the previous November, for the same reason, claiming to have worked it since January despite not occupying it until late September, but had withdrawn the application.[106] In November 1896 and January 1897, he sought permission to work each claim with one man for four months.[107]

These claims never amounted to anything,[108] and the only reason they had been taken up had been to sell them to overseas investors; they were offered to a French syndicate for £2,000,[109] unsuccessfully.

CARTERS AND CONTRACTORS AT WAIORONGOMAI

Little was recorded about their being carters, then a common way of earning income. In February 1885, William's tender for sledging Lord

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[102] W.F. Roycroft to Thomas Gavin, 10 September 1895, Mines Department, MD 1, 97/1072, ANZ-W.

[103] Te Aroha Warden's Court, Mining Applications 1895, 15, 19/1895, BBAV 11289/14a, ANZ-A; *AJHR*, 1897, C-3, p. 98.

[104] Te Aroha Warden's Court, Mining Applications 1895, 41/1895, BBAV 11289/14a, ANZ-A; *AJHR*, 1897, C-3, p. 98.

[105] Te Aroha Warden's Court, Mining Applications 1896, 31-32, 88/1896, BBAV 11289/14a, ANZ-A; Te Aroha Warden's Court, *New Zealand Herald*, 13 June 1896, p. 6.

[106] Te Aroha Warden's Court, Mining Applications 1895, 81/1895, BBAV 11289/14a, ANZ-A.

[107] Te Aroha Warden's Court, Register of Applications 1883-1900, nos. 284-285/1896, 3/1897, BBAV 11505/1a, ANZ-A.

[108] See paper on an overview of mining in the Te Aroha Mining District in the 1890s.

[109] *Te Aroha News*, 3 August 1895, p. 2.

Stanley ore was declined.[110] In 1890, he stated that because of poor health the only work he had done for the past 12 years was carting,[111] which was at odds with his hard work prospecting. In 1893 and 1894, he gave his occupation as carter.[112] When a bushman at Port Charles in 1879 he had been admitted to the Auckland hospital with rheumatism, and was not discharged until over five weeks later, and in 1907 he would spend nearly a month in the Waihi hospital because of bronchial catarrh;[113] these health problems may have limited him, at least on occasions, to the less strenuous occupation of a carter.

The only time that James was recorded as being a carter was in 1889, when he won the tender for carting machinery from the Waiorongomai landing to the New Era battery. Although making 'good progress' in May, in subsequent months very wet weather prevented his using the lower road to cart machinery for some time.[114] He still described himself as a carter in late 1890.[115]

William was also a contractor. In April 1885, his tender of £24 10s to form a road at Waiorongomai was accepted, but within a month he threw up the contract.[116] In July 1889, his offer to repair the lower mining road for 4s or 5s a day was declined, but his tender of £37 10s to construct the approaches to the new Waiorongomai bridge was accepted; he had failed to win this contract at first, but obtained it after the successful tenderer withdrew.[117] Within two weeks he also gave up this contract,[118] clearly because he could not make it pay, and forfeited his deposit.[119] In July 1892,

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[110] *Te Aroha News*, 21 February 1885, p. 2.

[111] *New Zealand Herald*, 30 October 1890, p. 3.

[112] *New Zealand Gazette*, 9 March 1893, p. 316; *Waikato Electoral Roll, Supplementary No. 2, 1893*, p. 3; *Auckland Directory 1894* (Auckland, 1894), p. 315.

[113] Auckland Hospital, Register of Admissions 1870-1885, 662/1879, ZAAP 15287/2a; Waihi Hospital, Register of Patients 1903-1910, folio 36, no. 44, ZABW 4935/1a, ANZ-A.

[114] *Te Aroha News*, 25 May 1889, p. 2, 13 July 1889, p. 2, 31 July 1889, p. 2, 24 August 1889, p. 2.

[115] Supreme Court, Bankruptcy Register 1888-1892, p. 340, BBAE 5639/1a, ANZ-A.

[116] Piako County Council, *Waikato Times*, 2 April 1885, p. 2, 2 May 1885, p. 2.

[117] *Te Aroha News*, 26 June 1889, p. 2; Piako County Council, Minutes of Meeting of 6 July 1889, Matamata-Piako District Council Archives, Te Aroha.

[118] Waiorongomai Correspondent, *Te Aroha News*, 20 July 1889, p. 2.

[119] Piako County Council, Minutes of Meeting of 14 September 1889, Matamata-Piako District Council Archives, Te Aroha.

his tender of £13 to repair and drain another Waiorongomai road was accepted.[120] Two years later, he offered to deliver stones or broken metal to the council.[121]

TIMBER CUTTERS AND TIMBER MERCHANTS

Although William described himself as a bushman in 1881 and 1883,[122] James would do more timber cutting in later years. In January 1884, William was granted a timber license for the Thames High School Endowment,[123] but in June the following year was charged with cutting timber without a license. He 'admitted he had no license, but stated he had been cutting' for a man who held one but had left the district, 'and thought he could do so. Fined 1s without costs'. A similar case against Andrew Smith, his father-in-law, was withdrawn after Smith explained that he was 'merely a visitor' who was staying with him and had 'received no pecuniary benefit for any timber he had cut'.[124] William took out another license for this area in October 1885.[125] The only other time he sought permission to cut timber was in September 1895, when he wanted to obtain posts and firewood from the Hori More Block, on the eastern edge of Te Aroha.[126]

In July 1882, when James was living at Te Aroha, the mining inspector unsuccessfully accused him of cutting timber without a license.[127] In late September, James accused a man of the same offence, but as he did not appear in court the case was struck out.[128] One month later, he successfully accused another man of cutting a kauri tree, and obtained 15s,

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[120] Piako County Council, Minutes of Meeting of 5 July 1892, Matamata-Piako District Council Archives, Te Aroha; Piako County Council, *Waikato Times*, 9 July 1892, p. 2.

[121] Piako County Council, *Waikato Times*, 31 March 1894, p. 10.

[122] *Thames Directory for 1881* (Thames, 1881), p. 119; Notices of Intentions to Marry 1883, folio 218, Births Deaths and Marriages, BDM 20/28, ANZ-W.

[123] Te Aroha Warden's Court, Register of Applications 1883-1900, 11/1884, BBAV 11505/1a, ANZ-A.

[124] Warden's Court, *Te Aroha News*, 13 June 1885, p. 2.

[125] Te Aroha Warden's Court, Register of Applications 1883-1900, 53/1885, BBAV 11505/1a, ANZ-A.

[126] Te Aroha Warden's Court, Mining Applications 1895, application dated 27 September 1895, BBAV 11289/14a, ANZ-A.

[127] Te Aroha Warden's Court, Plaint Book 1880-1898, 61/1882, BBAV 11547/1a, ANZ-A.

[128] Te Aroha Warden's Court, Plaint Book 1880-1898, 88/1882, BBAV 11547/1a, ANZ-A.

not the £14 sought.[129] When he was sued for taking one, the case was settled out of court.[130] In 1883 and 1884, as manager of the Waiorongomai Timber Company, James advertised selling 'all kinds of Timber, Post, Rails, House Blocks, Shingles, Palings, Slabs and Firewood'.[131] Before October 1883, when he was described as 'formerly of Waiorongomai', he had sold his interest in some property, including trees, to Hugh Rea,[132] another timber merchant.[133] Afterwards, James and either his brother-in law or his nephew, Axel Leonard Forsman, cut some blocks from a tree, and cut down several trees on the Thames High School Endowment and sold some of the posts and other property to Rea.[134] Rea claimed £8 in damages from them for 'Timber carried away', but lost his case.[135] As James had sold this timber a fortnight before filing as bankrupt, the magistrate said he would inform the trustee in bankruptcy.[136]

James' tender to supply firewood to the Waiorongomai school, at 12s per ton, was accepted in June 1884.[137] In November, he was charged with cutting timber on the endowment without a license, but in the following month this charge was withdrawn, 'Roycroft having taken out a Timber License'.[138] Once again accused, in June 1885, of cutting timber without a license, he was fined 1s.[139]

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[129] Te Aroha Warden's Court, Plaint Book 1880-1898, 91/1882, BBAV 11547/1a; Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 46/1882, BCDG 11221/1a; Plaints 1882, 46/1882, BBAV 11572/1a, ANZ-A.

[130] Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 41/1882, BCDG 11221/1a; Plaints 1882, 41/1882, BCDG 11572/1a, ANZ-A.

[131] For example, advertisements, *Te Aroha News*, 9 June 1883, p. 1, 26 January 1884, p. 7, 9 February 1884, p. 7.

[132] *Te Aroha News*, 27 October 1883, p. 2.

[133] See Te Aroha Warden's Court, Register of Applications 1880-1882, folio 190, BBAV 11505/3a; Register of Applications 1883-1900, 65, 152/1883, BBAV 11505/1a, ANZ-A; *Waikato Electoral Roll, 1884*, p. 18; District Court, *Te Aroha News*, 20 December 1884, p. 7.

[134] *Te Aroha News*, 27 October 1883, p. 2.

[135] Te Aroha Warden's Court, Plaint Book 1880-1898, 43/1883, BBAV 11547/1a, ANZ-A.

[136] *Te Aroha News*, 27 October 1883, p. 2.

[137] *Te Aroha News*, 14 June 1884, p. 7.

[138] Te Aroha Warden's Court, Plaint Book 1880-1898, 77/1884, BBAV 11547/1a; Register of Applications 1883-1900, 57/1884, BBAV 11505/1a, ANZ-A.

[139] Te Aroha Warden's Court, Plaint Book 1880-1898, 5/1885, BBAV 11547/1a, ANZ-A.

One problem faced by timber cutters was the often-poor state of the lower road, which made sledging timber out very difficult. In March 1884, James wrote to the council that 'he had repaired the lower track up to the Waiorongomai Creek, which had become impassable, and asked, as he was a poor man, that the council make him some acknowledgment in the way of compensation for his trouble and outlay'. A councillor was delegated to investigate.[140] The following February, he was granted use of the Fern Spur incline to bring firewood down, at 3s a load.[141] He still described himself as a bushman in September 1885,[142] but no further details of his timber cutting have been traced.

LAND IN THE TE AROHA DISTRICT ON WHICH WILLIAM AND JAMES SETTLED

In June 1882, William was granted allotment 110 block V at Waiorongomai, and James and his wife Eliza allotments 111 and 112 in the same block.[143] In August, they were granted adjoining residence sites, allotments 104-106.[144] On 24 February 1883, William and James sold their allotments to Thomas Lawless,[145] a local publican,[146] and four days later Eliza sold her allotment to another man.[147]

In March 1886, when James was sued by a miner, John Brien,[148] for £2 10s, it was explained that he and three others had applied for sections in

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[140] Piako County Council, *Waikato Times*, 20 March 1884, p. 2.

[141] Piako County Council, *Waikato Times*, 12 February 1885, p. 2; *Te Aroha News*, 14 February 1885, p. 2.

[142] Church of England, Hamilton East District, Register of Baptisms 1879-1908, no. 58, Anglican Diocesan Archives, Hamilton.

[143] Te Aroha Warden's Court, Residence Site Licenses Butt Book 1882, nos. 199, 200, BBAV 11548/2c; Rent Ledger 1881-1900, folios 145-147, BBAV 11501/1a, ANZ-A.

[144] Te Aroha Warden's Court, Register of Applications 1880-1882, folio 184, BBAV 11505/3a, ANZ-A.

[145] Te Aroha Warden's Court, Transfers and Assignments 1883, 91/352, 89/357, dated 24 February 1883, BBAV 11581/3a; Rent Register 1881-1899, folio 145, BBAV 11501/1a, ANZ-A.

[146] See paper on his life.

[147] Te Aroha Warden's Court, Rent Register 1881-1899, folio 147, BBAV 11501/1a, ANZ-A.

[148] See *Te Aroha News*, 18 October 1884, p. 7, 20 December 1884, p. 2, Magistrate's Court, 5 December 1888, p. 2.

the Gordon Special Settlement, upriver from Waiorongomai, but when 'they could not take it up' the plaintiff advanced this amount to James to pay his share of the expenses of surveying the section. As it turned out not to be in the block, the other three returned the money advanced. According to Brien,

> one night Roycroft said to me John I have not got this land you had better take the money I said wait till it is settled – then I asked for the money he told me he had put money in Post Office till he saw about it & would tell Post Office to give the money but he had to wait some days – so I waited & then he told me he had not got it – but he sd he would pay me – then he sd I must summons him as he could not pay me.

Cross-examined by James, Brien said the latter had promised to 'take the land up for me, so I took the money to you – You offered me the money & I refused it as I thought it might be got'. In his evidence, James stated he was an original member of the Gordon Settlement Association.

> I had to pay up 2/10 one night could not get it – Brien asked me to take it up for him, and he would pay me the 2/10 He did so – I offered it to the Secretary he refused it – Brien told me to battle it out – I did then told Brien so & offered him the money, he refused & said fight it out we might get the land I again offered him the money & he said wait – I put it in the Post Office - & lost 4 days.[149]

The money had been refused 'as having been tendered too late'. As he had 'lost four days in carrying out the wishes of plaintiff in this respect', James considered he was entitled to keep the money 'for loss of time', but judgment was given for Brien.[150]

In early 1892, William erected a cottage on a 16-acre section adjacent to Stoney Creek and the road between Te Aroha and Waiorongomai.[151] His son, James Lewis, who was born there in July 1892,[152] recalled their neighbours as having included 'Bob Meikle' (meaning Robert Michael),

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[149] Te Aroha Warden's Court, Register of Applications 1888-1892, including Harry Kenrick's notes on cases 1885-1886, folios 25-26, BBAV 11505/7c, ANZ-A.

[150] Magistrate's Court, *Te Aroha News*, 20 March 1886, p. 2.

[151] *Thames Advertiser*, 26 August 1892, p. 2; Te Aroha Borough Council, Rate Book 1893-1894 [no pagination], Matamata-Piako District Council Archives, Te Aroha.

[152] Birth Certificate of James Lewis Roycroft, 27 July 1892, 1892/9673, BDM.

Thomas Gavin, Robert Mackie,[153] and James Ellery,[154] another miner.[155] On 21 August, a Sunday, the house 'was completely wrecked, the family fortunately escaping without any injury, and taking refuge in Mr Cole's house a little further on…. The house was only lately built, and the loss … will be a serious one'.[156] A Te Aroha correspondent reported a 'great deal of sympathy' for the family:

> They have been very unfortunate of late, by having sickness in the house, and in other ways. A few months ago they built this cottage, working early and late to put it in order, and just when everything seemed pretty comfortable, the gale came and completely wrecked it. The mother and little children, one only five weeks old, had a very narrow escape. They were just about three minutes out of the building when it collapsed.

As in addition to losing their house, 'the furniture, crockery, etc, was nearly all destroyed', a committee of the Te Aroha Young Men's Club organized an entertainment to raise money for them. A subscription list in Te Aroha had been 'very generously received', Waiorongomai residents planned to hold a benefit concert, and donations from outsiders were sought to help raise sufficient money 'to put the house in thorough order again'.[157] A second concert and dance held at Te Aroha 'in aid of the Roycroft fund' was 'very successful. The programme was a long one, consisting of instrumental pieces, tableaux, songs, etc, and the various items were fairly well given, and very well received. The subscription list for the same object has also been fairly successful'. Two publicans were notable for providing and raising money. 'Altogether, with list and concerts, it is expected that about £15 will be raised, and this should be sufficient to rebuild the cottage,

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[153] See chapter on Robert and Elizabeth Mackie.

[154] James Lewis Roycroft to Town Clerk, 14 April 1948, Te Aroha Borough Council, Letters on 1948 Borough Jubilee, Matamata-Piako District Council Archives, Te Aroha.

[155] See *Te Aroha News*, 18 October 1884, p. 7, 30 May 1885, p. 7, 29 May 1886, p. 5, 17 August 1889, p. 2, 23 October 1889, p. 8.

[156] *Thames Advertiser*, 26 August 1892, p. 2.

[157] Te Aroha Correspondent, *Auckland Weekly News*, 3 September 1892, p. 10.

work at which has already been commenced'.[158] The four-roomed house erected had a rateable value of £12 10s.[159]

FINANCIAL STRUGGLES

Both brothers had financial difficulties, and both went bankrupt whilst living at Waiorongomai, James doing so twice. William was sued to enforce payment of £5 in 1875, and in May and July 1884 he was ordered to pay £1 2s and £5 0s 8d,[160] but he was not sued again until 1890. An indication of his financial fragility in December 1889 was his giving a bill of sale over his waggons, drays, and horses, to ensure repayment of £21.[161] In February 1890, he was ordered to pay a Te Aroha butcher £21 17s 10d.[162] As he did not pay, presumably because he could not, a judgement summons was taken out, and he was ordered to pay £1 each month starting in late April; if no payment was made then, the total would become due, and if he defaulted he would be imprisoned for two weeks.[163] As a consequence, in November he filed as bankrupt.[164] He told the assignee that he had been

> employed at carting and in bush work at Waiorongomai for the last eight or nine years. He could not say what his average earnings were. He had made 20s a day with one team, and at other times not so many pence a day. He had been in debt ever since he started, and the immediate cause of his filing was the failure of his health, he being thus unable to work. For the last twelve years he had not been able to do any work except driving. One of his creditors obtained judgment against him, and he had to file.

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158 Te Aroha Correspondent, *Auckland Weekly News*, 17 September 1892, p. 23.

159 Te Aroha Borough Council, Rate Book 1893-1898 [no pagination], Matamata-Piako District Council Archives, Te Aroha.

160 Thames Magistrate's Court, Plaint Book 1875-1880, 461/1875, 13737/15b; Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 107, 165/1884, BCDG 11221/1a, ANZ-A.

161 *Mercantile and Bankruptcy Gazette*, 11 January 1890, p. 2.

162 Te Aroha Magistrate's Court, Civil Record Book 1889-1896, 4/1890, BCDG 11221/1c, ANZ-A.

163 Te Aroha Magistrate's Court, Civil Record Book 1889-1896, Judgment Summons dated 15 April 1890, BCDG 11221/1c, ANZ-A.

164 *Auckland Weekly News*, 8 November 1890, p. 15.

His liabilities totalled £186 10s 4d and his assets were about £40.[165] In March 1893, he was discharged.[166] In January 1894, a Hamilton draper sued him for £1 19s 7d, being for goods supplied, which he was required to pay within two months.[167] Only after a distress warrant was served in May, for a debt that had risen to £2 6s 7d, did he pay.[168] In July, his wife paid rates amounting to £1 1s 7d, as ordered.[169] In November, when a Te Aroha shopkeeper, John Williams,[170] sued for £8 1s, he was ordered to pay £7 15s.[171] As he did not, in the following May a judgment summons was issued for £9 8s 6d.[172] This being unpaid by early June, he was ordered to pay £9 8s 6d immediately or be imprisoned for ten days; the warrant of committal would be suspended if he paid £1 monthly,[173] which he did. In 1897, he was ordered to pay £2 16s 2d, for goods supplied.[174]

Before settling at Waiorongomai the only time James was sued was in 1878, 16s for rates; he settled out of court.[175] In March 1883, a Thames draper sued him for £9 19s 6d, but the case was struck out because neither party appeared in court because James had filed as bankrupt.[176] He owed

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165 *New Zealand Herald*, 30 October 1890, p. 3.

166 *New Zealand Gazette*, 9 March 1893, p. 316.

167 Hamilton Magistrate's Court, Civil Record Book 1888-1894, 172, 175/1894, BCDG11256/3a, ANZ-A.

168 Hamilton Magistrate's Court, Home Warrant Book 1881-1922, Distress Warrant dated 22 May 1895, BCDG 11261/1a, ANZ-A.

169 Te Aroha Magistrate's Court, Civil Record Book 1889-1896, 25/1894, BCDG 11221/1c, ANZ-A.

170 See paper on Joseph Campbell and his thermo-hyperphoric process.

171 Te Aroha Magistrate's Court, Civil Record Book 1889-1896, 52/1894, BCDG 11221/1c, ANZ-A.

172 Te Aroha Magistrate's Court, Record of Judgment Summons 1894-1928, 8/1895, BBAV 11222/2a, ANZ-A.

173 Te Aroha Magistrate's Court, Civil Record Book 1889-1896, Judgment Summons dated 8 June 1895, BCDG 11221/1c, ANZ-A.

174 Te Aroha Magistrate's Court, *Waikato Argus*, 17 June 1897, p. 3.

175 Thames Magistrate's Court, Plaint Book 1875-1800, 198/1878, BACL 13737/15b, ANZ-A.

176 Te Aroha Magistrate's Court, Civil Record Book 1881-1883, 58/1883, BACL 13735/1b, ANZ-A; *Thames Star*, 14 March 1883, p. 3

£179 10s 11d, and his estate was estimated to have no value.[177] In October 1884, he was ordered to pay £1 5s, and as he did not a distress warrant was served on him in the following January to enforce payment of £2 5s, when it was discovered he had no assets to seize.[178]

THEIR PRIVATE LIVES AT WAIORONGOMAI

Their only community involvement was in the Volunteers. James re-enrolled in the Thames Rifle Rangers in August 1886, but resigned in September the following year,[179] presumably because he was living outside the Thames area. William enrolled in the Te Aroha Rifles in September 1892, but in February 1896 it was recorded that he had attended only five parades, as being a carter he was 'working away from home'.[180] He was discharged in April 1897.[181]

William had been married, in Thames in June 1883, to Annie Smith, aged 22, ten years his junior. Her father, Andrew Nicholls Smith, was a carpenter, and her mother was Mary Ann, née Foley.[182] Seven children were born at Te Aroha: Andrew James, in June 1884;[183] Annie, in August 1886;[184] Archibald John, in June 1888;[185] William Axel (his second name being that of a brother-in-law), in March 1890;[186] James Lewis, in July

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

[178] Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 236/1884, BCDG 11221/1a; Home Warrant Book 1883-1928, 1/1885, BBAV 11498/1a, ANZ-A.

[179] Thames Rifle Rangers, No. 2 Coy, Nominal and Descriptive Rolls to 31 December 1886, 31 December 1887, Army Department, ARM 41, 1888/1at, 1888/1av, ANZ-W.

[180] Te Aroha Rifles, Nominal and Descriptive Rolls to 28 February 1895, 29 February 1896, Army Department, ARM 41, 1911/66q, 1911/66r, ANZ-W.

[181] Te Aroha Rifles, Nominal Roll to 28 February 1898, Army Department, ARM 41, 1911/66t, ANZ-W.

[182] Notices of Intentions to Marry 1883, folio 218, Births Deaths and Marriages, BDM 20/28, ANZ-W; Marriage Certificate of William Roycroft, 20 June 1883, 1883/1082; Death Certificate of Annie Roycroft, 16 September 1924, 1924/4987, BDM.

[183] Birth Certificate of Andrew James Roycroft, 16 June 1884, 1884/9730, BDM.

[184] Birth Certificate of Annie Roycroft, 19 August 1886, 1886/9951, BDM.

[185] Birth Certificate of Archibald John Roycroft, 6 June 1888, 1888/11678, BDM.

[186] Birth Certificate of William Axel Roycroft, 5 March 1890, 1890/1844, BDM.

1892;[187] Charles, in December 1893;[188] Miriam Charlotte Dowd, in October 1895;[189] and Keneth (as recorded) David in August 1897.[190] Charles, born prematurely, died of 'debility' after 12 days of life.[191] Two more children were born to James while he was living at Waiorongomai: Eliza in July 1884 and Robert James in September 1885.[192] All of their children were baptized as Anglicans bar two, who were baptized as Wesleyans.[193] In the absence of an Anglican Sunday School in the district, three of them attended the Wesleyan one at Te Aroha.[194]

The drunken and violent behaviour that had got James into trouble with the law in Thames continued in Te Aroha. In April 1884 Eliza formally charged her husband: 'By excessive drinking of liquor misspends and wastes his estate & greatly injures his health'. He made no plea, and as neither of them attended the court hearing, the case was struck out.[195] In mid-May 1885, after at first making no plea to a charge of using obscene language in a public place he then admitted the offence. As he had been held in the lock-up from Friday until the hearing on Monday he was given the 'mitigated penalty' of being returned there for 24 hours.[196] His being imprisoned over

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[187] Birth Certificate of James Lewis Roycroft, 27 July 1892, 1892/9673, BDM.

[188] Birth Certificate of Charles Roycroft, 16 December 1893, 1893/10844, BDM.

[189] Birth Certificate of Miriam Charlotte Dowd Roycroft, 24 October 1895, 1895/9331, BDM.

[190] Birth Certificate of Keneth David Roycroft, 18 August 1897, 1897/9330, BDM.

[191] Death Certificate of Charles Roycroft, 27 December 1893, 1893/5429, BDM.

[192] Birth Certificates of Eliza Roycroft, 31 July 1884, 1884/6198; Robert James Roycroft, 15 September 1885, 1885/17945, BDM.

[193] Church of England, Register of Te Aroha Baptisms 1879-1908, nos. 198, 303, 481, Anglican Diocesan Archives, Hamilton; Coromandel Baptisms Register 1865-1910, no. 200; Thames Baptisms Register 1880-1889, nos. 13, 856; Thames Baptisms Register 1889-1900, nos. 51, 275, Anglican Archives, Auckland; Wesleyan Church, Upper Thames Circuit, Baptismal Register 1881-1929, nos. 110, 111, Methodist Archives, Auckland.

[194] Church of England, Waiorongomai Sunday School, Admission Book 1884-1889, entries for 3 March 1885, (for Bella) before 3 January 1886 (Bella), 13 January 1889, Methodist Archives, Auckland.

[195] Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 41/1884, BCDG 11220/1a, ANZ-A.

[196] Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 19/1885, BCDG 11220/1a, ANZ-A; Armed Constabulary Force, Report of Charges taken at Te Aroha

the weekend was used by a Te Aroha correspondent as an example of the injustice of people being imprisoned on petty offences because there was no resident magistrate to hear their cases immediately.[197] Giving evidence in this case, Sergeant William Emerson

> stated the language made use of was very bad, and uttered in the presence of a number of people, but he did not, in this case, wish to press for punishment beyond what would be sufficient to warn defendant from committing a like offence, as he had a wife and several children entirely dependant on his earnings.

After sentencing him, the justice of the peace 'severely reprimanded defendant for his disgusting behaviour, and said it was a class of crime that must be put down with a strong hand'.[198] Only one week later, when Eliza again charged him with excessive drinking, once again he made no plea, resulting in prohibition orders forbidding publicans in the Te Aroha and Waitoa districts from serving him.[199]

In March 1886, Eliza charged her husband with a more serious offence: 'Assault and using threatening language to the Informant to whit that if she gave evidence in court he would kill her'.[200] This charge meant he was placed in the Te Aroha lock-up once more.[201] John Lloyd, publican of the Commercial Hotel at Waiorongomai,[202] was charged with supplying him with liquor despite knowing he was a prohibited person. The first witness tried to avoid assisting the police case:

Lock-Up 1880-1903, 8/1885, in private possession; Te Aroha Police Court, *Waikato Times*, 21 May 1885, p. 2.

[197] Te Aroha Correspondent, *Thames Advertiser*, 22 May 1885, p. 3.

[198] Magistrate's Court, *Te Aroha News*, 23 May 1885, p. 2.

[199] Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 20/1885, BCDG 11220/1a, ANZ-A; Magistrate's Court, *Waikato Times*, 28 May 1885, p. 2.

[200] Te Aroha Magistrate's Court, Criminal Record Book 1881-1896, 20/1886, BCDG 11220/1a, ANZ-A.

[201] Armed Constabulary Force, Report of Charges taken at Te Aroha Lock-Up 1880-1903, 14/1886, in private possession.

[202] See *Te Aroha News*, advertisement, 21 February 1885, p. 1, 6 February 1886, p. 2, 27 March 1886, p. 3, 8 May 1886, p. 2, Piako County Council, 14 July 1888, p. 2, 19 September 1888, p. 2.

Donald McLean,[203] sworn, in reply to Sergt. Emerson, stated: He lived at Waiorongomai. Knew accused, and was in his hotel on Monday, 22nd March, his wife being with him. Jas. Roycroft and another man were also in the room at the same time. Had some beer. Was not aware of the others having any drink. Was not more than ten minutes in the room when the Sergeant came in. Did not see Roycroft with any liquor. Had a game of cards with Roycroft, played for a shilling, and a glass of beer. Roycroft lost, and paid for my beer. (The Sergeant here stated to His Worship that the witness told him a day or two afterwards that Roycroft had a glass of beer at the time referred to, brought by Mrs Lloyd.) Believed Roycroft was the worse of drink at the time. Had three or four drinks while there with Roycroft. His (witness') wife had about the same number of drinks also.
[Witness fenced the questions put in every possible way, and answered in a most unsatisfactory manner.]
Sergt. Emerson, sworn, stated: On the 22nd March was in Waiorongomai delivering census papers. From information received I went to accused's house and there found Roycroft and the last witness and his wife in a room adjoining the bar (Lloyd being in the bar at the time) sitting at a table. As I was at the door coming in I heard a scramble of money on the table, and they could not get all the cards off quickly enough, some being still on the table when I went in, and also half a glass of beer. Roycroft was drunk and abusive to me for interfering. Spoke to Lloyd about having him there in that state. Roycroft's wife has constantly complained to me of her husband's getting drink in Waiorongomai, although a prohibition order is out against him.

Eliza gave evidence of her husband going to the hotel:

He went there at nine in the morning and left at half-past three. I watched him go and leave. He was drinking half the previous day, Sunday, at Lloyd's house. Did not see him there on Sunday, but he told me so himself. On Monday I went to Lloyd's hotel at 11 o'clock and saw Lloyd take my husband drink on a tray – beer – wait till he drank it and then take the tray away. Lloyd did not see me. When my little girl came home from school I sent her to see, and tell her father to come home to his dinner. When she returned she said she saw her dada at Lloyd's, but he told her to go home; sent her over again in the afternoon. Had warned Lloyd in my own house not to give my husband drink previously. Also warned the other hotelkeepers at Waiorongomai. My husband put me out of the house on Sunday night last and blackened all my arms. With regard to this case he threatened to kill me if I

[203] See *Te Aroha News*, 26 April 1884, p. 2.

> appeared and gave evidence. My husband was quite drunk on the day referred to. He brings firewood to Mr Lloyd, and I believe this is the way Lloyd pays for it, in drink.
> In reply to His Worship, Mrs Roycroft said she had every reason to believe her husband would carry out his threat of violence.
> Defendant said, in reply to His Worship: He had no evidence to produce to set aside the evidence already given, and had nothing to say. Roycroft got drink in other hotels as well as in his.

Lloyd claimed to have been in Te Aroha most of that Monday, returning shortly before Emerson arrived, and had 'ordered Roycroft out when the Sergt. went away'. In his judgment, the magistrate, Harry Kenrick,[204] described giving drink to a prohibited man as 'a most cruel and wanton thing to do, and really amounted to giving them poison; as if they once tasted it, it was well known they would crave for more', for such men had 'lost all control' over themselves. 'It was quite impossible' for James to have been drinking in Lloyd's hotel without his knowledge and consent. As for McLean, he had 'been deliberately lying'. Lloyd was fined £5 and costs. Later in the sitting, charged with assaulting his wife to prevent her give evidence, James 'was bound over in his own recognizances for £10 to keep the peace for six months'.[205]

A presumable reflection of their marital disharmony at that time was that no children were born between July 1884 and September 1887.

THE FORSMAN FAMILY BEFORE SETTLING AT WAIORONGOMAI

When mining at Thames, from at least 1870 onwards, Axel Leonard Forsman went by the name of James Forsman.[206] In 1880, he held 250 shares in the Luck's All Company[207]. The family was first mentioned in the press in October 1874, when the Waiotahi School Committee considered a complaint against the Punga Flat teacher's treatment of his eight-year-old daughter, Louisa Jane. After Forsman complained about his conduct to the chairman of the committee and was told to provide a written complaint, he

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[204] See paper on his life.

[205] Magistrate's Court, *Te Aroha News*, 10 April 1886, p. 2.

[206] Death Certificate of Suseilia Forsman, 18 February 1870, 1870/16956, BDM; *Thames Advertiser*, 2 May 1878, p. 3.

[207] Advertisement, *Thames Star*, 17 July 1880, p. 3.

wrote stating that the teacher had called Louisa a thief 'and from this and other causes he was compelled during the last three weeks to keep his children from the school, which, he stated, was to them a serious loss'. It was agreed to investigate,[208] and
the matter was discussed further at its next meeting:

> A letter from Mr Campbell of the Punga Flat School was also read, being a reply to a copy of complaint sent to him, which complaint was made to the Committee against his conduct by Mr Forsman of Punga Flat. The letter contained a complete denial of the charge made against him, and in support of this denial a declaration was attached bearing the signatures of a large number of the children of the school, stating that they never heard the teacher make use of the words attributed to him, namely, that he looked upon "Louisa Forsman (daughter of complainant) as a thief."

Although one member of the committee considered that sending a copy of this denial to Forsman would be 'ample satisfaction for him', it was agreed that the full committee should consider the issue before responding.[209] When it did, the complaint was 'dismissed'.[210] Forsman then wrote asking it to reconsider, 'but the committee declined to re-open this matter on which they had already decided'.[211]

In April 1878 Forsman charged Michael Driscoll, variously a storekeeper at Punga Flat, a contractor, and a publican,[212] with 'unlawfully using threatening language'.

> James Forsman, sworn, deposed – I reside at Punga Flat, and recollect the 13th of this month. Some time previous I was requested to bring young Brennan down to town, he having been stopping at Driscoll's. From thence I returned to Punga Flat with Mrs Brennan, and met Driscoll coming down. Mrs Brennan told him of me taking the boy down, and he said, "Where is that bloody German? I will have his life this night." He commenced to run towards me, and Mrs Brennan said "Stay, you don't know

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[208] Waiotahi School Committee, *Thames Star*, 15 October 1874, p. 2.

[209] Waiotahi School Committee, *Thames Star*, 28 October 1874, p. 2.

[210] *Thames Advertiser*, 10 November 1874, p. 2.

[211] *Thames Advertiser*, 10 December 1874, p. 3.

[212] See Magistrate's Court, *Thames Star*, 2 March 1878, p. 3, 4 October 1879, p. 3, 7 January 1880, p. 2, 15 January 1880, p. 2.

what you're doing." I said not a word. After that there was a disturbance.
By Mr Macdonald [Driscoll's counsel]: The boy came down voluntarily. I did not tell him that if he said a word I'd chuck him down a shaft. He said if he could get away from those wretches. I was some distance from Driscoll when he used the language. I was going on a by track to my gate.
Margaret Forsman, sworn, deposed – I am the wife of the informant. I recollect the boy Brennan running into our house on the 13th, and my husband taking the lad down. Some time after I was waiting at the gate for my husband's return when I heard voices. I heard Driscoll say "The ---- German. I'll murder him for this. I'll take his life."
By Mr Macdonald – I am certain of the language used.
Louisa Forsman, sworn, deposed – I am daughter of the plaintiff, and recollect Saturday the 13th inst. I came into the house with young Brennan, and my father took him down town. (Witness here corroborated the former witnesses' evidence concerning the language used.)
Annie Donnelly, sworn, deposed – I live at Punga Flat, a short distance from Forsman's. I heard voices on the road. I heard Driscoll ask where the b----y German was, and said he would take his life. This was between 8 and 11 at night.
By Mr Macdonald – I was watching for Driscoll, as I saw him prowling about. I have been watching him for the last six years.
Annie McDermott, sworn, corroborated the evidence re the language used by Driscoll.
His Worship said he would reserve judgment till after the hearing of the other cases.

ANOTHER CASE

Eliza Driscoll was charged with using threatening language towards one J. Forsman, at Punga Flat, on the 13th inst.
Mr Macdonald for the defendant admitted that some language had been used.
Judgment in this case was also reserved.

ASSAULT

James Forsman was charged with unlawfully assaulting one David Brennan on the 13th.
Defendant pleaded guilty….
Mr Macdonald stated the case and said that the threatening language used by Driscoll was in consequence of the boys having been taken away by defendant.
Samuel Brennan, sworn, deposed – I am the father of a little boy who has been living with the Driscolls for some time. I did not

give Forsman authority to bring the boy over from their custody. I had some conversation with Forsman. He told me that the boy was badly treated, and I asked the boy and he was not badly treated. I told him I would take him down next Saturday. The boys never evinced any appearance of being badly used.
By Mr Brassey [Forsman's counsel]: When I saw Mr and Mrs Forsman in town, and knowing they were going to summon the Driscolls; and not wishing to get the boy into Court, I asked Forsman not to summon the Driscolls.
David Brennan (a little boy), sworn, deposed – That the defendant took him by the back of the neck, and took him down town. He did not go willingly. He did not tell anyone that he had been promised a horse and cow if he said this. He was not in Forsman's house that day at all.
The defendant, his wife, and daughter stated that the boy came over to their house, and went down of his own accord.
Mr [Robert] Bullen [Inspector of Police][213] said that Forsman came with the boy to the station on the night in question, and the boy appeared to go willingly.
His Worship said the last case would be dismissed. The two other cases he would take a lenient view of, and inflict a penalty of 40s in each case, Mr and Mrs Driscoll. He recommended them to leave Punga Flat as soon as possible, as there was nothing but rows there.[214]

Two weeks later, the feuding families were back in court:

ALLEGED FOWL STEALING

Eliza Driscoll and Michael Driscoll were charged that they did feloniously steal, take and carry away six fowls, the property of one James Forsman, of the value of 15s….
The defendants, through Mr Macdonald, pleaded not guilty….
James Forsman, sworn, deposed – I am a miner residing at Punga Flat I know the defendants. They reside close to me – about 60 yards away. I keep a good many fowls. I have been losing fowls lately, and ducks and geese. The defendants keep fowls also. Mrs Driscoll is in the habit of feeding them. She does so anywhere – sometimes with mine. She could feed them by her own door, if she chose. I fed my own fowls on Sunday morning. My wife and daughter saw me feeding them. After feeding they

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[213] See Richard S. Hill, *The Colonial Frontier Tamed: New Zealand policing in transition, 1867-1886* (Wellington, 1986), index, and *The Iron Hand in the Velvet Glove: The modernization of policing 1886-1917* (Palmerston North, 1995), p. 12.

[214] Magistrate's Court, *Thames Star*, 17 April 1878, p. 2.

went away, and subsequently we found there were six missing. I value them as 2s 6d a-piece. This fowl (produced) is mine. It was present on Sunday morning with the others. I saw [James] Senior [a Thames publican turned mine manager][215] (to whom the fowl had been sold by the Driscolls) with it in his hand as he passed my place. He went home with it. I know it by its peculiar head and stump tail. I swear to it positively. I never sold the fowl to anybody. On Monday, 29th, I accompanied the Sergeant to defendants', and found among those confined in his house the fowl produced. I did not identify any other fowl as mine.

By Mr Macdonald – There has been some bother before between us. I had 37 fowls, and now have only 17. I remarked on the Sunday morning, when feeding the fowls, "they were looking small." I reared the fowl myself. I could not inform the Court as to its age. It is a last year's fowl. I examined the fowls particularly when I went to Senior's, where I found this one (produced).

By the Bench – I did not say anything to Senior about its being mine. I heard Mrs Driscoll telling Senior to keep her fowls in her house for a few days until they got used to the place. This confirmed my suspicion that it was my fowl Senior had. The fowl is like its mother.

Margaret Forsman, sworn, deposed – I am the wife of last witness. We had a quantity of fowls. I don't know where they have gone exactly – I suppose where this one went. I reared this fowl from the egg. It was present on Sunday morning. I know Senior. I saw him in the evening with fowls, which he took home. He was some distance off, but couldn't say how far. I thought one looked like mine. Five other fowls have been taken. When I went with the Sergeant to Senior's, I recognized my fowl among the other shut up. I know it by its head, its tail, and color. It is half game, I think. I have no doubt but it's mine. I got the egg it came from from Mrs Driscoll, among others.

Louisa Forsman, sworn, deposed – I was present last Sunday morning when the fowls were fed. This one (produced) was among the rest. (The witness here stated how she knew the fowl.) I pulled the feathers out of its wing. The first time after losing it I saw it at Senior's, when the Sergeant asked me did I know it. It did. It is one of last year's chickens.

Robert Forsman (a boy of 12), sworn, deposed – I know this fowl, it belongs to my mother. I know it by it having feathers out of its wing. I did not see my sister pull them out of its wing.

James Senior, sworn, deposed – I saw the Driscolls on Sunday last about the purchase of some fowls. I agreed to take two or three. I got this one (produced) among the rest. It is the same, only that it has not so may feathers as when I got it. I did not pay

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[215] See *Thames Advertiser*, Police Court, 13 July 1874, p. 3, advertisement, 3 March 1885, p. 2.

for them then. I passed Forsman's as I went home with them. I put them in my yard, but they got out.
By Mr Macdonald – The fowl was taken possession of by the police. I took my choice of Driscoll's fowls. There was one other fowl very like mine. I thought they were sister chickens. The fowls appeared used to the place.
By the Bench – I think I would have noticed the feathers out of the wing when catching them. No one told me about them having been pulled out since.
Sergeant Fleming, sworn, deposed – I accompanied Forsman last Monday to Senior's. Forsman identified one fowl as his. We took it into our possession, and it has been in my possession ever since. It was not taken to Forsman's before I took it. It was taken to Forsman's and put in a kit to bring down here. I accompanied the girl Forsman to her house but not inside. I could not say where she got the kit from. I kept near the fowl. I examined the fowl at Senior's, but did not notice its wings particularly. It was carried to Forsman's house, to get a kit to bring it down. The girl had hold of the fowl. I could not say from what room she brought the kit.
Several other questions were put by the Bench and Mr Bullen to the witness, who appeared rather confused, and His Worship said he could not get anything satisfactory from his evidence. He had some suspicion that the fowl's wings had been tampered with. He would give the defendants the benefit of the doubt. He alluded to the bad feeling between the parties.
Defendants were discharged.
Senior took possession of the fowl.[216]

In another version of the evidence, Margaret said she had seen Senior carrying some fowls, 'and turning round to speak to his wife witness observed that one of them was her property. All of her fowls had feathers plucked out of their wings'. Sergeant Fleming was 'examined at some length' about 'whether he was watching the fowl from the time it was laid down till it was placed in the kit, so that no one might have a chance of pulling feathers from its wings; but he said that he could not swear to this'. As the magistrate considered that 'the case rested on this point, and as it could not be proved that the fowl had not been tampered with while in Forsman's house he would have to dismiss the case'.[217]

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[216] Magistrate's Court, *Thames Star*, 1 May 1878, p. 2.

[217] Police Court, *Thames Advertiser*, 2 May 1878, p. 3.

THE FORSMAN FAMILY AT WAIORONGOMAI AND AFTERWARDS

In June 1882, Axel and Margaret Forsman both acquired residence sites at Waiorongomai.[218] Forsman worked in the mines,[219] without becoming a shareholder in any claim. In May 1888, his tender to sink a winze was declined as informal, and another to drive on a reef was rejected in favour of a lower one.[220]

In 1887, still using the name James, Forsman gave his occupation as farmer.[221] In the previous year he had obtained 96 acres in the Gordon Special Settlement,[222] but through failure to be 'continuously in residential occupation' he was asked, in March 1889, to show cause why he should not forfeit both land and improvements.[223] His reply, posted from Waiorongomai, where he was still living, explained his straightened financial circumstances caused by the decline in mining. 'I have a very large family to support, with very limited means namely what I can earn myself, second ever since the land was granted there has been no work to be had here, hence it has took all my earnings to support my family with'. As he had been more fortunate recently, he would now be able to reside on his land. 'I can asure you Sir that I am a real Bonafied settler of the true tipe only for my curkemstances and mean to make a home for myself and my family my whole desire is to go there and will guarntee to show substantial improvements for the future, I have ten acres fenced allready'.[224] The

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[218] Te Aroha Warden's Court, Register of Applications 1880-1882, 157, 158/1882, BBAV 11505/3a; Rent Register 1881-1900, folio 120, BBAV 11501/1a, ANZ-A.

[219] Avondale Asylum, Register of Admissions 1906-1912, no. 4227, YCAA 1021/5, ANZ-A; *Te Aroha News*, 18 October 1884, p. 7, 29 May 1886, p. 2.

[220] *Te Aroha News*, 12 May 1888, p. 2.

[221] *Waikato Supplementary Electoral Roll, No. 2, 1887*, p. 2.

[222] *Waikato Times*, 7 September 1886, p. 2; *Te Aroha News*, 5 March 1887, p. 3; memorandum of 16 March 1887, Lands and Survey Department, BAAZ 1108/102a, ANZ-A; for map showing location of Section 7 Block XI, see Terese McLoughlin and Gladys Davison, *Gordon Centenary 1884-1984* (Matamata, 1984), p. 3.

[223] Chief Clerk, Crown Lands Department, Auckland, to A.L. Forsman, 4 March 1889, Lands and Survey Department, BAAZ 1108/102a, ANZ-A.

[224] A.L. Forsman to Chief Clerk, Crown Lands Department, Auckland, 14 March 1889, Lands and Survey Department, BAAZ 1108/102a, ANZ-A.

ranger noted there had been no cultivation and that the only improvements were 14 chains of fencing, costing £4 4s.[225]

By 1890, the family had settled at Gordon, had paid some of the arrears of rent, and had started cultivating.[226] In August, Margaret wrote on behalf of her husband, who was away, about the latest notice requiring payment of arrears:

> He has been constantly improving the land this last 6 months. And on account of having Such a large family he could not Stay home any longer, and has gone away in search of work. As soon as I hear where he has gone to I shall forward this notice to him. He told me if he got employment he would not be home untill the end of October. As he hoped by that time if he kept in work to earn enough money to pay his rent. Dear Sir I pray for extension of time and hope you will grant my prayer. As it is a matter of great importance to me. Dear Sir If it is at all in my power to Send half of the money in about 6 weeks time I shall be most happy to do so.[227]

Two days later, she wrote explaining that the notice has arrived a week after Forsman had left in search of work. 'And another thing is we are 13 miles from a post Office and the letters often lay a week or a fortnight before we get them. And the roads are almost impassible and having no one but little children to send for them'.[228]

By July 1894, as Forsman had complied with all residence, cultivation, and improvement requirements, he would receive his Crown Grant once arrears in rent were paid. He was mining at Waihi, 'home occasionally. Wife and family [living] on land'.[229] Margaret's obituary recalled that after they settled at Gordon they 'kept for many years the accommodation house at the

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[225] Memorandum by Ranger, 19 March 1889, Lands and Survey Department, BAAZ 1108/102a, ANZ-A.

[226] Memorandum re defaulters, 25 November 1889; Memorandum on arrears and legal proceedings, n.d. [December 1890?], BBAZ 1108/102b, ANZ-A.

[227] Margaret Forsman to Thomas Humphreys, 1 August 1890, Lands and Survey Department, BAAZ 1108/102b, ANZ-A.

[228] Margaret Forsman to Thomas Humphreys, 3 August 1890, Lands and Survey Department, BAAZ 1108/102b, ANZ-A.

[229] Ranger's Report, July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

Wairere Falls'.[230] For his last 12 years until his death in February 1912, aged 71, Forsman farmed at Waharoa, near Matamata.[231]

Forsman died in the Avondale Asylum, having been admitted in the previous May because of senile decay.[232] Margaret told one doctor that 'he imagines people are round him and gets up at night to look for them. Also he rambles in his speech and if she fails to understand him he gets very excited and angry'. She said he needed 'constant watching to keep him off the railway line', and he wore his clothes to bed because of fears of people breaking into the house. He had 'become irritable in manner & violent when contradicted, which was not his former condition'. His son Axel said 'he takes his clothes out into the bush and leaves them there & sometimes comes back without his boots on having hidden them'. He was 'quite uncontrollable'. A doctor noted that he had conversations with imaginary people, mostly in his mother tongue, Swedish, which he had not spoken for 40 years. He had suffered from senility since he was about 65.[233]

Three days after he was committed to the asylum, Margaret, who was staying with her daughter Louisa in Auckland, asked to see him, because she would have to return home 'shortly', and three weeks later, when she was staying with another daughter, she was 'anxious to know' whether the superintendent thought there was 'any hope of doing him any good'.[234] As his case was hopeless, he was never released. He left an estate of £288.[235] Margaret died in 1924, aged 82,[236] and was survived by five sons, four

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[230] *Auckland Star*, 12 November 1924, p. 5.

[231] Avondale Asylum, Register of Admissions 1906-1912, no. 4227, YCAA 1021/5, ANZ-A; Death Certificate of Axel Leonard Forsman, 5 February 1912, 1912/2455, BDM.

[232] Inquest on Axel Leonard Forsman, Justice Department. J 46, COR 1912/140, MICRO U 5463, pp. 71-72, ANZ-W.

[233] Avondale Asylum, Register of Admissions 1906-1912, folio 121, no. 4227, YCAA 1021/5; Committed Patient Case Files 1911, no. 4227, YCAA 1026/15, ANZ-A.

[234] Margaret Forsman to R.M. Beattie (Superintendent), 9 May 1911; Ernest Roberts to R.M. Beattie, 1 June 1911, Avondale Asylum, Committed Patient Case Files 1911, no. 4227, YCAA 1026/15, ANZ-A.

[235] Probates, BBAE 1569/8425; Testamentary Register 1911-1913, folio 115, BBCB 4208/8, ANZ-A.

[236] For photographs of her in old age, see Margaret Roycroft, ancestry.com.

daughters, 69 grandchildren, and 11 great-grandchildren. An obituary described her as being 'widely respected' at Waharoa.[237]

The Forsman family included two inventive members. Either Forsman or his namesake son patented 'Forsman's Patent Compass-hung Carriage' in 1887.[238] Margaret applied, in 1896, for a patent for 'a new and improved lotion' she called 'the Sufferers' Friend'.[239] Later that year she informed 'the people of Thames and surrounding districts' that, 'Having met with great success in the Ohinemuri District in effecting Cures with my NEWLY PATENTED LOTION, I have determined to VISIT the Thames at an early date in the hope of doing quite as much good there for the suffering public'.[240] In the following two years she applied for two patents for a lotion,[241] presumably improvements on the original one.

Robert Axel Forsman, born to Axel and Margaret in 1868,[242] held half the interests in Luck's All, at Waiorongomai, taken up on 8 November 1886 and abandoned ten days later.[243] A trained carpenter,[244] he was one of the party (which included his partner in Luck's All, David Kerr Young)[245] which tendered, unsuccessfully, to erect part of the New Era tramway[246] in 1885.[247] In April 1888, with Young he again unsuccessfully tendered for a 500-foot crosscut, but his tender for driving a low level in the Silver King was accepted.[248] With a cousin, Richard Julian Rusden, whose life is outlined below, he won the contract to erect hoppers for the Tui aerial tramway.[249]

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[237] Death Certificate of Margaret Forsman, 1924/8594, BDM; *Auckland Star*, 12 November 1924, p. 5.

[238] *Te Aroha News*, 6 August 1887, p. 2.

[239] *New Zealand Gazette*, 11 June 1896, p. 946.

[240] Advertisement, *Thames Star*, 16 October 1896, p. 3.

[241] *New Zealand Gazette*, 15 April 1897, p. 908, 27 October 1898, p. 1767.

[242] Birth Certificate of Robert Axel Forsman [recorded as Axel Robert Forssman], 1868/11562, BDM.

[243] Te Aroha Warden's Court, Miner's Right no. 5042, issued 16 October 1886, BBAV 11533/1o; Register of Te Aroha Claims 1880-1888, folio 142, BBAV 11567/1a, ANZ-A.

[244] *Cyclopedia of New Zealand*, vol. 2, p. 791.

[245] See paper on private lives in the Te Aroha district.

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

[247] *Te Aroha News*, 29 August 1885, p. 2; *Cyclopedia of New Zealand*, vol. 2, p. 791.

[248] *Te Aroha News*, 4 April 1888, p. 2, 21 April 1888, p. 2.

[249] *Te Aroha News*, 10 July 1888, p. 2.

In 1887, when mining had declined, Robert had obtained a timber license for the high school endowment.[250] Possibly he worked with his uncles cutting timber then and earlier. After leaving Waiorongomai, in 1890 he assisted to construct batteries at Karangahake and Waikino.[251] He also 'found work in connection with battery building' at Waitekauri before becoming a general storekeeper and farmer at Waharoa in about 1895.[252] Part of the land farmed was held jointly with either his father or his brother Axel.[253] After farming there for 10 years and being prominent in local government and community activities, he farmed at Horsham Downs, Te Kowhai, and Gordonton, all near Hamilton.[254] Retaining an interest in mining, in 1927, when living at Gordonton, he prospected at an unknown site, unsuccessfully.[255]

In 1931, one of John Henry Emett's sons, Henry, born in 1879,[256] who had lived at Waiorongomai for 20 years, wrote on Robert's behalf to the Mines Department explaining that 'about' 35 years previously Robert had put down a bore 25 feet deep at the junction of the Waiorongomai and Te Aroha roads.

> He drew off about fifty gallons of mineral oil. I was present…. The oil was quite apparent on the surface and was at times drawn off in bottles. There was a smell of gas. In common with others I used the oil in lamps. It was dirty and smoked as it was not refined. Mr Forsman sent some to Sydney to be treated and reported on. At that time it was tested for kerosene and the report was "poor

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[250] Te Aroha Warden's Court, Register of Applications 1883-1900, 17/1887, BBAV 11505/1a, ANZ-A; Warden's Court, *Te Aroha News*, 26 March 1887, p. 3.

[251] *Waikato Times*, 20 August 1940, p. 4.

[252] *Cyclopedia of New Zealand*, vol. 2, p. 791; St Mark's Church, Te Aroha, Marriage Register 1886-1895, no. 46, Anglican Diocesan Archives, Hamilton.

[253] Piako County Council, Rate Book 1905-1906, Matamata Riding, Section 8 Waharoa Extended, Section 14 Block XIV, Section 14 Block Xlll, Section 25, Waharoa Special Settlement, Matamata-Piako District Council Archives, Te Aroha.

[254] *Waikato Argus*, 10 December 1896, p. 2; *Waikato Times*, 20 August 1940, p. 4.

[255] Thames School of Mines, Assay Book 1919-1927, entry for 18 February 1927, School of Mines Archives, Thames.

[256] Birth Certificate of Harry Emett, 11 August 1879, 1879/14732, BDM.

> quality." It was not tested for benzene. Some of this oil was refined and sent back. It was burnt successfully.[257]

The mining inspector considered it was 'most unlikely that petroleum will be found in such a place'.[258] John Henderson, the director of the Geological Survey, described the geology of the flat land close to Waiorongomai before commenting on the claim:

> Many hundreds of bores have been sunk for water throughout the plain and many of them, probably all, have yielded inflammable gas in greater or less amounts. I have not heard of oil being found in any bore though oil is known to form in very small amount in surface swamps and a little may well have accumulated in the buried peats. At the same time I am astonished to hear that 50 gallons were obtained 35 years ago and I do not believe that boring for oil in the area even if only to 25 feet will be profitable.[259]

As the under-secretary felt it would 'be very inadvisable to encourage anyone to bore for oil in this locality', he sent Henderson's views to the warden.[260] The mining inspector repeated that there was only a 'very slight probability' of finding oil, and considered that the 'hopeless' venture should not be encouraged. An approval to bore would create 'a very misleading impression' and be a way 'for getting money out of the speculating public'. He did not think Emett would make any 'improper use' of an approval, but the danger was 'one to be carefully guarded against', a view he repeated one month later.[261] Accordingly, the Minister of Mines decided not to approve

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[257] H[enry] Emett to Under-Secretary, Mines Department, n.d. [May 1931], with plan of section where oil was found, Mines Department, MD 1, 6/61, ANZ-W.

[258] J.F. Downey (Inspector of Mines) to Under-Secretary, Mines Department, 11 May 1931, Mines Department, MD 1, 6/61, ANZ-W.

[259] John Henderson (Director, Geological Survey) to Under-Secretary, Mines Department, 5 June 1931, Mines Department, MD 1, 6/61, ANZ-W.

[260] Under-Secretary, Mines Department, to Minister of Mines, 9 June 1931; Under-Secretary, Mines Department, to Warden, 18 June 1931, Mines Department, MD 1, 6/61, ANZ-W.

[261] J.F. Downey to Under-Secretary, Mines Department, 26 June 1931, 22 July 1931, Mines Department, MD 1, 6/61, ANZ-W.

any prospecting for oil.[262] Not discouraged from doing more prospecting, in 1932 and 1933 he prospected at Manaia Creek, near Coromandel, unsuccessfully.[263] He would die in 1940, leaving an estate of £365 1a 9d.[264]

Forsman's namesake Axel Leonard, born in 1871, was appointed as a messenger at the Waiorongomai post office in 1884.[265] Later he worked as a carpenter constructing batteries at Karangahake, Waihi, and Waitekauri, and when he first moved to Waharoa in 1894 he was a general storekeeper.[266] 'Having been brought up to country life', he became a dairy farmer at Waharoa in 1899.[267]

Two children were born to Axel and Margaret at Waiorongomai: Archibald John in 1884 and Alfred Herman in 1888.[268] They were baptized as Wesleyans, and their older siblings attended the Wesleyan Sunday School at Waiorongomai, Robert and his father (recorded as James) being amongst the first teachers.[269] Robert was also a member of the first committee of the Waiorongomai Band of Hope;[270] his uncle James Roycroft's

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[262] Under-Secretary, Mines Department, to Gilchrist Son and Burns, 16 September 1931, Mines Department, MD 1, 6/61, ANZ-W.

[263] Coromandel Warden's Court, Applications 1928-1932, 25/32, BACL 14391/14a; Deposit Ledger 1933-1938, entry for 12 April 1933, BACL 13754/1a; Applications 1933, 79/1933, BACL 14391/16a, ANZ-A; Thames School of Mines, Assay Book 1932-1933, entries for 21 March 1932, 26 April 1932, 17 May 1932, 6 February 1933, School of Mines Archives, Thames.

[264] Death Certificate of Robert Axel Forsman, 19 August 1940, 1940/27048, BDM; Hamilton Probates, BCDG 4420/4835, ANZ-A.

[265] Birth Certificate of Alex Leonard Forsman [recorded as Forssman], 1871/367, BDM; *Te Aroha News*, 24 May 1884, p. 2.

[266] *Cyclopedia of New Zealand*, vol. 2, pp. 790-791.

[267] *Cyclopedia of New Zealand*, vol. 2, p. 790; Birth Certificate of Walter Forsman, 12 August 1909, 1909/10063, BDM.

[268] Birth Certificates of Archibald John Forsman, 6 August 1884, 1884/4147; Alfred Herman Forsman, 6 March 1888, 1888/13411, BDM.

[269] Methodist Church, Upper Thames Circuit, Baptismal Register 1881-1929, nos. 54, 108; Methodist Archives, Auckland.Waiorongomai Sunday School, Admissions Book 1884-1889, entries for 9 March 1884, 3 March 1885, n.d. [before 3 January 1886], 13 January 1889, 27 January 1889; Minute Book 1884-1894, entry for 16 June 1884, Methodist Archives, Auckland.

[270] Waiorongomai Band of Hope, Minute Book 1883-1889, meeting of 3 November 1884, Methodist Archives, Auckland; *Te Aroha News*, 8 December 1883, p. 2.

behaviour may have inclined him towards temperance. When he resigned in the following year, the secretary recorded his 'kindness and willingness in assisting the committee in the work when time permitted him', and a motion of regret at losing his services was carried.[271]

LOUISA FORSMAN GETS MARRIED

The family's delay in settling at Gordon frustrated Louisa Jane Forsman,[272] who had been born to James and Margaret in 1866,[273] and whose love life was the subject of much local gossip. She had purchased a small interest in one Waiorongomai mine in November 1883,[274] probably as a dummy for her father, for she was aged only 18 and much more concerned with her social life than with mining. She was probably also a dummy when granted a residence site in June 1882.[275] Another site held in her name was transferred to her father in September 1883, when he transferred yet another to her.[276]

In December 1881, when her evidence assisted in the acquittal of a Paeroa publican charged with supplying liquor at 2 o'clock in the morning, nobody asked what a 16-year-old girl was doing in the bar at that time;[277] she was surely too young to be a barmaid. The following December, the *Observer* Man at Waiorongomai reported that 'Miss F. is here at present, but finds the young men up here are a little slow. A little innocent flirtation would not be out of place'.[278] In October 1883 he wrote that 'Alf. and Miss F.

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271 Waiorongomai Band of Hope, Minute Book 1883-1899, meeting of 3 November 1884, Methodist Archives, Auckland.

272 For photograph of her as a mature married woman, see Louisa Jane Forsman, www.geni.com.

273 Birth Certificate of Louisa Jane Forsman [recorded as Forssman], 1866/25848; Marriage Certificate of Louisa Forsman, 27 October 1889, 1889/3652; Death Certificate of Louisa Jane Rusden, 4 April 1942, 1942/19517, BDM.

274 Te Aroha Warden's Court, Register of Licensed Holdings 1882-1887, folio 133, BBAV A485/5, ANZ-A.

275 Te Aroha Warden's Court, Register of Applications 1880-1882, folio 179, BBAV 11505/3a, ANZ-A.

276 Te Aroha Warden's Court, Rent Ledger 1881-1900, folios 116, 117, BBAV 11501/1a, ANZ-A.

277 Paeroa Police Court, *Thames Advertiser*, 15 December 1881, p. 3.

278 'Waiorongomai', *Observer*, 2 December 1882, p. 182.

ought to make haste. Everybody is anxious to congratulate you'.[279] They did not make haste to the altar, despite this prompt based on the knowledge that her flirtation with Alfred Tunstall Ashley, a hotelkeeper-turned-contractor,[280] aged 29, was not innocent. In the following April she gave birth to Maud; most unusually, Ashley registered the birth and named himself as the father both on the birth certificate and on the death certificate when Maud died five months later of 'Debility from Birth and Congestion of lungs'.[281] Maud's death may have marked an end to their romance; Ashley, who probably left Te Aroha in 1886, would marry in Helensville in 1890 and father another eight children.[282]

In February 1885, Waiorongomai's *Observer* Man asked: 'What made Louie F. run away from the Post-Office in such a hurry last Friday? Was she afraid to be seen posting the valentines?'[283] In the following month he reported that 'Louie F. is to run in double harness at the beginning of next month',[284] a reference to being married, but no notice of intention to marry was signed and no Louie F. was married in that year.[285] In May, 'the electric spark looks quite downhearted now that Louie has gone to the city', and, four months later, 'the lightning-jerker does not fret over his ruptured engagement. The charming Miss G. has taken her place'.[286] (The 'lightning jerker' was the telegraph operator.)[287] The next edition indicated that Louie F. may not have been to blame for this failed romance, for it warned 'that

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[279] 'Waiorongomai', *Observer*, 6 October 1883, p. 16.

[280] For his life at Waiorongomai, see *Thames Star*, 7 June 1883, p. 2; *Te Aroha News*, 21 July 1883, p. 2, 11 August 1883, p. 2, 25 August 1883, p. 2.

[281] Birth Certificate of Maud Forsman, 23 April 1884, 1884/11399; Death Certificate of Maud Forsman, 24 September 1884, 1884/4260, BDM.

[282] Te Aroha Warden's Court, Rent Ledger 1881-1900, folio 160, BBAV 11501/1a, ANZ-A; Marriage Certificate of Alfred Tunstall Ashley, 14 July 1890, 1890/2219; Death Certificate of Alfred Tunstall Ashley, 2 December 1928, 1928/7288, BDM.

[283] 'Waiorongomai', *Observer*, 21 February 1885, p. 10.

[284] 'Waiorongomai', *Observer*, 21 March 1885, p. 10.

[285] Notices of Intentions to Marry 1885, Births Deaths and Marriages, BDM 20/30, ANZ-W; Marriage Index 1885, BDM.

[286] *Observer*, 'Waiorongomai Wrinkles', 16 May 1885, p. 16, 'Waiorongomai Whispers', 5 September 1885, p. 4.

[287] Eric Partridge, *A Dictionary of Slang and Unconventional English*, 8 ed., ed. Paul Beale (London, 1984), p. 682.

little piece of sweetness' to 'look well after the electric spark, as he is reputed to be very fickle'.[288]

Louisa, whose attractiveness was indicated by her being described as the belle of the dance held to celebrate the opening of the Waiorongomai schoolroom one month before her daughter's death,[289] later became enamoured with Richard Julian Rusden,[290] son of Thomas, a miner and stonemason, and Elizabeth, née Julian.[291] Thomas, a Cornishman, had married in 1837; shortly after their third child was born in Cornwall in 1842, the family settled in New Zealand, where another seven children were born. Only the last two, Caroline and Richard, were registered; and Richard, the last child, born in March 1859, was the second with that name: the first Richard had died in New Plymouth in 1853, aged 13.[292] Thomas moved to Thames after the goldfield commenced, and owned at least one claim.[293] Elizabeth would die there in 1873, aged 57, and he would die there five years later, aged 67.[294]

Their first son, Thomas,[295] married Isabella Roycroft, daughter of Robert, in Auckland in 1862; a mason and bricklayer, he was then aged 23, and Isabella, one year younger, was a domestic servant.[296] In the early

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[288] 'Waiorongomai Whispers', *Observer*, 12 September 1885, p. 16.

[289] 'Waiorongomai', *Observer*, 13 August 1883, p. 12.

[290] For photographs of him, see ancestry.com.

[291] Death Certificate of Richard Julian Rusden, 23 May 1920, 1920/12460, BDM; Thomas Rusden, familytreemaker.genealogy.com.

[292] Birth Certificates of Thomas Rusden, 28 October 1838; Richard Rusden, 8 April 1840; Elizabeth Ann Rusden, 2 March 1842; Samuel Rusden, 2 March 1844; Frank Rusden, 18 July 1845; Nicholas Julian Rusden, 17 September 1847; Nancy Rusden, 19 October 1849; John Rusden, 7 January 1853, familytreemaker.genealogy.com; Birth Certificates of Caroline Rusden, 24 September 1857, 1857/3574; Richard [Julian] Rusden, 26 March 1859, 1859/3639; Death Certificate of Richard Rusden, 30 January 1853, 1853/3527, BDM.

[293] Advertisement, *Thames Star*, 6 May 1874, p. 2.

[294] Death Certificates of Elizabeth Rusden, 8 September 1873, 1873/10736; Thomas Rusden, 11 September 1878, 1878/2427, BDM; Death Notice, *New Zealand Herald*, 10 September 1873, p. 2; Death Notice, *Thames Advertiser*, 13 September 1878, p. 2.

[295] Birth Certificate of Thomas Rusden, 28 October 1838, familytreemaker.genealogy.com.

[296] Notices of Intentions to Marry 1862, folio 24, no. 1234, Births Deaths and Marriages, BDM 20/7, ANZ-W; Marriage Certificate of Thomas Rusden, 25 June 1862, 1862/4696, BDM; District Court, *Daily Southern Cross*, 16 September 1862, p. 4.

1870s they lived at Thames, where Thomas invested in at least one mine,[297] but then settled in Taranaki.[298] Quite apart from living in a small community where an illegitimate child and its fate would have been common knowledge, this family connection meant that Rusden must have known of Louisa's child. A labourer and a miner, Rusden had sufficient carpentry skills to assist Louisa's brother Robert to erect a hopper for the Tui wire tramway in 1889, winning this contract four months before their marriage.[299] In early September 1889, when Rusden was aged 30 and Louisa was 23, a Waiorongomai correspondent explained how 'A Wonderful Egg' smoothed their path to matrimony:

> Quite a sensation has been caused here by the discovery of a very remarkable egg. Mrs Forsman, the lady who possesses the rara ovum informs me that on Friday morning last she proceeded to the fowl-house as usual to gather the eggs. This was at about 6.30 a.m., but not finding any she re-visited the house about 9.30, and noticing a black hen on the nest, whose eggs she was anxious to keep for setting, raised the bird, and taking the egg placed it in her pocket, remarking to herself that as it appeared to be very rough it would not do for setting, she then handed the egg to her daughter, who immediately noticed something peculiar about it, drew her mother's attention, and, on examination, the following lines were plainly discernable in raised letters: "haste to the gordon and be not afraid for in a short time your fortune is made," and on the reverse side "hens proficy." The ortho-graphical proclivities of the writer of these lines have evidently been much neglected. Mr and Mrs Forsman are much impressed by the advent of this egg, and are determined to take the advice of the writer. Mr Forsman is having the cart fixed up, and to-morrow morning a start will be made for the Gordon. Numbers of people have, during this last few days, visited Mr Forsman's house to get a view of the egg, and declare it to be quite "eggcentric."[300]

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[297] Birth Certificate of Arthur Julian Rusden, 1872/18503, BDM; Death Notice, *New Zealand Herald*, 2 September 1873, p. 2; advertisement, *Thames Advertiser*, 6 May 1874, p. 2.

[298] *New Zealand Herald*, New Plymouth Correspondent, 5 December 1881, p. 5; Death Notice, 30 March 1929, p. 1; *Taranaki Herald*, 2 July 1891, p. 13.

[299] Register of Marriages at Waiorongomai, no. 33, Methodist Archives, Auckland; Death Certificate of Richard Julian Rusden, 23 May 1920, 1920/12460, BDM; *Te Aroha News*, 11 July 1888, p. 2.

[300] 'Waiorongomai', *Te Aroha News*, 4 September 1889, p. 2.

Another Waiorongomai correspondent reported that, by mid-September, a hundred people had inspected the egg. 'Generally speaking it is looked upon as a foul freak. Nothing however will shake the belief of both Mr and Mrs Forsman that it is a direct message from Heaven for them to repair to the Gordon, and, to the Gordon they will go'.[301] By June 1894, when the story was published in Auckland, it had changed somewhat:

> Some four years ago the village of Waiorongomai was startled by rumours of strange portent. It was whispered that a supernatural message had come from another sphere, urging the Gordon settlers to forsake the delusive charms of gold-mining, and return to man's first and best employment - agriculture. Of old, 'twas in the flight of crane and other strange wild fowl that men were wont to read the auguries of Fate, but now, in pity for modern scepticism, the Divine message was legibly inscribed on the egg of a common hen! Briefly, some good woman, hunting for some wholesome addition to her breakfast table, had found in her fowl-house an egg, bearing in raised letters the words, *"Gordon settlers, get on to your sections."* The strange tidings flew from house to house, - the wonderful egg was handed round *en evidence*, - the writing was clear and unmistakable as on Belshazzar's wall, and, conscience-stricken, several of the "Gordons" then and there forsook the cult of Plutus for the gentler sway of Ceres, and packing up their household gods, returned to their sections….
>
> I have been told that some of the Gordon settlers simply smile at the story of the inscription on the hen's egg, which is surely extraordinary in these days of fortune-telling and spiritual manifestations. But then there always was, and always will be sceptics, men who will not believe Moses and the prophets, nor even the inscription on a hen's egg. The punishment for their unbelief should be the forfeiture of their sections.[302]

Louisa, who had pointed out the words to her mother, did not join the rest of her family in the exodus to their Gordon farm. Instead, on 27 October, less than two months after the egg's discovery, she married Rusden at Waiorongomai, with her brother Robert as a witness.[303] They moved to New South Wales, where their first child was born exactly nine months

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[301] 'Waiorongomai', *Waikato Times*, 17 September 1889, p. 2.

[302] 'Mercutio', 'Local Gossip', *New Zealand Herald*, 16 June 1894, Supplement, p. 1.

[303] Marriage Certificate of Louisa Forsman, 27 October 1889, 1889/3652, BDM.

after the wedding.[304] Rusden, a miner, was charged in 1893 with stealing ore from the Wentworth Proprietary Company's mine, at Lucknow, near Orange.[305] At his trial, he pleaded guilty to the second charge, of receiving ore knowing it to have been stolen, and was imprisoned for one year; his co-accused, who had pleaded not guilty to both charges, received two years.[306] After returning from Australia, Rusden settled in Karangahake in 1896, where he became a shift boss in the Crown mine, moving to Paeroa in 1906.[307] He died in 1920, two years after suffering a stroke; two years after his death an In Memoriam notice was published:

> In loving memory of my dear husband and our father, Richard Rusden, who passed away on May 22, 1920.
> We often think of the days gone past,
> When we were all together;
> A shadow o'er our lives is cast,
> A loved one gone for ever.
> - Inserted by his loving wife and children.[308]

Louisa died 22 years later, aged 76.[309] They had had eight more children, all born in New Zealand.[310] One son, Louis, later recalled their happy life on the Ohinemuri goldfield during the 1890s.[311] His 1972 recollections did not mention the egg, whose secret had been revealed a month before his father's death in 1920,[312] when 'a gentleman who was a

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[304] Birth Certificate of Nicholas Bentham Harold Rusden, 30 July 1890, 7204/1890, New South Wales BDM.

[305] *Newcastle Morning Herald*, 25 February 1893, p. 4.

[306] *Evening News* (Sydney), 13 June 1893, p. 5.

[307] Lou Rusden, 'Recollections of Ohinemuri', *Ohinemuri Regional History Journal*, no. 16 (June 1972), pp. 11-12; Supreme Court, *New Zealand Herald*, 13 March 1900, p. 7.

[308] 'In Memoriam', *New Zealand Herald*, 22 May 1922, p. 1.

[309] Death Certificates of Richard Julian Rusden, 23 May 1920, 1920/12460; Louisa Jane Rusden, 4 April 1942, 1942/19517, BDM.

[310] Birth Certificates of Leonard Richard Wheeler Rusden, 1893/1573; Margaret Louisa Rusden, 1895/9215; Louis Julian Rusden, 1896/201; Richard Alfred Rusden, 1898/16030; Jessie Vivian Rusden, 1900/5980; Archie Carlile Rusden, 1902/5871; Ives Mervyn Rusden, 1904/15237; Rosabel May Rusden, 1907/6442, BDM.

[311] *Auckland Star*, 4 April 1942, p. 1; Rusden, pp. 11-13; Paeroa School, Admissions Register 1899-1907, nos. 1644-1648, Primary School Archives, Paeroa.

[312] Death Certificate of Richard Julian Rusden, 23 May 1920, 1920/12460, BDM.

resident of Waiorongomai thirty years ago' revealed the full story to the *Te Aroha News*:

> According to him, a young man [he was 30] was keenly desirous of wedding Mrs Forsman's daughter, but could not obtain a house there. The Forsmans had been considering a move to the Gordon Special Settlement for some time, but had postponed their departure from time to time. The true lover was beforce compelled to postpone his wedding, as he desired to occupy the Forsman's house after their departure. Then our informant took a hand in events. He was working in a store at Waiorongomai, and conceived an idea of writing a message on an egg with a special preparation of wax, a recipe for which he had read in a newspaper some time before. After some effort he succeeded in inscribing the foregoing couplet on an egg, which he surreptitiously placed in the fowl house, to be found later by the lady of the household.[313]

THE EMETT FAMILY AT WAIORONGOMAI

In December 1882, John Henry Emett obtained a residence site at Waiorongomai, and his wife Jane acquired another one in September 1884.[314] Like the Roycroft brothers, he had a variety of occupations. After working for a Te Aroha butcher during part of 1883, he had settled at Waiorongomai by at least that November.[315] In 1883 and 1885 he described himself as a labourer.[316] According to his eldest son, he had a contract to construct part of the tramway, and an obituary stated that, under Henry Hopper Adams' direction,[317] he 'constructed most of the tram lines used in mining operations'.[318] In October 1884, when he was a brakeman on the

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[313] *Te Aroha News*, 28 April 1920, p. 2.

[314] Te Aroha Warden's Court, Rent Ledger 1881-1900, folios 242, 341, BBAV 11501/1a, ANZ-A.

[315] Thames Magistrate's Court, Plaint Book 1881-1884, 202/1883, BACL 13737/12a, ANZ-A; Church of England, Hamilton East District Register of Baptisms 1879-1908, no. 46, Anglican Diocesan Archives.

[316] Church of England, Hamilton East District Register of Baptisms 1879-1907, nos. 46, 67, Anglican Diocesan Archives, Hamilton.

[317] See paper on his life.

[318] *Te Aroha News*, 20 December 1929, p. 7, 22 April 1936, p. 1; *Ohinemuri Gazette*, 14 March 1906, p. 2.

line, he supported its being leased.[319] In the following January he offered to work it for 12 months at 3s 6d a truck, he to feed the four horses, the council to keep the line in repair. A royalty of 1s per truck would pay the salary of the manager and meet the cost of providing lighter wire ropes, and half the revenue on freight taken up would go to the council. Alternatively, he would operate it for 4s per truck. A third suggestion was that he would work the section from the foot of Butler's Incline to the battery at 1s 3d per truck, he feeding the two horses used. 'The letter was received' by the council.[320] He was still working on the tramway in February 1886, and six months later unsuccessfully tendered to manage it for £12 a month.[321] In December 1891 he offered to lease it for one year for £20, again unsuccessfully.[322]

In June 1888, Emett was granted a timber license for both Crown land and the high school endowment, and was permitted to construct roads through the latter.[323] After incurring 'considerable expense' by mid-year in making one from part way along the lower road to the foot of Butler's Spur, he was granted permission to construct it and given sole right to it for 12 months.[324] In August he asked the council to repair the lower road, 'stating that although he was only a working man himself he had done a great deal already to keep the road passable etc'. The council's engineer reported that Emett had constructed his road at a cost of £30, and was only asking for £4 4s for repairing the lower road. 'As Emett had stated in his letter his intention of doing future necessary repairs to the road himself, and in order to assist him it was resolved that the sum of £4 4s be voted to keep the road … in repair during the ensuing six months'.[325]

Emett advertised in June 1888 that he could supply wood and timber, and in December sought 'A Thoroughly Experienced Charcoal Burner'.[326] He experimented in making charcoal 'from various descriptions of timber' found near Waiorongomai, and if successful anticipated having a good market at

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

[320] Piako County Council, *Waikato Times*, 17 January 1885, p. 2.

[321] *Te Aroha News*, 13 February 1886, p. 7, 21 August 1886, p. 2.

[322] *Waikato Times*, 24 December 1891, p. 2; *Ohinemuri Gazette*, 2 January 1892, p. 6.

[323] Te Aroha Warden's Court, Register of Applications 1883-1900, 38, 44/1888, 41/1889, 36/1890, BBAV 11505/1a, ANZ-A.

[324] Te Aroha Warden's Court, Mining Applications 1888, 41 [including sketch map], 44/1888, BBAV 11289/12a, ANZ-A.

[325] Piako County Council, *Te Aroha News*, 11 August 1888, p. 2.

[326] Advertisements, *Te Aroha News*, 23 June 1888, p. 2, 22 December 1888, p. 2.

the battery.[327] In February 1889, he announced that he was 'prepared to supply charcoal in large or small quantities'.[328] The closing of the battery late that year meant losing his anticipated market.[329]

In June 1889, when applying for a renewal of his license to cut timber on the endowment, Emett

> asked the Warden if he would afford him any protection during the next twelve months with respect to the cutting of firewood. During the currency of his license just expired, people had been cutting and selling timber all round him, without having taken out a timber license, he thought it was very hard on a poor man in his position, who was trying to earn a living, that he should have to pay £6 for a timber license, and be in no way protected after doing so. Many persons at Waiorongomai had, he thought, been given to understand, or at any rate appeared to go under the impression, that they could go and cut firewood and dispose of it without taking out a timber license.
> The Warden: Why don't you lay an information against those who do so?
> Emett: I have spoken to Mr [George] Wilson, the [Mining] Inspector,[330] about it two or three times, but he appears to have a great deal of other work to do, and I suppose cannot spare time to attend to the matter.
> The Warden: Send a letter to me, and I will see that it is attended to.

When he asked whether holders of miners' rights could cut firewood for others, the warden explained that it could be cut for a miner but could not be sold. Emett then explained that some men were 'in the habit of going round from one to another (not being the holders of the timber license) and asking them if they want any firewood cut; and I think if I have to pay for a license to cut timber I should receive some protection'. Once again, he was encouraged to lay formal complaints against anyone selling timber without a license,[331] but did not do so; perhaps the threat of doing so was sufficient.

At the beginning of July, heavy rain struck the district. Emett was 'a sufferer by the flood, having lost a large quantity of fencing material and firewood, which was swept down the Waiorongomai Creek beyond recovery.

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[327] *Te Aroha News*, 12 January 1889, p. 2; *Thames Advertiser*, 14 January 1889, p. 2.

[328] *Te Aroha News*, 2 February 1889, p. 2.

[329] See paper on the Te Aroha Silver and Gold Mining Company.

[330] See paper on his life.

[331] Warden's Court, *Te Aroha News*, 26 June 1889, p. 2.

A road he made at very considerable expense into the bush has also been much damaged', and he feared he would 'not be able to use it again until fine weather' returned.[332] At the end of the year, he advertised being able 'to supply, in any quantity' black birch posts, 'Ti-Tree' rails, strainers, and stockyard timber.[333] During 1890, he cut firewood close to Waiorongomai, and in February advertised that he could deliver to it and surrounding districts not only firewood, fencing posts, and rails but also house blocks, slabs, and palings, mostly cut from 'ti-tree', rata, tawa, and black birch.[334]

His offer in December 1890 to buy an old wire rope used on the tramway was accepted;[335] it would be used for hauling timber. The following November, he asked the council for help in repairing the bridge 'at Ferguson's gully on the Waiorongomai lower road' as well as the road itself. He had already spent £10, but as the council had already agreed to spend £2 10s it was refusing to spend more. Emett told it his contract to supply sleepers to it could not be completed in time, for the 'totara timber that I went for turned out hollow and not fit for sleepers, therefore losing the first week I had to go back into the kauri, which took me another week to make a road. I have half of them split'. After one councillor commented that 'Emett must know the bush as well as any man', he was granted an extension of one week.[336] The following year, he was granted a license to cut timber at Stoney Creek, but his application to construct a mile-long road there was withdrawn.[337]

Emett was also a contractor for work on Waiorongomai roads. In April 1889, his tender of £17 for repairing the lower one up the valley was accepted.[338] In July, his tender to make footpaths at Waiorongomai was declined, but the council accepted his offer to remove a slip on the lower road for £10 and to keep it in good order for three months for another

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[332] *Te Aroha News*, 6 July 1889, p. 2.

[333] Advertisement, *Waikato Times*, 28 December 1889, p. 3.

[334] Te Aroha Warden's Court, Register of Applications 1883-1900, 35, 39/1890, BBAV 11505/1a, ANZ-A; advertisement, *Te Aroha News*, 8 February 1890, p. 2.

[335] Piako County Council, *Waikato Times*, 20 December 1890, p. 4.

[336] Piako County Council, *Waikato Times*, 28 November 1891, p. 2.

[337] Te Aroha Warden's Court, Register of Applications 1883-1900, 13, 14/1892, BBAV 11505/1a, ANZ-A.

[338] *Te Aroha News*, 24 April 1889, p. 2.

£10.[339] Four months later, after drains broke at Waiorongomai, he 'offered to construct a good black birch culvert across the road' for £5, which a councillor described as 'equivalent to giving labour himself of £1'.[340] In May 1891, his tender of £24 18s to form part of Kilgour Street was accepted.[341] For his work on the roads, in the following year he obtained a stonebreaker.[342]

In 1892 and 1894 he recorded his occupation as being a carter.[343] From 1892 until the end of 1894 he held the contract for carrying mail by 'express' daily between Te Aroha and Waiorongomai.[344]

Through all these different ways of making money, Emett managed to survive financially, with difficulty, and he was rarely sued. In July 1883, when he was a butcher at Te Aroha, a Thames one sued him for £3 7s 9d-worth of 'goods' received.[345] Two months later, when he gave his occupation as labourer, he filed as bankrupt. The details of his bankruptcy have not survived, but the amounts owing cannot have been great, as nobody attended two creditors' meetings.[346] The bankruptcy proceedings appear to have been closed in the following year.[347] In 1892, when sued for £1 10s, he was ordered to pay 18s.[348] The following year, when he asked for a reduction in the fees charged for treating one of his sons in the Waikato hospital, as the Te Aroha representative on the hospital board said he could not recommend a reduction, implying that he believed Emett could meet the cost, his application was refused.[349]

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339 Piako County Council, *Waikato Times*, 9 July 1889, p. 3; *Te Aroha News*, 10 July 1889, p. 2.

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

341 Piako County Council, *Waikato Times*, 7 May 1891, p. 2.

342 Thames Warden's Court, Letterbook 1886-1893, p. 618, BACL 14458/2b, ANZ-A.

343 Church of England, Hamilton East Register of Baptisms 1879-1908, no. 331, Anglican Diocesan Archives, Hamilton; *Auckland Directory for 1894* (Auckland, 1894), p. 314.

344 *Auckland Weekly News*, 26 November 1892, p. 23; *New Zealand Gazette*, 9 March 1893, p. 319.

345 Thames Warden's Court, Plaint Book 1881-1884, no. 202 of 1883, BACL 13737/12a, ANZ-A.

346 *Thames Star*, 6 October 1883, p. 3.

347 Thames Magistrate's Court, Letterbook 1876-1896, p. 904, BACL 14458/1b, ANZ-A.

348 Te Aroha Magistrate's Court, Civil Record Book 1889-1896, 32/1892, BCDG 11221/1c, ANZ-A.

349 Waikato Hospital and Charitable Aid Board, *Waikato Times*, 4 May 1893, p. 2.

His ever-enlarging family was a financial burden. William Henry had been born at Thames in 1874,[350] Robert Archibald in May 1877,[351] Henry in August 1879,[352] and Beatrice Alice in September 1881.[353] Whilst they were living at Waiorongomai, Rose Belle was born in November 1883,[354] Henrietta in September 1885,[355] Archibald in June 1887,[356] Annie Louise in July 1889,[357] and Walter Maurice in May 1892.[358] In May 1895, when the family was living in Paeroa, Joseph was born,[359] followed by Margaret Violet Pearl in June 1899.[360] All outlived their father apart from Walter, who died in 1896 from tuberculosis of the stomach, aged only four.[361]

Emett was not involved in mining until November 1889, when he was granted the Surprise, of one man's ground, on the eastern side of the Waiorongomai Creek.[362] It was named because of a surprise discovery 'whilst shooting some heavy timber down a spur', when he 'discovered in the ruts made by the timber, a peculiar kind of stone, which he recognised as ironstone. After clearing away some decayed timber and surface growth, he in a short time satisfied himself there was a considerable quantity of the stone', and had tests made by the assayer and the manager of the Te Aroha Silver and Gold Mining Company's battery,[363] who informed him that

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[350] Birth Certificate of William Henry Emett, 5 October 1874, 1874/42000, BDM; Birth Notice, *Thames Advertiser*, 7 October 1874, p. 2.

[351] Birth Certificate of Robert Archibald Emett, 7 May 1877, 1877/10119, BDM.

[352] Birth Certificate of Harry Emett, 11 August 1879, 1879/14732, BDM.

[353] Birth Certificate of Beatrice Alice Emett, 10 September 1881, 1881/11062, BDM.

[354] Birth Certificate of Rose Belle Emett, 23 November 1883, 1884/1321, BDM.

[355] Birth Certificate of Henrietta Emett, 17 September 1885, 1885/17947, BDM.

[356] Birth Certificate of Archibald Emett, 13 May 1887, 1887/5512, BDM.

[357] Birth Certificate of Annie Emett, 26 July 1889, 1889/7996, BDM.

[358] Birth Certificate of Walter Maurice Emett, 1892/5612, BDM.

[359] Birth Certificate of Joseph Emett, 27 May 1895, 1895/18380, BDM.

[360] Birth Certificate of Margaret Violet Pearl Emett, 20 June 1899, 1899/16632, BDM.

[361] Death Certificates of John Henry Emett, 13 March 1906, 1906/1431; Walter Morris Emett, 16 May 1896, 1896/293, BDM; *Black's Medical Dictionary*, ed. C.W.H. Havard, 36 ed. (London, 1990), p. 651.

[362] Te Aroha Warden's Court, Register of Applications 1883-1900, 76/1889, BBAV 11505/1a, ANZ-A.

[363] See paper on this company.

> he had discovered a valuable flux, and just the thing they had been requiring at the smelter, unluckily, however, at that particular time the smelter was being closed down. Had the discovery been made a few weeks before, there is not a doubt that it would have saved the company many pounds, as they had been buying up all the available scrap iron etc, they could, to perform the same functions in smelting which this newly-discovered stone is only fit for. It is to be hoped that smelting will soon be resumed, when no doubt Mr Emett's discovery will be richly rewarded.[364]

As this company abandoned its properties, these hopes were not fulfilled, but his discovery prompted Emett to do further prospecting. In October 1895, 'Emett and party' discovered a reef from 15 to 20 feet wide on the main range behind Wairakau and were granted a 100-acre claim. A sample shown to the *Te Aroha News* was considered to be 'very likely stone and no doubt it will assay well. A small parcel has been spent away for assay and the return is anxiously awaited'.[365] The result showed that the find was worthless.[366]

Emett also prospected closer to Waiorongomai. In September 1896, it was rumoured that an eight-foot wide reef in the Waiorongomai was 'worth £11 per ton'.[367] This claim, on the eastern side of the valley, was close to the Seddon, with the reef being about 40 feet above the creek level; visitors were impressed, and assays were 'very favourable'.[368] A Paeroa syndicate was formed to develop this 'splendid property' whose ore was easy to treat because it contained no base metal.[369] In mid-October, by which time plans were announced to float it as a company, the reef, opened up for 40 feet, increasing in value the further it was driven. 'Assays from wall to wall vary from 13s to £11 per ton, the average being £3'.[370] In a report published to assist the flotation, a leading Paeroa-based mine manager, James William

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[364] *Waikato Times*, 10 December 1889, p. 2.

[365] *Te Aroha News*, 16 October 1895, p. 2.

[366] *Te Aroha News*, 16 November 1895, p. 2.

[367] *Ohinemuri Gazette*, 5 September 1896, p. 4.

[368] *Ohinemuri Gazette*, 16 September 1896, p. 4, 30 September 1896, p. 2, Public Notice, 24 October 1896, p. 5.

[369] *Ohinemuri Gazette*, 14 October 1896, p. 2.

[370] *Ohinemuri Gazette*, 17 October 1896, p. 5.

Shaw,[371] who had visited the ground three times, declared himself 'much impressed with its value and importance. Hitherto it was not believed that payable ore existed on the eastern side of the creek', but since Emett's discovery of the main lode the cap of the reef had assayed at £11 to the ton. This reef was contained 'in a splendid purple sandstone country better than which I have never seen. The lode has clearly defined walls, and is enlarging in size and increasing in value as driven upon'. Being a mile from the battery and opposite the lower road, transit facilities were 'first-class', and the ore, being 'exceedingly free from refractory constituents … should mill easily'. And this 'most valuable property' required only 'a very limited capital to develop'.[372] Early in 1897 it was placed in the hands of a London corporation whose consulting engineer had 'obtained very favourable results from assay tests'.[373] Nothing more was heard of it, and the eastern side of the creek remained undeveloped because all claims of good ore proved to be mirages. Well-intentioned mirages, for Emett and Shaw and the others in the syndicate may well have believed they had found worthwhile ore.

LINKS BETWEEN THE FOUR FAMILIES WHEN LIVING AT WAIORONGOMAI

That the Roycroft, Forsman, and Emett families were in close contact with each other was indicated by Forsman and his two sons, William Roycroft, and Emett all signing an 1889 petition supporting the Te Aroha Silver and Gold Mining Company's application to take water from Army Creek; their first four signatures were in an unbroken sequence.[374] Like the Roycroft children, despite the Emett family belonging to the Church of England and baptizing some of their children in that faith, two were baptized as Methodists and three attended the Methodist Sunday School at Waiorongomai.[375] At the concert to raise money for William Roycroft after

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[371] See *Ohinemuri Gazette*, 9 June 1897, p. 2, 11 November 1901, p. 2, 26 August 1921, p. 3; *Thames Star*, 14 November 1901, p. 4; *Cyclopedia of New Zealand*, vol. 2, p. 848.

[372] J.W. Shaw to the Waiorongomai Syndicate, n.d., printed in Public Notices, *Ohinemuri Gazette*, 24 October 1896, p. 5.

[373] *Ohinemuri Gazette*, 6 February 1897, p. 5.

[374] W.S. Collins and others to Warden, 5 February 1889, Mining Applications 1889, BBAV 11572/1a, ANZ-A.

[375] Church of England, Paeroa Burial Register 1896-1926, no. 119; Hamilton East District Register of Baptisms 1879-1908, nos. 46, 67, 331, 437, Anglican Diocesan Archives,

his house was blown down in 1892, Emett 'brought down the house with some comic songs, which pleased the audience immensely'.[376] (Emett specialized in such songs: at the Christy Minstrel Entertainment given at the opening of Waiorongomai's public hall in 1884, he had sung another comic song, 'Razors in the Air'.)[377]

JAMES ROYCROFT AFTER WAIORONGOMAI: THAMES

After resettling in Thames in February 1887, James returned to mining, in the following month winning a contract for driving in the Thames United.[378] In the following year, when a leading mine manager, John Watson Walker,[379] sued the council for using quartz taken from his Queen mine at Collarbone Creek to repair a road, James gave evidence for the defence.

> He recollected some quartz being taken out of the mine, which he had told the men working on the road to take to mend the road with. He was receiving £1 a week from Mr Walker and held 3 shares in the mine. He made three tests of the quartz and could not even get a color of gold. When he gave the quartz to the road men he considered the stone was valueless. The stuff was taken from the surface….
> In cross-examination, this witness admitted that the quartz taken out belonged to Mr Walker and he had therefore no right to give it away.[380]

Subsequently, he worked in other mines, unprofitably.[381] In July 1889 he tendered unsuccessfully to drive 100 feet in the Lone Hand, and in

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Hamilton; Methodist Church, Upper Thames Circuit Baptismal Register 1881-1929, nos. 109, 124; Waiorongomai Sunday School, Admissions Book 1884-1889, entries for 7 September 1884, 6 January 1889, 13 January 1889, 17 March 1889, Methodist Archives, Auckland.

[376] Te Aroha Correspondent, *Auckland Weekly News*, 10 September 1892, p. 21.

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

[378] *Thames Advertiser*, 31 March 1887, p. 2, Police Court, 8 July 1887, p. 2; Church of England, Register of Thames Baptisms 1880-1889, no. 856; Register of Thames Baptisms 1889-1900, nos. 51, 275, Anglican Archives, Auckland; *Te Aroha Electoral Roll, 1891*, p. 30.

[379] See paper on his life.

[380] Magistrate's Court, *Thames Advertiser*, 28 July 1888, p. 2.

November 1890 he made the lowest tender to sink the May Queen shaft another 100 feet.[382] Two tenders for driving 150 feet in each contract were made in mid-1891, at least one of which was declined.[383]

He continued to have financial difficulties, in part caused because of his drinking problem and also, it must be assumed, his gambling. In April 1888, he was ordered to pay £3 19s 10d,[384] and six months later, when legal fees had increased this debt to £5 14s 4d, a judgment summons saw him back in court explaining that 'he had been tributing at Punga Flat but that he had not been successful as he had lost £3. He had subsequently been working in the Paroquet mine', at Waiomu, 'but only received 35s in cash. He had received £25-odd since the 10th April, but had to pay £12 for wages out of it, and had also been paying' Robert Turbill Douglas, a grocer and general merchant,[385] '5s a week in paying off a debt'.[386] He was ordered to pay the full amount by 22 November, a month hence, or be imprisoned in the Shortland gaol for one week, it 'having been proved' that he 'has had the means to pay this and has not done so'.[387] The following February, a warrant of committal was served on him because he had not paid the debt, now £5 18s 4d; upon being arrested, he paid up.[388] At the end of October 1890, he again filed as bankrupt, not being discharged until March 1893.[389] In 1891, he was ordered to pay a debt of £2 18s owed to a butcher, and in 1896 a Te Aroha draper successfully sued for £3 1s 2d.[390]

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[381] Magistrate's Court, *Thames Advertiser*, 27 October 1888, p. 2.

[382] *Thames Star*, 10 July 1889, p. 2, 29 November 1890, p. 2.

[383] *Thames Advertiser*, 25 June 1891, p. 2, 29 June 1891, p. 2.

[384] Thames Magistrate's Court, Civil Record Book 1887-1890, 168/1888, BACL 13735/2c, ANZ-A.

[385] See *Thames Advertiser*, 15 February 1878, p. 2, 6 April 1880, p. 2, 5 August 1885, p. 2, 3 October 1885, p. 3, 12 October 1889, p. 2.

[386] Magistrate's Court, *Thames Advertiser*, 27 October 1888, p. 2.

[387] Thames Magistrate's Court, Civil Record Book 1887-1890, Judgment Summons 35/1888, BACL 13735/2c, ANZ-A.

[388] Thames Magistrate's Court, Home Warrant Book 1881-1933, 168/1888, BACL 13741/1a, ANZ-A.

[389] Supreme Court, Bankruptcy Register 1888-1892, p. 340, BBAE 5639/1a, ANZ-A.

[390] Thames Magistrate's Court, Plaint Book 1890-1895, entry for 12 August 1891, BACL 13737/2a; Te Aroha Magistrate's Court, Civil Record Book 1896-1907, 40/1896, BCDG 11221/2a, ANZ-A; Magistrate's Court, *Thames Advertiser*, 19 September 1891, p. 2.

The first child born at Thames after they resettled there was James David, in September 1887.[391] In November 1890, three months after his third birthday, he drowned after accidentally falling off a bridge into the river near his home at Parawai.[392] Two more children were born there: Florence Myrtle, in May 1889,[393] and George Herbert, in July 1891.[394]

James won some prominence by competing in foot races, as in July 1887 when 'the well-known ped [pedestrian], Jim Roycroft', participated in a 100-yard race at Parawai. As his opponent was younger, he was given a five-yard start.[395] Also in that month he charged two constables, Thomas O'Brien and William Berne, with breaking and entering into his workshop and committing larceny.[396] They had allegedly taken 'one steel gad, one awl, two specimens of auriferous quartz, of the total value of twelve shillings'. The first witness was Eliza:

> The constables came into my house last Saturday at 2 p.m.; they asked for my husband; they knocked first and I came to the door. I told them my husband was not at home. Constable Berne asked, where was he? I said in Grahamstown; when do you expect him home? I said any minute; he promised to come to dinner. They said: We came here from Mr [John] Rowe [a miner],[397] who suspects your husband of having stolen an axe and tomahawk. I said he never brought any axe or tomahawk belonging to anybody that I know of. They said: We must come in, it will make it all the better for him and us. They pushed past me and came in and began to search the rooms. They went into my husband's private workshop, where he keeps his tools, [and] commenced to examine the axes they saw there. Constable Berne asked me whether they had been got lately; I replied that I had brought them from Te Aroha 5 months ago. Constable O'Brien wrenched the top off the bench to search the box under it. He turned around and picked up some quartz and began looking at it; he asked what claim my husband was working in; I said he is tributing up the creek. They then came out, Constable Berne went into my bedroom and the

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391 Birth Certificate of James David Roycroft, 23 August 1887, 1887/5372, BDM.

392 Death Certificate of James David Roycroft, 24 November 1890, 1890/4734, BDM; *Thames Star*, 25 November 1890, p. 2.

393 Birth Certificate of Florence Myrtle Roycroft, 30 May 1889, 1889/7849, BDM.

394 Birth Certificate of George Herbert Roycroft, 24 July 1891, 1891/9111, BDM.

395 *Thames Advertiser*, 7 July 1887, p. 2.

396 Thames Magistrate's Court, Criminal Record Book 1887-1889, 158/1887, BACL 13736/1a, ANZ-A.

397 See *Thames Advertiser*. 6 September 1878, p. 2; *Thames Star*, 24 August 1880, p. 2.

> children's room, when he came out he said, "I can't find either axe or tomahawk, I'm afraid now Rowe must have made a mistake;" they then went out. They came back in less than an hour; they came in through the back door and said "Did Mr Roycroft take away those axes you had here;" they pushed open the workshop door and took the two axes into the back yard to examine them, I began to cry. I told them they ought to go and find my husband first, and not to come there upsetting me; with that they left.
> To Roycroft: Constable Berne had a shoemaker's hammer in his hand when in the workshop; he also lifted a saw and auger.

To the constable's counsel, James Armstrong Miller, she repeated that they had 'brushed past' her and that she had not invited them to enter 'but told them to find my husband first; I made no other objections'. James had only one workshop, separate from the house. 'When they came the second time they told me that they wanted the axes. The door of the workshop was fastened with a latch and string; I saw them lay the tools down that they had taken up'. James was away from 9.30 in the morning until 5.00 at night, leaving her with all the children. She denied that her eldest daughter, Jane Eliza, aged eight, had brought her a bucket of water which O'Brien had taken and given to her.

Jane Eliza gave evidence that the constables 'went to my father's workshop, broke his bench, and searched the house. They went away and came back again by the back way. They took two axes out and looked at them, put them down again and went away. They left the axes in the house'. In reply to the magistrate, she denied that O'Brien had carried any water, and stated that her father 'told me that when I came to Court I was to tell the truth'.

Miller then suggested that the constables 'showed excess of zeal; they certainly had no search warrant; I shall show that they are rather slack in their duty, as their manner of doing such duty was to save Roycroft probable exposure'. He stated that Eliza 'gave perfect consent and was willing that a search should be made' and that the constables would have been justified in arresting James on suspicion of theft 'and his house could have been searched afterwards'. Miller cannot have been adequately briefed, for the next witness, Sergeant James Murphy, produced the search warrants. During an earlier search, when none of the items sought had been found, the accused had been present.

> Last Saturday at noon I was told of an axe having been lost by John Rowe, and he suspected Roycroft of taking it; I made up my

> report, and it is always left in the police guardroom for the information of all the constables: I have had other complaints against Roycroft of a like nature; Bob Eastoe [a miner][398] bought an axe that he stated had been stolen along with other tools last April; he had suspected Roycroft and went to his house, where he saw his axe, and which was given up only on his threat of going to the police about it; Roycroft said it had belonged to a man named Hawkes, and Eastoe's private brand on the axe had been altered. Rowe suspected Roycroft as he was the last person on his premises, and he missed the axe the next morning.

A ten-year-old boy, Thomas Edwards, gave evidence of the police entering the house: 'they did not push the door open, nor did they push Mrs Roycroft', who had opened the door to the workshop for them. They had not brought anything out of it. 'Roycroft came to my house last night and said he wanted to see the summons papers, he called me a d----d liar'. His brother, Wynne, aged 12, saw the constables enter the workshop but did 'not know who opened the door; there was no noise, Mrs Roycroft was crying; they examined inside the tool house about a minute', and did not remove anything. He confirmed that James 'came to our house last night', but 'I did not hear what he said'. In answer to James, he stated that Berne 'came to our house and asked mother whether I had been there, and what I had seen; he never offered me coppers or lollies, or said he would make any presents'.

John White, a battery hand (who may have been the John White convicted two years later of being drunk),[399] had seen the constables go in: 'they never pushed anyone or anything'. He saw Jane Eliza bring a bucket of water, which O'Brien handed to Eliza. In reply to James, he stated that 'had your wife stood in the doorway, no one could have passed in'. O'Brien then stated that they had entered with Eliza's consent. 'I did not break a bench; there was a board lying on top of an old box, which board I moved on one side to see into the box'. John Rowe, when questioned by James, confirmed that he had suspected he had the axe, which 'was at my place till dark; next morning it was gone; you were the only stranger I had seen at my back door where the axe was…. If another man had been there instead of you I would not have suspected him; I did think you a thief on that occasion'.

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[398] See *Thames Advertiser*, 17 October 1891, p. 2; Warden's Court, *Thames Star*, 9 May 1895, p. 2.

[399] *Thames Advertiser*, 19 February 1889, p. 2.

After hearing all this evidence, the magistrate, Harry Aldborough Stratford,[400] after stating that nobody was above the law, was blunt:

> He had not the slightest hesitation in saying that James Roycroft had been guilty, grossly guilty, of taking the Bible in his hand, and swearing that he suspected the constables of larceny when he knew full well that the charge was a false one; the man who thus shamefully allowed his resentment to set the law in motion against men who he knew were perfectly innocent of the charge, was not worthy of respect; he had deliberately taken the Bible and sworn an information which he knew to be untrue; Roycroft could not, and he (His Worship) believed he did not for one moment think the constables committed the larceny, and was guilty of most shameful conduct.

He regretted that the constables had been 'placed in such an humiliating position', stressing that 'there was not a tittle of evidence to show that they had tried to steal anything' and that they were doing their duty. 'This case has brought no shame on you, the shame rests entirely upon the man who swore that you were guilty'. When the policemen left the dock, 'a slight murmur of applause went through the court', after which Stratford added that any application they made for expenses 'would meet with his warmest support',[401] a prompt they did not follow up. Stratford had refrained from commenting on Eliza's evidence, clearly false and clearly required of her by James. The case, described by an Auckland newspaper as 'a vexatious prosecution', had 'excited considerable public interest'.[402]

This would not be the last time that James was accused of theft. In November 1888, Kapihana Tuhi (otherwise Kapihana Te Tuhi)[403] charged him, along with another man, of larceny of £12 in cash and of goods (including two greenstone mere) valued at £26 from his house at Kirikiri, a short distance to the south of Thames. After James was arrested and remanded for one week, Sergeant Murphy informed the magistrate that he would have to withdraw the charge. There had indeed been a robbery, but all the items stolen had been recovered apart from the mere and the cash.

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[400] See *Otago Daily Times*, 3 December 1906, p. 5.

[401] Police Court, *Thames Advertiser*, 8 July 1887, p. 2.

[402] *Auckland Weekly News*, 16 July 1887, p. 18.

[403] See *Auckland Provincial Government Gazette*, 1 March 1870, p. 103; Maori Land Court, Auckland Minute Book no. 2, p. 185; Hauraki Minute Books, no. 12, pp. 301-304; no. 13, p. 42; no. 29, p. 58; no. 62, p. 31.

When the police learnt that Roycroft's co-accused had offered a mere for sale,

> he did not deny this, but stated that he got it from Roycroft. Roycroft had also offered a mere for sale, and had taken a man to Manning's paddock to make complete the bargain. He left the man there and came back in a little time and told him he could not find it, and that the other man must have taken it. The meres had not been recovered, he therefore asked leave to withdraw the case.
> The sergeant remarked that he did not believe the prisoners were innocent, if they were, they only had themselves to thank for being arrested.

This comment offended the defendants' counsel, Miller, because 'a man was presumed to be innocent until he was found guilty. He asked why Roycroft should not have a mere, and had gone to look for it. There is no evidence whatever to connect him with the robbery. Roycroft had told him that he never stole the meres and knew nothing about them'. The police had acted on the word of the man they had arrested for stealing them. 'He was informed that Roycroft had had a difference with the police, and that they were hunting him: the police should have made it a summons case and not arrested his client'. The Bench allowed the case to be withdrawn, remarking that while it was 'the duty of the magistrates to support the police, that they should be very careful'.[404]

In July 1889, Eliza sought another prohibition order against him, 'as by excessive drinking he wastes his means, injures his health, and interrupts the peace and happiness of his family'. Her evidence was damning:

> When her husband was under the influence of liquor he ill-treated her. About four years ago a prohibition order had been obtained against him at Te Aroha, but since then he had been frequently intoxicated…. Her husband was drunk last Monday night, when he ill-treated her, and at midnight turned her out of the house. It was raining at the time, and the children were crying, so she cried out, and afterwards went inside again. The same kind of thing took place on Saturday night, and occurrences of this nature were frequent. About nine weeks ago her husband

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[404] Thames Magistrate's Court, Criminal Record Book 1887-1889, 342/1888, BACL 13736/1a, ANZ-A; Police Court, *Thames Advertiser*, 5 December 1888, p. 2; *New Zealand Police Gazette*, 19 December 1888, p. 238.

> had thrown a plate at her. The Bench expressed surprise that Mrs Roycroft had not applied that he husband should be bound over to keep the peace towards her. If he ill-treated her again, the Bench strongly recommended her to take this step. Sergeant Gillies asked that the order should be made to apply to publicans in the borough and county. The Bench concurred, and said that had Mrs Roycroft applied for sureties, they would undoubtedly have granted the request. Under the circumstances it was desirable that Roycroft should be kept under some kind of surveillance by the police, and if defendant again ill-treated her, she should be given every facility to bring the matter before the police. Sergeant Gillies explained that when Mrs Roycroft had come to him yesterday he had suggested that she should apply for sureties, but she decided to simply apply for a prohibition order. He would arrange that Roycroft should be cautioned regarding his behaviour towards his wife, and see that every possible protection was afforded her by the police.[405]

The prohibition order was issued as requested, for one year.[406] Eliza did not apply for the extra sureties for good behaviour, but perhaps the warnings from the Bench and the police made him modify his behaviour towards her. His latest ill treatment had taken place nearly two months after the birth of her latest child; the next one was not born until July 1891, again perhaps an indication of marital disharmony.

JAMES ROYCROFT AT WAIHI

By mid-1892, James had settled at Waihi,[407] where he mined until his death. In June 1893, he tendered to sink the main shaft of the Martha 150 feet, one tender being for labour only and the other for both materials and labour; a cheaper tender was accepted.[408] In 1895, he spent 49 days in the Thames hospital after breaking a forearm, presumably in a mining accident.[409] This cannot have helped his financial situation, which remained

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[405] Police Court, *Thames Star*, 24 July 1889, p. 2.

[406] Thames Magistrate's Court, Criminal Record Book 1887-1889, 78/1889, BACL 13736/1a, ANZ-A.

[407] See Thames Magistrate's Court, Plaint Book 1890-1895, entry for 29 June 1892, BACL 13737/2a, ANZ-A.

[408] Thomas Gilmour, Mine Manager's Diary, entry for 13 June 1893, printed in J.B. McAra, *Gold Mining at Waihi 1878-1952*, rev. ed. (Waihi, 1988), pp. 72-73.

[409] Thames Hospital, Admissions Register 1884-1902, folio 67, YCAH 14075/1a, ANZ-A.

straightened, especially because of his drinking and the number of his children. In June 1892, a draper sued, successfully, for £2 16s 3d.[410] In early 1896, he was a partner with John Carter, a Cornishman,[411] and James Manson in mining ventures. On 1 February, the latter was given a cheque for £69 1s 5d, 'for which he was to obtain cash and Paeroa and divide with complainants. He cashed the cheque, but has not been heard of since', the police reported. Manson was 'supposed to have gone to Auckland or Taranaki',[412] but was not traced. Shortly before James' death, a Paeroa firm successfully sued Eliza for £8 13s 6d.[413]

Only once while living at Waihi did James come to the attention of the law, when he and two brothers named McGlynn were charged with a 'breach of the peace' in October 1892. After the charge against William McGlynn[414] was dropped, he was the first to give evidence:

> I am driving a hydraulic lift at Waihi Battery – I remember the 4th October on which evening the Dobson-Kennedy Company performed at Waihi – I was at the Hall that night – I saw my brother Coy[415] and James Roycroft there.
> X examined by Roycroft
> You threw me down on a heap of timber & quartz – I can swear that you did it – I was trying to stop a row when you threw me. You did nothing else to me – I came in to the theatre and asked you why you threw me down, you denied having done so.

A grocer who lived near the hall gave evidence of 'something unusual occurring' in its vicinity, and 'went over to the Hall to see what was the disturbance, I found Coy McGlynn lying on a heap of metal bleeding from a cut in the forehead. He had his coat & hat off, he was in a very excited state'. He did not see James. After the concert, he found Coy and James 'stripped & fighting – I do not know the origin of the fight – There was a crowd there'.

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410 Thames Magistrate's Court, Plaint Book 1890-1895, entry for 29 June 1892, BACL 13737/2a, ANZ-A.

411 See Death Certificate of John Carter, 5 May 1906, 1906/2914, BDM.

412 *New Zealand Police Gazette*, 19 February 1896, p. 29.

413 *Ohinemuri Gazette*, 12 June 1897, p. 4.

414 See Paeroa Correspondent, *Auckland Star*, 27 March 1896, p. 4; *Ohinemuri Gazette*, 4 September 1897, p. 2.

415 Not traced.

William McGlynn recalled
When I first went out and tried to stop a fight occurring between my brother Coy and some others Roycroft threw me down calling out "Fair play" – there were two or three on to my brother, Roycroft was not one of the two or three.
James Roycroft being sworn -
On the 4th October I brought my wife & family to the theatre at Waihi. I saw part of the play and came out with Mr [Walter] Walker [later in trouble for being drunk in Auckland][416] – On coming out we heard a disturbance at the back of the theatre. We went over to see what was the matter – I saw the brothers McGlynn, Bull & the theatrical people having a quarrel – While I was there the row stopped and I was going away again, when the row was renewed – I turned back and saw two or three men on to one beating him on the ground. I recognised William McGlynn he was not fighting but inciting the others. I took him by the shoulders and pulled him away saying "Haven't you got more sense." My friend who was with me pulled off Coy McGlynn I believe.
I then left with Walter Walker. I suggested we should have – The fight was still proceeding. We went into the Hall to see the second part of the play – Shortly after William McGlynn came into the Hall, and said to me, "You are required outside when the play is over."
As I came out of the theatre I heard some one say, "He is frightened to put down the child." I turned and asked "Who wants me?"
Coy McGlynn came up and said "I do." I asked him "What for?" He replied "To have a go for you."
I then gave the child to my wife and told her to go home – I came back to the crowd and found Coy McGlynn stripped for fighting, I then stripped and fought with him.
X examined by prosecution
It is not a fact that I offered to fight any man in the crowd – I was perfectly sober on leaving the Hall – I have been fined for fighting about ten years since.

Coy McGlynn gave evidence that James, upon leaving the hall, asked, 'Which of you is it wants me?' McGlynn asked him, 'Why did you let all those fellows go for me and keep others from stopping them?', after which James gave his child to Eliza, took off his coat, and they fought. McGlynn admitted, under cross-examination, that he had been in court in Huntly for fighting, the last time about 18 months previously, when he was fined. The

[416] See Police Court, *Auckland Star*, 29 November 1909, p. 5, 3 May 1910, p. 5, 18 July 1910, p. 5; he may also be the Walter Walker in *Auckland Star*, 22 December 1913 p. 6.

magistrate clearly considered him largely to blame, for he was fined £2 whereas James was fined 2s 6d.[417]

Four more children were born while they were living at Waihi: William John in March 1893,[418] Albert James in July 1894,[419] Violet Louisa in December 1895,[420] and Louisa Gladys in July 1897.[421] Their last child was born over a month after her father died, aged only 45, 'from injuries sustained by being run over by an unattended cart'.[422] His death from these injuries was reported as being accidental, for the unattended baker's cart was unlighted when the horses took off.[423] He took 30 hours to die, being too ill through a ruptured kidney and ruptured bladder to be taken to hospital.[424] 'That an old miner, scathless from the many perils of his dangerous calling should be done to death in so simple a manner, and so unexpected', seemed to 'Yorick', a Waihi correspondent, to be 'truly the irony of fate'. In trying to stop the runaway cart, he was knocked over and one of the wheels passed over his stomach. 'Great sympathy is felt here for Jimmy's widow, who is thus left with ten children to support'.[425]

Newspaper reports agreed that 'Jimmy' was well known at Thames and Waihi.[426] Being well known could be for both desirable and undesirable reasons, and the inquest sought to ascertain whether he had been drunk. His brother William, the first to give evidence, deposed that James had walked to his own home after the accident, with the help of a boy. William 'waited in the house till three in the morning, and he was very restless, and walked about a little. He suffered terrible pain'. James' account of the accident was that, when walking home along the main road, he heard a cart coming from Martha Hill. 'He stepped to one side to avoid it. And all at once

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417 Paeroa Magistrate's Court, Notes of Evidence 1884-1892, hearing of 21 October 1892, ZAAP 13790/1a, ANZ-A.

418 Birth Certificate of William John Roycroft, 3 March 1893, 1956/133192, BDM; Church of England, Register of Katikati Baptisms 1879-1944, no. 203, Anglican Diocesan Archives, Hamilton.

419 Birth Certificate of Albert James Roycroft, 3 July 1894. 1894/8122, BDM.

420 Birth Certificate of Violet Louisa Roycroft, 3 December 1895, 1896/1819, BDM.

421 Birth Certificate of Louisa Gladys Roycroft, 13 July 1897, 1897/15524, BDM.

422 Death Certificate of James David Roycroft, 22 June 1897, 1897/2703, BDM.

423 *Ohinemuri Gazette*, 26 June 1897, p. 4.

424 *Thames Advertiser*, 24 June 1897, p. 2, 25 June 1897, p. 2.

425 'Yorick' [Waihi Correspondent], *Thames Advertiser*, 25 June 1897, p. 2.

426 *Thames Advertiser*, 24 June 1897, p. 2; *Ohinemuri Gazette*, 26 June 1897, p. 5.

it was on top of him. He put up his hand to guard himself, but the horse struck him on the shoulder and knocked him down. And the wheel passed over his stomach'. He told William 'he had come from May's and not from Stevens' Hotel. I consider he was slightly under the influence of liquor but not drunk'. A doctor gave evidence that he had 'looked for, but could not find any signs of alcoholism', but the post mortem revealed healthy organs, 'with the exception of showing signs of chronic alcoholism'. James May described James coming to his store at half past five and having some tea and scones. 'He told my wife that his wife was ill, and left about half past six to go home', taking some hot pies for her. Although 'under influence of liquor' when he entered the store, he was sober when he left. A 13-year-old boy had found him after the accident: 'He was lying down on the side of the road rolling about in pain'. The 18-year-old in charge of the cart had chased it, to find James nearly in the middle of the road, groaning with pain. The cart had been unlighted because he had expected to be home before dark.[427] No mention was made of his sobriety in the verdict, which was that death was accidental, adding a rider 'that more care was advisable in the direction of carrying lights on carts and seeing the horses were always attended'.[428] Newspaper reports concentrated on the nature of the accident rather than on his career and personality, apart from stating that he was 'well known'.[429]

Despite his violence, gambling, drinking, probable thieving, and inability to provide a comfortable standard of living, Eliza had stuck to her husband and produced children at a steady rate. His unanticipated death, at the age of 45, must have come as a great shock, and she looked elsewhere for male comfort and financial assistance.

ELIZA'S LIFE AFTER JAMES' DEATH

Within ten months of James' death, Eliza was struggling to cope with her large family, as revealed by a letter written in May 1898 by the secretary of the Thames Hospital and Charitable Aid Board to her Waihi

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[427] Inquests, Justice Department, J 46 COR, 1897/489, ANZ-W.

[428] *Thames Advertiser*, 25 June 1897, p. 2.

[429] *Ohinemuri Gazette*, 26 June 1897, p. 5; *Thames Advertiser*, 24 June 1897, p. 2, 25 June 1897, p. 2.

friend, Sarah Vernon Edwards.[430] As Eliza, 'in business' of an unspecified nature (which cannot be traced because she was not listed on any electoral rolls), could not cope with all her children, she had asked the board to look after five of them. It refused, considering that the three eldest should be able to assist her.

> The Board cannot see their way to take over the children on account of the trouble they give and their being in the way now and again, and probably Mrs Roycroft will, with the assistance of her elder children, be able to make arrangements whereby the younger children's presence at meal times etc can be regulated.

As for two of the boys 'getting beyond Mrs Roycroft's control', the only 'remedy' recommended was for her to have them committed to the Industrial School. The board refused 'to relieve Mrs Roycroft of her responsibilities in connection with her own offspring'.[431] Eliza did not take up their suggestion. Three months later, the board was willing to grant charitable assistance, comprising five No. 1 rations.[432]

Eliza married John Carter in November 1899, when he was 59 and she was 39. Carter, a Cornish miner who had been a partner of her late husband, was a widower with two adult daughters. That they were married on 20 November and their son Charles Jeffrey was born on 29 May the following year indicated the main reason for her remarrying.[433] Carter may for a time have earned sufficient to ease her financial burden, but he would die from liver cancer in May 1906, aged 65, his suffering shortened by heart

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[430] See *Ohinemuri Electoral Rolls, 1896*, p. 17; *1898*, p. 33; *1900*, p. 28; Death Notice, *Auckland Star*, 28 September 1918, p. 12.

[431] Secretary, Thames Hospital and Charitable Aid Board, to Mrs S.V.E. Edwards, 31 May 1898, Letterbook 1896-1900, YYBP 14067/1b, ANZ-A.

[432] Secretary, Thames Hospital and Charitable Aid Board, to Constable in Charge, Waihi, 13 September 1898, 27 September 1898, Letterbook 1896-1900, pp. 291, 297, YYBP 14067/1b, ANZ-A.

[433] Marriage Certificate of Eliza Roycroft, 20 November 1899, 1899/4583; Birth Certificate of Charles Jeffrey Carter, 29 May 1900, 1900/9024, BDM; *New Zealand Police Gazette*, 19 February 1896, p. 29.

failure.[434] He cannot have left her much money, for three years later she was 'in poor circumstances', but possessing a 'good' character.[435]

Some of her daughters were soon off her hands in the traditional manner. In April 1898, Jane, aged 21, married a miner.[436] Four months later, when Isabella, aged 18, married a driver, her uncle William was a witness,[437] another indication that the two brothers' families kept in close touch. Eleanor Mary (originally Mary Ellen) married a miner in August 1899, when she was 17.[438] In August 1900, when aged only 16, Eliza married another miner.[439] Florence Myrtle married when aged 19, in 1908.[440]

Louisa Gladys was taken off her hands in a different way when, aged 12 years and ten months, she was committed on her mother's application to the Mount Albert Industrial School in May 1909.[441] According to the local newspaper, this 'innocent looking little thing' had 'become 'incorrigible'.[442] The industrial school recorded the reasons for this decision:

> The girl was uncontrollable, staying out at night, and otherwise misconducting herself, that her mother found it necessary to have her committed to the School. The mother is stone deaf, and could not control the girl, who is described as of lying and dishonest habits, could not be kept at home, and was accepting money and other gifts from men. She was at service but was discharged with for the above faults.

From August 1912 until October 1917, she was sent into service with six different families, and twice was transferred to the Door of Hope,[443]

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[434] Death Certificate of John Carter, 5 May 1906, 1906/2914, BDM.

[435] Auckland Industrial School, Particulars of Admissions 1905-1912, folio 40, BAAA 1955/7, ANZ-A.

[436] Marriage Certificate of Jane Roycroft, 18 April 1898, 1898/1239, BDM.

[437] Marriage Certificate of Isabella Roycroft, 14 August 1898, 1898/2756, BDM.

[438] Marriage Certificate of Eleanor Mary Roycroft, 7 August 1899, 1899/5467, BDM.

[439] Marriage Certificate of Eliza Roycroft, 12 August 1900, 1900/2433, BDM.

[440] Marriage Certificate of Florence Myrtle Roycroft, 6 August 1908, 1908/3628, BDM.

[441] Thames Magistrate's Court, Criminal Record Book 1908-1911, no. 124, BACL 13736/7a, ANZ-A.

[442] *Thames Star*, 29 May 1909, p. 2.

[443] Auckland Industrial School, Particulars of Admissions 1905-1912, folio 40, BAAA 1955/7, ANZ-A.

which sought to reform 'fallen women'. Like others whose children were placed in the school,[444] Eliza was obliged to pay 5s a week towards her upkeep.[445] Having been sent to be a servant for a Whangarei woman in October 1917, in the following September Louisa Gladys, as she now called herself, married a Whangarei grocer who would become bankrupt six years later.[446]

Another tragedy for Eliza was when her son, George Herbert, aged 19, was 'accidentally killed by falling off a scaffold' in 1909.[447] In January 1916, after having lived at Walmsley Road, Waihi, for 25 years, she was admitted to the Waihi hospital suffering from eczema of her legs; she was discharged cured after 31 days.[448] The following year, with her youngest son she was living in Auckland with her daughter Violet, who had a young child, was pregnant, and had been abandoned by her husband.[449] Eliza died in an Auckland rest home in 1939, aged 78.[450]

WILLIAM ROYCROFT AFTER WAIORONGOMAI: WAIHI

According to his obituary, William settled in Waihi in 1893, but in fact he did not move there until 1897.[451] He was a contractor.[452] In the twentieth century he held a contract for 16 years to cut timber for the Waihi

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[444] For example, *Observer*, 21 December 1901, p. 4, 21 November 1903, p. 5; *New Zealand Herald*, 22 January 1904, p. 6.

[445] Auckland Industrial School, Particulars of Admissions 1905-1912, folio 40, BAAA 1955/7, ANZ-A.

[446] Auckland Industrial School, Particulars of Admission 1905-1912, folio 40, BAAA 1955/7, ANZ-A; Marriage Certificate of Louisa Gladys Roycroft, 17 September 1918, 1918/4656, BDM; *Auckland Star*, Marriage Notice, 23 September 1918, p. 10, 5 September 1924, p. 10.

[447] Death Certificate of George Herbert Roycroft, 26 August 1909, 1909/4614, BDM.

[448] Waihi Hospital, Register of Admissions 1915-1919, folio 5, ZABW 4935/1a, ANZ-A.

[449] Auckland Hospital and Charitable Aid Board, Applications for Relief 1908-1919, p. 376, YCAB 15246/1a, ANZ-A.

[450] Death Certificate of Eliza Carter, 16 October 1939, 1939/19732, BDM; Death Notice, *New Zealand Herald*, 17 October 1939, p. 1.

[451] *Waihi Daily Telegraph*, 13 October 1934, p. 2; Birth Certificate of Kenneth David Roycroft, 18 August 1897, 1897/9330, BDM; Te Aroha Warden's Court, Letterbook 1883-1900, p. 441, BBAV 11534/1a, ANZ-A.

[452] Marriage Certificate of Annie Roycroft, 6 June 1906, 1906/7568, BDM.

Company. Originally it was cut from Walmsley's bush,[453] but in time it became 'known as Roycroft's bush. In conjunction with the bush he ran a sawmill in Walmsley road'.[454]

William's bush contract must have provided a steady income, although he was sued in 1898, 1905, and 1910 for small amounts, a judgment summons being issued in the last case, for £8 8s 6d.[455] A serious financial loss was incurred in 1907, when a fire almost totally destroyed his eight-roomed house in Mataura Road:

> Little or nothing in the shape of furniture or personal effects was saved.
> The alarm was given by the Waihi mine whistles, but as the flames had gained a strong hold of the building, the fire brigade, which responded promptly to the call, could do but little on arrival, the water pressure being poor and the scene of the fire a considerable distance from the fire station.
> The inmates of the house had a somewhat exciting experience, as had it not been for a sick child awakening Mr Roycroft, and asking for a drink, some members of the family would in all likelihood have suffered death from asphyxiation, as the building was then full of dense smoke. Mr Roycroft, after looking to the safety of his family, had to make a hasty exit from a window, and one of his sons was overcome to such an extent with the smoke that it was with considerable difficulty that he escaped through his bedroom window.

Although the building was insured for £200 and the furniture and effects for £140, the loss was 'estimated at about £200 over the insurances'.[456] The house and stables erected to replace this one was valued at £275, and was on the same site, Crown land leased to Annie.[457]

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[453] *Thames Star*, 21 January 1905, p. 2.

[454] *Waihi Daily Telegraph*, 13 October 1934, p. 2.

[455] Te Aroha Magistrate's Court, Home Warrant Book 1883-1928, 36/1898, BBAV 11498/1a; Waihi Magistrate's Court, Plaint Book 1900-1908, folios 95, 96, 115, BAFV 13684/2b; Warrant Book 1900-1960, 18/1910, BAFV 13705/1a; Judgment Summonses Issued 1899-1932, 18/1910, BAFV 13702/1a, ANZ-A.

[456] *Auckland Weekly News*, 29 August 1907, p. 22.

[457] Waihi Borough, Valuation of 1 August 1908, folio 67, Valuation Department, BBBC 14670, A150/715, ANZ-A.

In August 1897, Kenneth David, their last child, was born.[458] In January 1905, William Axel, then aged 13, was accidentally shot. 'The boys were amusing themselves in the backyard with a pea rifle, the gun at the time of the accident being in the hands of the elder brother'. They were about four feet apart 'when the gun accidentally went off, and the charge entered the injured boy's abdomen. The bullet went in obliquely, and perforated the intestines in three places. The eldest boy in great distress informed his parents', a doctor was summoned, and the injured boy taken to hospital, where he lay 'in a precarious condition', it was reported, and 'not expected to recover'.[459] He did, outliving his father.[460] The son who was the cause of this accident caused his parents more concern four years later, when he was convicted of stealing a tie pin, value £9, and placed on probation for 12 months.[461]

William's drinking problems had not been brought before the police, unlike his brother's, but in June 1904 he asked for a prohibition order to be issued against him; the magistrate obliged.[462]

Annie was admitted to Thames hospital in 1898, 1899 and 1901. The first time she spent 60 days recovering from acute rheumatism, and second stay was caused by a knee which kept her in hospital for a month, and the second time with endometritis, an inflammation of the lining of the womb, which required a stay of only nine days.[463] She died in 1924 in Auckland hospital from cancer of the larynx, from which she had suffered for over a year before being rushed to the hospital with 'laryngeal obstruction' and pneumonia. She was aged 60.[464]

William outlived Annie by just over ten years, dying at the home of his youngest son in Waihi in 1934, when aged 86. He had suffered from pneumoconiosis, a legacy of his mining days, for 15 years, and had been

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458 Birth Certificate of Kenneth David Roycroft, 13 August 1897, 1897/9330, BDM.

459 *Auckland Weekly News*, 19 January 1905, p. 21.

460 *Waihi Daily Telegraph*, 13 October 1934, p. 2.

461 Police Court, *New Zealand Herald*, 6 May 1909, p. 7; *New Zealand Police Gazette*, 26 May 1909, p. 218.

462 Waihi Magistrate's Court, Criminal Record Book 1903-1906, 91/1904, BAFV 13710/2a, ANZ-A.

463 Thames Hospital, Register of Admissions 1884-1902, folios 91, 101, 124, YCAH 14075/1a, ANZ-A; *Black's Medical Dictionary*, p. 244.

464 Death Certificate of Annie Roycroft, 16 September 1924, 1924/4987, BDM; Auckland Hospital, Register of Deaths 1905-1947, folio 190, ZAAP 15289/1a, ANZ-A.

senile for ten; the immediate cause of death was cardiac failure during the last four weeks of his life.[465] He must have been in ill-health well before pneumoconiosis was diagnosed, for he spent 23 days in Waihi hospital in 1907 because of bronchial catarrh.[466] An obituary described him as an 'old and much respected pioneer of Waihi', for it believed he had lived there for 41 years.[467] A street had been named after him.[468]

BROTHERS-IN-LAW LIVING AT WAIHI AND PAEROA

In 1894, when his family was farming at Gordon, Forsman's financial position required him to mine at Waihi, meaning that he was able to visit them only 'occasionally'.[469] In 1899, they moved to a farm at Waharoa,[470] where he farmed for four years until senility deprived him of the capacity to work. He died in February 1912.[471] His will left all his estate to his widow; it was valued at under £300.[472] His son Robert, who assisted to build batteries in the Ohinemuri district before mid-1894,[473] may have been in contact with his uncle James during that time.

Emett moved to Paeroa early in 1895.[474] He worked as a carter and timber and coal merchant,[475] building up this business through 'hard work'

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[465] Death Certificate of William Frederick Roycroft, 12 October 1934, 1934/17428, BDM.

[466] Waihi Hospital, Register of Patients 1903-1910, folio 36, ZABW 4935/1a, ANZ-A.

[467] *Waihi Daily Telegraph*, 13 October 1934, p. 2.

[468] See *Waihi Borough Council, Diamond Jubilee 1902-1962*, ed. N.S. Climie (Paeroa, 1962), p. 124, which believed it was named after George Roycroft, which was unlikely, as he was aged only 19 in 1909: Waihi Hospital, Register of Patients 1903-1910, folio 26, ZABW 4935/1a, ANZ-A.

[469] Ranger's Report, July 1894, Lands and Survey Department, BAAZ 1108/103a, ANZ-A.

[470] *Cyclopedia of New Zealand*, vol. 2, p. 790; Avondale Asylum, Register of Admissions 1906-1912, no. 4227, YCAA 1021/5, ANZ-A.

[471] Avondale Asylum, Register of Admissions 1906-1912, no. 4227, YCAA 1021/5; Testamentary Register 1911-1913, folio 115, BBCB 4208/8, ANZ-A.

[472] Probates, BBAE 1569/8425, ANZ-A.

[473] *Cyclopedia of New Zealand*, vol. 2, p. 791.

[474] Church of England, Hamilton East District Register of Baptisms 1879-1908, no. 437, Anglican Diocesan Archives, Hamilton; *Ohinemuri Gazette*, 14 March 1906, p. 2.

[475] See 'Particulars of Leases of Railway Property', *Journals and Appendix to the Journals of the Legislative Council of New Zealand, 1897*, Appendix no. 9, p. 4; *Thames Advertiser*, 9 March 1896, p. 2; advertisements, *Ohinemuri Gazette*, 10 August 1898, p. 3, 2 August

and his reputation 'as a strictly conscientious and fair-dealing man in every sense of the word', according to an obituary.[476] 'By his industry and perseverance', he 'built up an extensive carrying business', another obituary stated.[477] His success resulted in his owning a house valued at £150 and leaving an estate valued at £1,177.[478] He had suffered from a serious illness, unspecified in the newspaper, in 1902, and died in March 1906 after having been ill for 12 months.[479] This illness was cirrhosis of the liver, which killed him after three years.[480] This might suggest that he had shared the Roycroft brothers' drinking problem, but as at no time had he been in trouble with the law over this nor had his wife sought a prohibition order against him, alcohol probably was not the cause; there are a variety of causes, still not fully understood, apart from alcohol addiction.[481] He was recalled as being 'well-known over all the goldfields' as a charitable and genial man and a fair and hard-working businessman who had helped to advance the interests of Paeroa.[482] A correspondent described him as 'well known and popular'.[483] In 'a touching tribute', a Catholic priest said his death 'was regretted by all classes in the community'. Although he had not been a Catholic, he had been 'truly catholic in his sympathy and charitable deeds. Those who knew him best loved him most'. He was one of the 'kindest friends and supporters' of the nuns in charge of the Catholic school, 'and by none – save by his immediate relatives – would his death be so deeply lamented and his memory cherished'.[484]

CONCLUSION

1901, p. 2; Ohinemuri County Council, Paeroa Riding, Valuations as at 31 March 1908, folio 11, Valuation Department, BBBC 14670, A150/653, ANZ-A.

[476] *Ohinemuri Gazette*, 14 March 1906, p. 2.

[477] Paeroa Correspondent, *New Zealand Herald*, 14 March 1906, p. 4.

[478] Ohinemuri County Council, Paeroa Riding, Valuations as at 31 March 1908, folio 16, Valuation Department, BBBC 14670, A150/653, ANZ-A; *Auckland Weekly News*, 9 August 1906, p. 22.

[479] *Ohinemuri Gazette*, 19 September 1902, 2 March 1906, p. 2, 14 March 1906, p. 2.

[480] Death Certificate of John Henry Emett, 13 March 1906, 1906/1431, BDM.

[481] See *Black's Medical Dictionary*, p. 414.

[482] *Ohinemuri Gazette*, 14 March 1906, p. 2.

[483] Paeroa Correspondent, *New Zealand Herald*, 14 March 1906, p. 4.

[484] *Ohinemuri Gazette*, 20 March 1906, p. 3.

The lives of these working class families mostly became public for the wrong reasons, usually involving criminal behaviour and, notably, drunkenness. None of them became financially secure, and all of them worked, at a variety of occupations, for all their lives. As with other miners, obtaining a farm was seen as a way to improve their standard of living. And like many other part or full-time miners, as far as was possible they tried to work for themselves rather than for others, for instance taking contracts rather than working for a firm: self-employment was a common goal. Their private lives had embarrassing aspects, though the newspapers were kind enough to ignore all the facts behind the story of the ‘wonderful egg’.