

The Three Lives of John Christmas UNDERWOOD/Christopher Christmas BERRY cont'd Part 3: NEW ZEALAND 1840 - 1851

Foreword: It cannot be said that researching Christopher Christmas BERRY does not have its own rather unique sets of challenges and complications. It soon becomes apparent that our subject has a past which, for one reason or another, he chose neither to disclose nor share, and within that possibly uncertainties of his own related to his birth and origin.

This sad situation is exacerbated by the lack of verifiable family information because of his and Harriet Felsted's relatively early demise in 1851, leaving orphaned children ranging in age from 10 years ([Christopher David BERRY](#)) down to 1 year and 11 months ([Charles BERRY](#) – my Great Grandfather). As a consequence what history that exists from the life and times of [Christopher Christmas BERRY](#) has been passed down orally, with some divergence from fact and with great missing pieces, particularly related to his early life in Norfolk, England. I shall relate a few of those situations in the hope that other researchers might be able to add fact to the slightly fictitious that the family has lived with, and on for over 150 years.

Arrival in New Zealand: As explained in the conclusion to Part 2, my research as to Christopher and his new family's passage to New Zealand has not revealed any positive information. The only data of any substance is an entry "Lander, Mrs. J., nee Rebecca Ann Berry, 1829- 1906 arriving on Rectus at Kororareka 1839" in the Centennial Memorial Publication "Roll of Early Settlers and Descendants in the Auckland Province Prior to the end of 1852".

The entry for Christopher in this publication shows only First Known Place of Residence "Auckland 1843" and a life period of "1809-1850".

The arrival date of 1839 does not correlate to the Rectus having sailed "for sealing ground" from Launceston 21 March 1841, unless the 28 foot, 10 ton Cutter had made an earlier unrecorded journey to New Zealand, perhaps in the latter months of 1839 when there are gaps in CCB's recorded shipping movements.

The *New Zealand Advertiser* which was published in Kororareka from 15 June to 10 December 1840 does contain good "Shipping Intelligence" so it could be assumed the arrival of the "Rectus" was outside of this period, in all possibility just after and towards the end of December 1840. This was New Zealand's second earliest newspaper and a forerunner to the Government Gazette. The Advertiser was effectively suppressed by the government for criticising its policy on land.

The only record I can find of the cutter Rectus in New Zealand is an extract from *The Australian* (Sydney, NSW), Monday 11 July 1842 which shows it at Port of Auckland, 21 June 1842.

The first record of substance following arrival of the family in New Zealand is the baptism of the first child of the partnership of Christopher Christmas and Elisa FERGUSON/FELSTED - [Christopher David BERRY](#) at Wahapu, 31 January 1841. This would suggest arrival late 1840/January 1841. Wahapu is approximately 4 kilometres south of Russell, known in those days as Kororareka, and could be an explanation of an arrival of the Rectus at Kororareka not being recorded.

Residence: The first record of a place of residence is contained in the Auckland Police Census 1841-1846 in which Christopher is recorded as being located in 1842 at Windsor Terrace. This could very well have been one of the first wooden houses at Parnell, Auckland cited as the birthplace of James George the third child of the family as recorded in *"Days to remember in the lives of James and Mary Berry"* held by the Te Awamutu and District Museum.

Fort (Fore) Street, close to Auckland's waterfront is the most frequent address used for the family.

Occupation: CCB's primary occupation in Auckland changed from the sea to the land and lime burning, although a part of this work could in the earlier days have involved lightering the prepared lime across the Harbour from the North Shore. The National Archives reference A1, 1842/268 contains a letter dated 15 February 1842 from Christopher to the Colonial Secretary seeking permission to use land on the North Shore for the purpose of burning lime and bricks.

Christopher would have been well aware of the processes for dealing with the government as evidenced by his earlier submission offering his services as a pilot to the Port Phillip Superintendent.

I have found no evidence of Christopher's lime burning operations on the North Shore but in the *New Zealander*, Volume 3, Issue 147, 27 October 1847, Page 4 (Papers Past) a copy of a Return tabled in Parliament on 14 October 1847 by the Colonial Secretary, Andrew Sinclair. This indicates that at from at least 1847, Christopher's lime burning was based on the Southern (Auckland) side of the Harbour. We find him here with his lime for sale advertised from December 1847 through to at least October 1848.

I found this in Anne Bromell's *"Tracing Family History in New Zealand"* at page 91 in her chapter on Wills and Administrations. Smales Point used to be a well-known landmark on Auckland Harbour, at the bottom of town. It got its name from Captain Smale. He used to live there, and dock his ship, the *Chelydra*, there all the time. Now, all of Smales Point has been reclaimed (all the sea has been filled in with soil,) and there is a big egg shaped building where Smales Point used to be, which is now on the corner of Albert Street and Customs Street (*New Zealander*, Volume 4, Issue 249, 18 October 1848, Page 4 (Papers Past)). Further information from newspapers: 1843 – Mechanics Bay – Presented lime for building of St Paul's Church (*Auckland Chronicle* 1843, 25 January, p1) 1843 – Mr Christopher Berry presented 50 bushels of lime towards the completion of St Paul's Church (*N.Z. Journal*, 8 July 1843, p177) 1844 – Supplies lime to build St Pauls Church. *New Zealander*, Volume 4, Issue 313, 30 May 1849, Page 2 per courtesy Papers Past *New Zealander*, Volume 7, Issue 501, 1 February 1851, Page 2 per courtesy Papers Past Education. On the evidence of the two letters written by Christopher to the Colonial Office in Sydney, Australia seeking to contract pilotage services for Port Phillip, and that seeking rights to land in Auckland for Limeburning, one can only assume that he had received a very good education. I have however not been able to substantiate this.

Boat Ownership Note: The reference to "Mr Grahame's Wharf" is interesting. Mr Grahame (sic) could very well have been Robert Graham with connections to Kororareka, waterfront Auckland and Tararu, Thames, later the home of Charles BERRY my Great Grandfather.

Death: Christopher Christmas BERRY died 6 January 1851 at Fort Street. His Death

Certificate (Folio No. 1848/299, Ref No. S-0181150) records his age as 51, Profession as Mariner and Cause of Death "Inflamation in the Bowels." He was buried 8 January 1851 at Symonds Street. This is recorded in the Anglican St Paul's register.

The Berry Estate: Christopher died intestate. You will find this statement of accounts in the Auckland Provincial Gazette of January 1885. The entries of Aug 18 and Dec. 20 1852 with moneys paid by Ruinga reveal a very interesting story which explains the lengthy wait for conclusion of the affairs of Christopher Christmas BERRY with this notice dated 10 January 1855. "Ruinga" was Hori te Ruinga Pokai a chief of Ngati Maru and Ngati Paoa who resided at Waiheke and Thames. I found this notice in Anne Bromell's *"Tracing Family History in New Zealand"* at page 91 in her chapter on Wills and Administrations. The *Southern Cross* newspaper on February 21, 1854, Vol XI, Issue 694 at page 3 in an editorial attacking the Government's alleged lack of purchases of land "*adequate to the growing necessities of the Northern settlers*" refers to The Native Land Purchase Ordinance which precluded the direct purchase of land from the natives and "*As a pregnant example of the oppressive workings of the existing land system cannot possibly do better than cite the following case, which was tried last week in the Resident Magistrate's Court.*" The case was "*Administrator of Berry's Estate v. Ruinga*", an action brought to recover the sum of £100 part payment for Ruinga's purchase of a small vessel from CCB on 16 November 1850. Ruinga confessed judgment and it was stated that he was the proprietor of considerable tracts of land who had always expressed his willingness to pay, if permitted to raise the money by sale of his land. The article makes very interesting reading and the issue is one of great importance and significance in the history of New Zealand. Indeed the issue reached a high level as evidenced by an impassioned debate in the General Assembly, House of Representatives on 5 June 1854 as reported in The Daily Southern Cross, Vol XI, Issue 727, 16 June 1854 on the matter of "Responsible Government" and "Ministerial Responsibility". In addressing the House, the Member for the Bay of Islands, Hugh Carleton⁶, in arguing that "almost every difficulty with the natives has originated with the government" made references to it being "the government that organised and led the fatal expedition to the Wairau", "ordered the silly, but mischevious bravadoing at Tauranga", "quarrelled with Heke in the North", "caused the first murder at the Hutt", and "provoked the Wanganui war by hanging a Wanganui native – a prisoner of war at Porirua". He then said "Would it be credited, elsewhere than in New Zealand, that a native, owing money to an European, able and willing to pay in real property, but not able to pay in coin, is liable to to be cast into jail? I am not putting a fancy case: if the hon. member for the suburbs were in his place, he could depose to what has taken place with regard to Ruinga, of Waiheke. But the honourable member for the northern division objects to Ministerial Responsibility because forsooth, it would relieve the natives from such guardianship as this'.

Children of Christopher Christmas BERRY and Harriet Eliza FELSTED

1. Christopher David BERRY – Baptised 31 January 1841 at Wahapu (Kororareka Anglican Church Registry)
2. Emma Amelia BERRY – Born 9 August 1842, Auckland. Baptised 11 September 1842
3. James George BERRY – Born 8 September 1844, Auckland. Baptised 29 September 1844
4. Julia BERRY – Born 28 December 1846, Auckland. Baptised 31 January 1847

5. Charles BERRY – Born 21 February 1849, Auckland. Baptised 13 May 1849

Conclusion: This represents my best shot to chronicle the life of Christopher Christmas BERRY, also baptised John Christmas UNDERWOOD and John BERRY.

Three countries and three names have not made the task any easier.

6 Hugh Francis Carleton (3 July 1810 – 14 July 1890) was New Zealand's first ever Member of Parliament.

Bob Vine Lower Hutt, New Zealand

March 2017

www.bobvine.nz