

THE LITTLEWOOD DOCUMENT

FACTS & EVIDENCE



Commodore Charles Wilkes of the American Antarctic Expeditionary Squadron visited the Bay of Islands and asked James Reddy Clendon, US Consul, for a Treaty of Waitangi 'copy & translation'. Clendon had acquired the Final English Draft directly from Lieut-Governor Hobson, in an Official Consular Request capacity on the 13th of March 1840 and was able to supply this and a Maori language translation to Wilkes on the 3rd of April 1840.

Previous to my arrival here I had been
 informed of the different proclamations
 made by the Gov of N. Wales in the
 name of the Queen extending the authority
~~the sovereignty~~ of the British realm over
 these islands and the appointment of a Lt
 Governor in case the chiefs were willing to sign
 over their rights to her Majesty.
 On my arrival here I lost no time to
 inquire into the actual state of these islands

Wilkes writes to his superiors announcing his arrival in the Bay of Islands, stating that since his arrival he had 'lost no time to inquire into the actual state of these islands', since Ngapuhi had signed the treaty less than a month beforehand.

Consulate of the U.S. of America
 Copy at the Bay of Islands N Zealand
 Apr 3rd 1840
 Sir ^{Appendix}
 In reply to your letter of yesterday I have to inform you that Capt W Hobson R.N. arrived here on the 29th of January in the M.S. Herald and that on the following day the two Proclamations now enclosed were made. During the next week meetings with some of the chiefs were held by Capt Hobson when the Treaty (of which I have forwarded you a copy) was signed by a few chiefs, subsequently Capt Hobson and

Commodore Wilkes acknowledges in this letter that he has forwarded the treaty related documents to his superiors in the United States. He went on to transcribe the Final English Draft, Treaty of Waitangi wording, as his letter progressed. He was very particular about copying **EVERY SPELLING MISTAKE OR CROSSED OUT TEXT** that appeared in the original paper he held in his hands.

and are ~~secretly~~ ^{secretly} amiving and that it is desirable for the protection of the Natives to establish a Govt among them.

Her Majesty has accordingly been pleased to appoint One William Hobson a Captain of the Royal Navy to be Governor of such parts of New Zealand as may now or hereafter be ~~ceded~~ ^{ceded} to her Majesty, and proposes to the Chiefs of the Confederation of the United Tribes of New Zealand and the other Chiefs to agree to the following articles

Article First: The Chiefs of the Confederation of the United Tribes and the other Chiefs who have not joined the Confederation cede to the Queen of England forever the entire ~~sovereignty~~ ^{sovereignty} of the Country

Article Second: The Queen of England confirms and guarantees to the Chiefs and Tribes and to all the people of New Zealand the possession of their lands, dwellings and all their property. But the Chiefs of the Confederation and the other Chiefs grant to the ~~Queen~~ ^{Queen} the exclusive right of purchasing such lands as the proprietors thereof may be disposed to sell, at such prices as shall be agreed upon between them and the persons appointed by the Queen to purchase from them.

Article Third

In return for the cession of the ~~sovereignty~~ ^{sovereignty} to the Queen the people of New Zealand

Commodore Wilkes, in transcribing text found the word sovereignty to be misspelled as *sovreignty* 3-times. Also, the word ceded was misspelled as *ceided*. Then there was an instance where Busby, acting as secretary for Hobson on the 4th of February 1840, was supposed to write Queen, but wrote *chiefs* instead and had to cross it out. These are exactly the same mistakes as one finds on the Littlewood Document found in 1989.

BASED UPON THIS EVIDENCE WE ABSOLUTELY KNOW THAT ON THE 3RD OF APRIL 1840, WILKES WAS TRANSCRIBING FROM THE LITTLEWOOD DOCUMENT.



James Reddy Clendon: the magistrate in late middle age

James Reddy Clendon, in his capacity of United States Consul had acquired Lieutenant-Governor Hobson's Final English Draft of the Treaty of Waitangi and made it available for Commodore Wilkes on April 3rd 1840. Wilkes sent it to his superiors in Washington DC and also recorded another copy in the USS Vincennes, (his flagship) letter book, now in the collection of the Topeka Kansas Archives.

THE PIECE OF PAPER WILKES WAS TRANSCRIBING TEXT FROM:

Her Majesty Victoria Queen of England
in his gracious consideration for the Chiefs and
people of New Zealand, and his desire to
preserve to them their Land and to main-
tain peace and order amongst them,
has been pleased to appoint an Officer to
treat with them for the cession of the
Sovereignty of their Country and of the
Islands adjacent to the Queen, Seeing
that many of her Majesty's Subjects
have already settled in the country and
are constantly arriving: And that
it is desirable for their protection as
well as the protection of the Natives
to establish a government amongst them.

Her Majesty has accordingly been
pleased to appoint Sir William Hobson
a Captain in the Royal Navy to be
Governor of such parts of New Zealand
as may now or hereafter be ceded to
her Majesty And proposes to the Chiefs
of the Confederation of the United Tribes of
New Zealand, and the other Chiefs to
agree to the following Article. —

Article first

The Chiefs of the Confederation of the
United Tribes and the other Chiefs who
have not joined the Confederation cede to
the Queen of England for ever the

the entire Sovereignty of their Country.

Article Second

The Queen of England confirms and guarantees to the Chiefs & Tribes and to all the people of New Zealand the possession of their lands, dwelling and all their property. But the Chiefs of the Confederation and the other Chiefs have to the Queen the exclusive right of purchasing such land as the proprietors thereof may be disposed to sell at such prices as shall be agreed upon between them and the persons appointed by the Queen to purchase from them.

Article Third

In return for the cession of the Sovereignty to the Queen, the People of New Zealand shall be protected by the Queen of England, and the rights and privileges of British Subjects will be granted to them.

Signed, William Hobson
Governor General

Now we the Chiefs of the Confederation of the United Tribes of New Zealand being assembled at Waitangi, and we the other Chiefs of New Zealand having understood the meaning of these articles, accept of them and agree to them all.

In witness whereof our names or marks are affixed. Done at Waitangi on the 6th Feb 1840.

**BUSBY'S FINAL DRAFT ...4th of February
1840**

Her Majesty Victoria, Queen of England in Her gracious consideration for the chiefs and people of New Zealand, and her desire to preserve to them their land and to maintain peace and order amongst them, has been pleased to appoint an officer to treat with them for the cession of the **Sovereignty** of their country and of the islands adjacent to the Queen. Seeing that many of Her Majesty's subjects have already settled in the country and are constantly arriving; And that it is desirable for their protection as well as the protection of the natives to establish a government amongst them.

Her Majesty has accordingly been pleased to appoint me William Hobson a captain in the Royal Navy to be Governor of such parts of New Zealand as may now or hereafter be **ceded** to her Majesty and proposes to the chiefs of the Confederation of the United Tribes of New Zealand and the other chiefs to agree to the following articles.-

Article first

The chiefs of the Confederation of the United Tribes and the other chiefs who have not joined the confederation, cede to the Queen of England for ever the entire **Sovereignty** of their country.

Article second

The Queen of England confirms and guarantees to the chiefs & tribes and to all the people of New Zealand the possession of their lands, dwellings and all their property. But the chiefs of the Confederation and the other chiefs grant to the **chiefs** Queen, the exclusive right of purchasing such land as the proprietors

**CLENDON'S DESPATCH... 20th of February
1840**

Her Majesty Victoria, Queen of England in Her Gracious consideration for the Chiefs and the people of New Zealand, and her desire to preserve to them their Lands and to maintain peace and order amongst them, has been pleased to appoint an officer to treat with them for the cession of the **Sovereignty** of their Country and of the Islands adjacent, to the Queen - seeing that many of her Majesty's subjects have already settled in the Country and are constantly arriving: And that it is desirable for their protection as well as the protection of the Natives, to establish a Government amongst them.

Her Majesty has accordingly been pleased to appoint me William Hobson, a Captain in the Royal Navy to be Governor of such parts of New Zealand as may now or hereafter be **ceded** to Her Majesty and proposes to the Chiefs of the Confederation of United Tribes of New Zealand and the other Chiefs to agree to the following Articles.

Article First

The Chiefs of the Confederation of the United Tribes and the other Chiefs who have not joined the confederation, cede to the Queen of England for ever the entire **Sovereignty** of their country.

Article Second

The Queen of England confirms and guarantees to the chiefs and the Tribes and to all the people of New Zealand, the possession of their Lands, dwellings and all their property. But the Chiefs of the Confederation and the other Chiefs grant to the Queen, the exclusive rights of purchasing such Lands as the proprietors

thereof may be disposed to sell at such prices as shall be agreed upon between them and the persons appointed by the Queen to purchase from them.

Article Third

In return for the cession of the **Sovreignty** to the Queen, the people of New Zealand shall be protected by the Queen of England and the rights and privileges of British subjects will be granted to them.-

Signed,

William Hobson

Consul & Lieut. Governor.

Now we the chiefs of the Confederation of the United tribes of New Zealand being assembled at Waitangi, and we the other chiefs of New Zealand having understood the meaning of these articles, accept of them and agree to them all.

In witness whereof our names or marks are affixed. Done at Waitangi on the 4th Feb.

1840.-

thereof may be disposed to sell at such prices as may be agreed upon between them and the person appointed by the Queen to purchase from them.

Article Third

In return for the cession of the **Sovereignty** to the Queen, the people of New Zealand shall be protected by the Queen of England and the rights and privileges of British subjects will be granted to them.

signed, William Hobson

Consul and Lieutenant Governor.

Now we the Chiefs of the Confederation of the United Tribes of New Zealand assembled at Waitangi, and we the other tribes of New Zealand, having understood the meaning of these articles, accept of them and agree to them all. In witness whereof our Names or Marks are affixed.

Done at Waitangi on the Sixth day of February in the year of our Lord one Thousand Eight Hundred and Forty.

It can be readily seen that Clendon possessed the same text as Busby's 4th of February 1840 English draft and sent it to John Forsyth, US Secretary of State, in his despatch No. 6 on the 20th of February 1840

Article First.

The Chiefs of the Confederation of the United Tribes and the other Chiefs who have not joined the Confederation cede to the Queen of England for ever the entire sovereignty of their Country.

Article Second.

The Queen of England confirms and guarantees to the Chiefs and Tribes and to all the people of New Zealand the possession of their Lands, dwellings and all their property. - But the Chiefs of the Confederation and the other Chiefs grant to the Queen the exclusive right of purchasing such Lands as the proprietors thereof may be disposed to sell at such prices as shall be agreed upon between them and the persons appointed by the Queen to purchase from them.

Article Third.

In return for the cession of the Sovereignty to the Queen, the people of New Zealand shall be protected by the Queen of England and the rights and privileges of British subjects will be granted to them.

Clendon's English treaty version was penned on W. Tucker 1833 paper from exactly the same stock as Busby's final English draft. Clendon had, obviously, transcribed his own copy of the developing final draft wording at his home on February 4th, in anticipation of this despatch to the United States at a later date, should Hobson's government be successful in securing a treaty.

Clendon sent this document (3-pages) to the United States on the 20th of February 1840.

CLENDON'S RECEIPT TO THE NEW ZEALAND GOVERNMENT:

40/57. 25. March 1840.

W. L. Consul, Mr. Clendon for Copy of Treaty of Waitangi
to forward to American Government.

Consulate of the U. S. of America
Bay of Islands, New Zealand
March 10. 1840.

for

A document purporting to be a
copy of a Treaty made between the Native
Chiefs of New Zealand and Her Britannic
Majesty's Commissioner, having been placed
in my hands - I have the Honor to request
that I may be furnished by Her Majesty's
Government with a copy of any existing Treaty
with the said Chiefs, that the same may
be forwarded to the Government of the
United States of America

I have the Honor to be

for

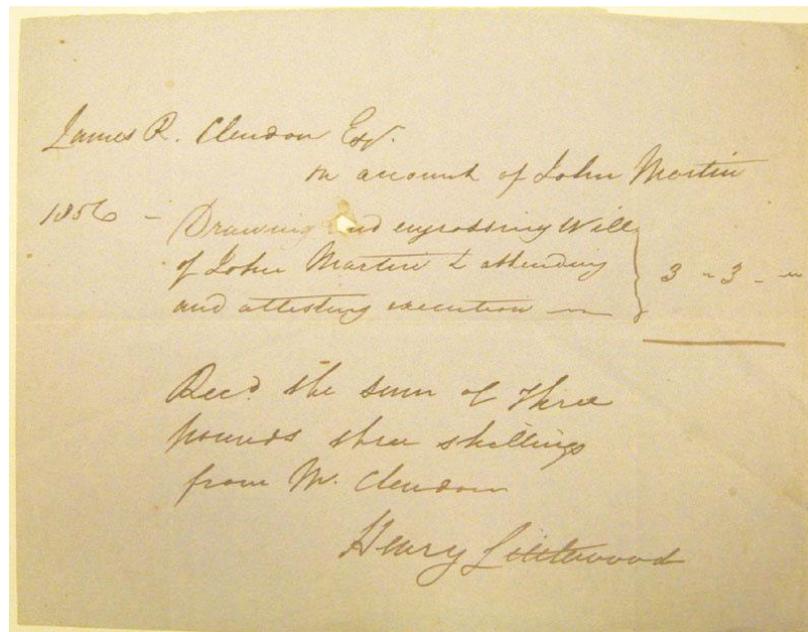
Your most Obedient Servant
James M. Clendon
U. S. Consul

J. W. Wroughton, Esq.
Acting Colonial Secretary
Bay of Islands.

In his capacity as US Consul at the Bay of Islands, New Zealand, Clendon was obliged to tell his superiors in Washington DC USA that Ngapuhi territories were being ceded in sovereignty to Queen Victoria. He therefore applied, officially, for the exact wording of the treaty in both English & Maori.

Clendon received the Final English Draft, as well as the Maori translation derived therefrom on the 13th of March 1840, given to him by Felton Mathew, Surveyor General of NZ and sent from Willoughby Shortland, Colonial Secretary.

Upon receipt of the documents he'd requested, Clendon wrote this receipt to Shortland in acknowledgement. Unfortunately, Clendon kept the Final English Draft in his possession and later lodged it with his solicitor, Henry Littlewood.



James R. Clendon Esq.
in account of John Martin
1856 - Drawings and expressing Will
of John Martin & attending } 3 - 3 -
and attending execution

Recd the sum of three
pounds three shillings
from W. Clendon

Henry Littlewood

Henry Littlewood was paid by James Clendon for conveyancing work in the estate of John Martin. Henry Littlewood, was in New Zealand before the Treaty of Waitangi and later became a solicitor in Auckland. He was the Great grandfather of John & Beryl Littlewood.

WAS THIS THE MISSING FINAL ENGLISH DRAFT OF THE TREATY OF WAITANGI, LOST FOR 149-YEARS?

For over 150-years, when the document finally came back into the public arena (1992), generations of historians and politicians had been searching and "hoping against hope" that the "final English draft" of the treaty would finally and belatedly turn up. That it even survived is a miracle and a credit to the Littlewood family, whose consideration and respect, accorded to a fragile piece of paper, kept it safe, in their possession, for at least a hundred and thirty-six years or longer.

As stated, James Busby is, positively, the undisputed individual who penned the final English draft of the Treaty of Waitangi on the 4th of February, 1840.

For over 150-years before the Littlewood document came to public attention in 1992, we had been looking for a piece of paper with the following attributes:

- It had to say exactly what Te Tiriti O Waitangi said and be set out in the same way. Sentences and words had to mirror each other in perfect reflection. There had to be approximately the same "word weight" per sentence. The English text found had to look and sound, convincingly, like the mother document to Te Tiriti O Waitangi. That is: It had to have a Preamble, three Articles, Hobson's name and title, an Affirmation section for the signatory chiefs and the final date.

That the Littlewood document qualifies admirably in complying to this perfect layout and content, is beyond question.

- It had to be on paper that preceded the signing of the treaty in 1840 and that paper had to be identifiable as stock in use at the Bay of Islands in February 1840. If the paper was from an orphan stock, then that would cast doubt upon the authenticity of the document.

Clendon's W. Tucker 1833 watermarked stock fulfils these necessary criteria admirably.

- The paper had to have a pedigree traceable back to one of the founding fathers who drafted the treaty and, ultimately to Busby and Hobson.

The Littlewood document's pedigree is impeccable and fully traceable to Clendon, Busby and, in consideration of Clendon's "official" request, back to Hobson himself.

- The author of the hand-written text had to be James Busby, British Resident.

That attribute of the Littlewood document is also beyond dispute.

- It had to bear the date, the 4th of February 1840, as that's the day the final English draft was written.

It is clearly signed off, 4th Feb 1840.

One would have to scratch one's heads in bewilderment...if this document doesn't satisfy our mainstream historians as the elusive and long sought after final English draft, under all of the clinically stringent, qualifying criteria, then what ever would or could satisfy them?

In view of the weight of evidence supporting the document's authenticity as the final draft, one would have to conclude that it is, simply, not considered **politically convenient or expedient** to recognise it for what it truly is and that factor, undoubtedly, constitutes the real underlying issue.

It's also significant that the New Zealand Government has never allowed for a general release of photographs of the document. The Littlewood family had to be supplied with black & white, poor-quality photocopies, but the colour photos in circulation had to be acquired by more back-door methods and then leaked into the public arena against the wishes of the authorities.

During late 1992 and for years thereafter those asking for photographs were refused on the basis that the document was "*too fragile*", even though it had undergone preservation and had already been photographed in high resolution by Preservation Services at the New Zealand National Archives.

It was also misrepresented as a "*back-translation*" from the Maori language text, even though its signed-off, date (**the 4th of February 1840**) showed it had been written before there was a Maori language translation (**the 5th of February 1840**).

Martin Doutré, 25/10/25.