

"HCMM-1"

Ngati Ruanui

Customary Interests and Marine and Coastal Usage

A report commissioned by Te Runanga o Ngati Ruanui Trust

**Dr Vincent O'Malley
October 2024**

Exhibit Note

This is the annexure marked "HCMM-1" referred to in the
affidavit of Haimona Christopher Marcus Maruera
and sworn at Rā'ĀHERSTON NORTH
this 01 day of October 2025 before me
Signature D. M. Thompson Deputy Registrar
A fully registered & A solicitor of the High Court of New Zealand / Justice of the Peace
D. M. Thompson No. 24410

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1. Introduction

This report was commissioned by Te Rūnanga o Ngāti Ruanui Trust in respect of an application for Customary Marine Title and Protected Customary Rights under the Marine and Coastal Area (Takutai Moana) Act 2011 on behalf of Ngāti Ruanui whānau, hapū and iwi. The application has been registered with the High Court as CIV-2012-485-282 and encompasses an area on the seaward side from the mouth of the Waingongoro River in the north to its southernmost point at the mouth of the Whenuakura River to the outer limits of the territorial sea (see map 1). The applicant states that within this takiwā moana, ngā hapū o Ngāti Ruanui, Tangāhoe, Pakakohi and Ngāti Hine have exercised rangatiratanga and practiced kaitiakitanga and utilised the coastal and marine environment for a range of purposes, including fishing for a wide number of species, the seeding and harvesting of different kinds of kaimoana, the planting and cultivation of various plant species and the performance of cultural and ceremonial activities from the time of their first settlement in the area through to today. Although only a relatively small area of coastal land remains in Ngāti Ruanui ownership today due to confiscations under the New Zealand Settlements Act 1863 arising out of the Taranaki Wars of the 1860s, the applicant nevertheless maintains that Ngāti Ruanui have continued to hold and exercise customary rights over the takiwā moana in the ways described above.¹

In the 2001 deed of settlement of Ngāti Ruanui historical claims, Ngāti Ruanui is defined as including members of Tangāhoe, Pakakohi and the following hapū: Araukūku, Ahitahi, Hāmua, Hāpōtiki, Kotuku, Ngā Ariki, Ngāti Hawe, Ngāti Hine, Ngāti Ringi, Ngāti Takou, Ngāti Tānewai, Ngāti Tūpaea, Ngāti Tūpito, Rangitāwhi, Tūtahi, and Tūwhakaehu.²

¹ Application by Te Rūnanga o Ngāti Ruanui Trust for Recognition Orders Pursuant to the Marine and Coastal Area (Takutai Moana) Act 2011, CIV-2017-485-282.

² *Deed of Settlement of the Historical Claims of Ngaati Ruanui*, 12 May 2001, p.11,
https://www.tearawhiti.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngati-Ruanui/DOS_documents/Ngati-Ruanui-Deed-of-Settlement-12-May-2001.pdf



Map 1: Application Area

This report explores the nature and extent of Ngāti Ruanui customary use and occupation of the coastal and marine area described above, the extent to which those rights have been exercised and recognised historically and the subsequent history of the confiscation of most of the lands abutting the coast, along with third-party usage of the coastal and marine area, principally through the now defunct Patea Harbour Board.

Although the report draws upon a range of primary and secondary sources, it should be noted at the outset that there is an inherent bias in the archival record when it comes to documenting Māori usage of the marine and coastal environment. Archives of Crown and government records are organised around specific ministries and departments and reflect the particular priorities and concerns of officials and ministers. Evidence of particular Māori communities

might only enter the records of these government agencies where specific issues arose that were deemed to be within the jurisdiction of a department – whether that was a petition or complaint or some other event or action considered worthy of documenting. The routine or everyday usage of the marine and coastal environment by Māori would not normally be something considered worth documenting and reporting on in this manner. It was typically only when a particular problem arose or correspondence was received that such activities might attract the attention of officials.

In the case of Ngāti Ruanui there is a further omission in that the confiscation of most of the coastline meant the lands abutting this area were not subject to Native Land Court investigations of title. Although the court was highly problematic in many respects, Māori who appeared before it often gave detailed evidence with respect to their fishing and other activities in support of their wider claims.

Nevertheless, despite these gaps in the archival record, as the report sets out, the evidence of the ongoing Ngāti Ruanui exercise of rights over the coastal and marine environment remains compelling. If anything, the raupatu of their lands resulted in an even greater reliance upon the resources of the moana. And the few coastal lands Ngāti Ruanui received in the wake of raupatu became even more important for the access to the takutai moana that they provided. At different times Ngāti Ruanui came under intense pressure to part with these lands but refused to do so and in more recent times the significance of the marine and coastal environment for members of the iwi has been recognised in a variety of ways, including several provisions contained in the Ngāti Ruanui settlement of historical Treaty of Waitangi claims agreed with the Crown in 2001. In these and other ways the ongoing exercise of customary rights over the marine and coastal environment between the Waingongoro and Whenuakura rivers from 1840 through to the present on the part of Ngāti Ruanui is perfectly clear.

It might be useful to briefly explain the nexus between the marine and coastal environment and lands above the high-water mark. The marine and coastal environment was in many ways considered an extension of dry land in terms of customary rights and interests. Customary tenure was complex and nuanced but at the same time Māori carefully protected and guarded their rights and interests and had an acute awareness of where these were located. Early

European observers often commented on the extent to which rights were jealously defended.³ That included rights to areas covered by water. As the Waitangi Tribunal has observed, ‘Māori do not...separate land above high-water mark, tidal land, and the seabed, as distinct entities; it is all whenua.’⁴ While the open sea might be considered a common highway, the Tribunal has concluded that the ability of iwi to exercise rangatiratanga over coastal waters might extend at least twelve miles from shore.⁵ Māori, as the Tribunal further noted, ‘have a holistic view that does not compartmentalise the beach and sea into dry land above high tide, tidal land uncovered at low tide, land permanently covered by the sea, and the waters of the sea itself. Māori law, use, authority and rights extended seamlessly from land fronting the beach, out into the ocean.’⁶

³ See J.L. Nicholas, *Narrative of a Voyage to New Zealand, Including A Description of the Country, and Incidental Remarks on the Manners, Customs and Political Opinions of the Natives*, London: James Black, 1817, vol. 2, p.321; Evidence of R. FitzRoy, 11 May 1838, *Great Britain Parliamentary Papers* (GBPP), 1837-38 (680), p.178; and Vincent O’Malley, *The Meeting Place: Māori and Pākehā Encounters, 1642-1840*, Auckland: Auckland University Press, 2012, pp.142-143.

⁴ Waitangi Tribunal, *Report on the Crown’s Foreshore and Seabed Policy*, Wellington: Legislation Direct, 2004, p.4.

⁵ Waitangi Tribunal, *Report on the Crown’s Foreshore and Seabed Policy*, Wellington: Legislation Direct, 2004, p.21; Waitangi Tribunal, *The Ngai Tahu Sea Fisheries Report*, Wellington: Brooker and Friend, 1992, pp.111-12; Waitangi Tribunal, *Report of the Waitangi Tribunal on the Muriwhenua Fishing Claim*, Wellington: Waitangi Tribunal, 1988, pp.196-97.

⁶ Waitangi Tribunal, *Report on the Crown’s Foreshore and Seabed Policy*, Wellington: Legislation Direct, 2004, p.18.

2. Resources of the Ngāti Ruanui Rohe

The coastal zone between the Waingongoro and Whenuakura rivers is located in South Taranaki, an area of rich, abundant and varied resources. Although much of the coastline is covered in steep cliffs, averaging 30 metres in height at Pātea and around 50 metres further north in what was once Hāwera county, this made the several major rivers and streams that cut through these cliff faces and created an opening to the sea even more crucial.⁷ Apart from Waitara River in the north and Waitōtara River in the south, all of the other rivers in Taranaki originate on the slopes of Mt Taranaki and flow to the coast.⁸

Over the area stretching from Taranaki maunga to the coast, the topography and landscape varied greatly. Overall, however, it was a region rich in resources. The historian Ian Church writes of the area that is the particular focus of this report that:

South Taranaki is a fertile land, its volcanic soils well watered by rivers and streams flowing from Mt. Taranaki and the western hills. Mild temperatures without extremes promote lush vegetation, only checked by occasionally severe equinoctial gales. For its Māori inhabitants the coastal terraces and forest clearings provided near ideal growing conditions, birds flourished in the berry-bearing trees, eels filled the swamps and creeks, shellfish crowded the reefs, fish abounded on the off-shore banks, seals visited coastal rookeries and the moa made its ground nest among the koromiko bushes.⁹

In 1847 the naturalist (and future politician) Walter Mantell found moa bones at the mouth of the Waingongoro River, and discovered ‘small circular beds of ashes and charcoal and bones very ancient and such as are generally left by the Native fires that have long been lighted on the same spot. Fragments of obsidian, native flint, two fishing line stones and a whalebone mere

⁷ *Coastal Reserves Investigation: Patea County*, Wellington: Department of Lands and Survey, 1976, p.1, R22968238, Archives NZ.

⁸ L.D. Teirney, J. Richardson and M.J. Unwin, *The Relative Value of Rivers in the Taranaki Region to Taranaki, Hawera, and Stratford Anglers*, Wellington: Ministry of Agriculture and Fisheries, 1984, p.7, R23166771, Archives NZ.

⁹ Ian Church, *Heartland of Aotearoa: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.12.

were also dug up.¹⁰ Based on archaeological evidence, Rangatapu Pā, located close to where the find was made at Ōhawe, is believed to be one of the earliest sites of human settlement in Aotearoa.¹¹ Ōhawe provides a safe and sheltered cove along a coastline otherwise dominated by 30-metre high cliffs either side of the river and provided its earliest occupants with ‘everything they could want in a new home – access to a bountiful ocean and safe anchorage for their canoes, proximity to the dense bird-filled forests of southern Taranaki, shelter from the wind in the lee of the great cliffs and a flat plain of sand on which to build their shelters and have their feasts.’¹²

Anglican missionary Richard Taylor had previously found moa bones at Ōhawe in 1843 and Mantell arrived four years later expecting to find more.¹³ He later wrote to his father that ‘the surface was covered with bones of men, Moas and seals etc, which had been overhauled by the Rev R. Taylor’.¹⁴ Mantell began exploring the area and laying out bones. But given that this was all taking place close to the pā, his operations did not go unnoticed and he reported that:

Unfortunately the Natives soon caught sight of my operations, and came down in shoals, trampling on the bones I had carefully extracted and lain out to dry. My patience was tried to the utmost, and to avoid blows I was obliged to retreat and leave them in full possession of the field...¹⁵

Mantell’s enforced ‘retreat’ from the site can be seen as an early assertion of rights over the coastline in the face of intrusive and intruding Europeans. Later European moa-boa collectors came armed. In 1866 Governor George Grey visited Ōhawe to see the moa bones for himself, accompanied by Richard Talyor and Lieutenant-Colonel Thomas McDonnell. Grey was visiting

¹⁰ Ian Church, *Heartland of Aotea: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.12.

¹¹ Ian Church, *Heartland of Aotea: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.12.

¹² Quinn Berentson, *Moa: The Life and Death of New Zealand’s Legendary Bird*, Nelson: Craig Potton Publishing, 2012, p.80.

¹³ A.G. Buist and J. C. Yaldwin, ‘An “Articulated” Moa Leg from an Oven Excavated at Waingongoro, South Taranaki’, *Journal of the Polynesian Society*, 69, 2 1960), pp.76-88.

¹⁴ Quinn Berentson, *Moa: The Life and Death of New Zealand’s Legendary Bird*, Nelson: Craig Potton Publishing, 2012, p.80.

¹⁵ Quinn Berentson, *Moa: The Life and Death of New Zealand’s Legendary Bird*, Nelson: Craig Potton Publishing, 2012, p.81.

the area to inspect a series of military redoubts constructed in the wake of a brutal campaign directed against Ngāti Ruanui and other Taranaki iwi. The 1866 visitors found stone-lined ovens complete with the partly charred bones of moa and later archaeological investigations confirmed these findings, providing further evidence of the very early human occupation of the area.¹⁶

Mantell had sent multiple bone specimens to England and in January 1848 famous scientist Richard Owen delivered his findings on these in an address to the Zoological Society.¹⁷ Few Europeans had ventured far in South Taranaki by this time. But examples of at least one of its earliest resources were being pored over and studied minutely in the imperial metropole on the other side of the globe.

Ōhawe was a resource-rich location that drew humans to it from a very early point in the Polynesian settlement of Aotearoa from the thirteenth century onwards. But it was not the only site along this stretch of coastline to attract early settlement. An archaeological report on Waihi beach, around five kilometres south of Ōhawe, completed in 2006 notes that ‘visible archaeological evidence in the form of two nearby pa indicated the indigenous settlement in the area was of considerable duration and may have extended well into the prehistoric era.’¹⁸ Further investigations in the Manutahi area, around midway between Hāwera and Pātea, disclosed multiple midden sites and other finds such as hangi stones. The research was significant for being conducted with the active involvement of Ngāti Ruanui.¹⁹

Just a little north of Manutahi, the mouth of the Manawapou River also attracted settlement from an early date, along with Waokena and Pukeoha. Further down the coastline, Whitikau, a few kilometres north of the mouth of the Pātea River, was another important site, while the Pātea River mouth was also an obvious and significant site for the ready access to fish,

¹⁶ A.G. Buist and J. C. Yaldwin, ‘An “Articulated” Moa Leg from an Oven Excavated at Waingongoro, South Taranaki’, *Journal of the Polynesian Society*, 69, 2 1960), pp.76-88.

¹⁷ Quinn Berentson, *Moa: The Life and Death of New Zealand’s Legendary Bird*, Nelson: Craig Potton Publishing, 2012, p.81.

¹⁸ Ivan Bruce, *Waihi Beach Research, Hawera: Monitoring Report*, Hawera: Ivan Bruce for South Taranaki District Council, 2006, p.2.

¹⁹ Ivan Bruce, *Archaeological Site Recording on the Manutahi 3D Seismic Survey*, New Plymouth: Ivan Bruce for Origin Energy NZ Ltd, 2013.

kaimoana and the other resources it offered. A short distance further south, archaeological evidence also indicates various pā sites near the mouth of the Whenuakura River.²⁰

²⁰ Q22/2 Imperial Site Number N136/1; Q22/21 Imperial Site Number N136/23.

3. The Origins of Ngāti Ruanui

The people who today describe themselves as Ngāti Ruanui have a connection with the South Taranaki region that dates back to their arrival in Aotearoa. It is an unbroken connection with the whenua and moana of the area stretching back more than 700 years. The origins of Ngāti Ruanui are captured in the following tribal saying:

Ko Aotea te waka
Ko Turi te tangata ki runga
Ko Taranaki te maunga
Ko Waingongoro te awa
Ko Ngāti Ruanui te iwi.

Aotea is the canoe
Turi is the ancestor
Taranaki is the mountain
Waingongoro is the river
Ngāti Ruanui is the tribe.²¹

The story of Ngāti Ruanui begins about 30 generations ago with Turi. He lived at Maheana, on the north-eastern coast of the island of Tahiti-nui until deciding to leave his disobedient wife and instead settle on Rangiātea, a few hundred kilometres away. There, the temperamental Turi quarrelled with another rangatira named Uenuku. The dispute soon turned violent. Uenuku's brother Kemo was killed in battle, and Pōtikiroa, Turi's own son, was killed in retribution.

Turi responded by killing Uenuku's son. Turi's people, then known as Ngāti Rongotea, were by this time in serious danger and the only realistic option for survival seemed a further migration. At Rangiātea, Turi had taken a new wife, Rongorongo, and he now sought help from his father-

²¹ Tony Sole, 'Ngāti Ruanui - Origins of Ngāti Ruanui', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/ngati-ruanui/page-1> (accessed 4 August 2023).

in-law, Toto. The latter obliged by felling a large tree, which in tradition thereupon split into two halves. One became the *Aotea* waka and the other the *Matahourua*.²²

In tribal tradition, Turi and a party of 33 departed Rangiātea in the dead of the night, taking with them a richly laden cargo of plants and animals. This included kūmara, taro, kiore, multiple bird species, flax and all kinds of other invaluable things. It was for this reason that their canoe was called ‘Aotea utanga nui’ (the richly laden *Aotea*).²³ Not only were they well prepared but they also had a destination in mind. Kupe, the great Polynesian navigator and explorer had journeyed to Aotearoa on board the *Matahourua* and returned home boasting of its riches. But the journey of the *Aotea* was a perilous one and the waka called in to Rangitāhua, in the Kermadec Islands, en route. There, it is said that they encountered the crew of another waka, the *Kurahaupō*. It had been badly damaged on a reef and many of the crew transferred to the *Aotea* rather than wait for their vessel to be repaired.²⁴

There are differing traditions as to the first place it made landfall in Aotearoa. In some versions the *Aotea* reached somewhere near the East Cape first, while others suggest a location in Northland, perhaps Whangaparāoa. Its final resting place is clearer. The *Aotea* made final landfall at Kāwhia. Turi may have remained there for a time, before journeying overland to Pātea, having been given a description of the place by Kupe, though in some accounts the voyage was made via sea.²⁵

It is said that when Turi reached Pātea he recognised it by a pou Kupe left behind for him, naming it after a marae or reef in Rangiātea known as Taputapu-ātea. In this way the river became Pātea-nui-a-Turi (the great pātea of Turi).²⁶ On the south bank of the Pātea River Turi built a pā known as Rangitāwhi at the mouth of the river and a whare called Matangirei was constructed on the site to house the taonga carried with them from Hawaiki. The first kūmara crops were planted in a nearby field called Hekeheke-i-papa. Close by, a freshwater spring known as

²² Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.10-15.

²³ S. Percy Smith, *History and Traditions of the Maoris of the West Coast, North Island of New Zealand, Prior to 1840*, New Plymouth: Polynesian Society, 1910, p.88.

²⁴ Simon Nathan, 'Kermadec Islands - Human impact', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/kermadec-islands/page-3> (accessed 4 August 2023).

²⁵ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.39.

²⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.49.

Parara-ki-te-uru provided drinking water.²⁷ The missionary Richard Taylor spent considerable time collecting oral traditions from iwi across Taranaki and Whanganui in the mid-nineteenth century and recorded in his journal that:

Patea is a celebrated place in Maori tradition, here the first man who reached the western shore lived. Here the site of his house and the landmarks of his farm are still pointed out. Here the spring he drank from is still pouring out its crystal streams and even the very karaka tree which they say was planted from seed brought from Hawaiki is said yet to be in existence.²⁸

A pātaka known as Paeahua was also constructed at the pā and, although erosion near the mouth of the Pātea River has today removed all trace of Rangitāwhi, in the early twentieth century large stone slabs remained as physical evidence of its location.²⁹ A paddle said to have been used on the *Aotea* and quite distinct from later Māori ones was also said to be in possession of the tribes at around the same time. If this was the case then it would point to the final leg of the journey from Kāwhia being made via sea, since it was unlikely that a large paddle would be carried overland.³⁰

Although Taylor had assumed Turi was the first person to reach Pātea, the presence of earlier tangata whenua groups in the region is referred to in other sources and Turi appears to have taken steps to protect the property of his people. Over time, too, other waka arrived and through intermarriage and migration forged strong links with Ngāti Ruanui. Ian Church notes that:

Through *Tahatuna* and its commander, Manaia, Ngāti Ruanui share descent with Ngā Puhi. Through *Kurahaupō* and its leader Ruatea, come times with Te Ātiawa, Taranaki,

²⁷ S. Percy Smith, *History and Traditions of the Maoris of the West Coast, North Island of New Zealand, Prior to 1840*, New Plymouth: Polynesian Society, 1910, p.93.

²⁸ Taylor Journal, 28 April 1851, quoted in Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.50.

²⁹ 'Early Māori', Pātea Historical Society, <https://www.pateahistoricalsociety.org.nz/early-maori.html>

³⁰ S. Percy Smith, *History and Traditions of the Maoris of the West Coast, North Island of New Zealand, Prior to 1840*, New Plymouth: Polynesian Society, 1910, p.93.

Ati Hau and Ngāti Kahungunu. Through the *Horouta* and *Mataatua* canoes are links with the east coast tribes Ngāti Kahungunu, Ngāi Tahu and Ngāti Awa.³¹

It is also the case that Ngāti Ruanui was not the only iwi to trace their descent back to the Aotea waka. To the south of the Pātea and Whenuakura rivers lived Ngā Rauru. They were long believed to have been purely an Aotea waka tribe. More recently, it has been established that they predate the waka's arrival by some generations and can trace their origins to the tangata whenua groups that Turi is likely to have encountered upon arrival in the area. Generations of inter-marriage had blurred those origins but also given Ngā Rauru strong links with the Aotea waka.³² Tony Sole comments that 'Over the generations, as the relative power of the neighbouring two tribes waxed and waned, the boundary between them varied between the Whenuakura and Pātea rivers. Even to the present day this buffer zone lies between the rohe of Ngā Rauru and Ngāti Ruanui.'³³

North of the Waingongoro River, Ngāruahine were also strongly linked to the Aotea waka and Ngāti Ruanui. In their case the connections were so strong that they were long considered a hapū of Ngāti Ruanui. That had begun to shift by the early twentieth century, as evidence emerged of Ngāruahine more strongly identifying as an iwi in its own right.³⁴ Many of the hapū of Ngāruahine also trace their origins to tangata whenua tribes present in South Taranaki before the arrival of the Aotea waka.³⁵

Other descendants of Turi and crew of the Aotea waka could be found further afield, along the Whanganui River, into Horowhenua and even across the Tararua and Ruahine ranges into Wairarapa.³⁶ Haunui-a-Pāpārangi, an important Whanganui ancestor, arrived with Turi, on the

³¹ Ian Church, *Heartland of Aotea: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.15.

³² Taituha Kingi, 'Ngā Rauru Kitahi - Early history', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/nga-rauru-kitahi/page-1> (accessed 7 August 2023).

³³ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.61.

³⁴ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.393.

³⁵ *Ngāruahine Deed of Settlement of Historical Claims*, 1 August 2014, https://www.tearawhiti.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngaruahine/DOS_documents/Ngaruahine-Deed-of-Settlement-1-Aug-2014.pdf.

³⁶ Ian Church, *Heartland of Aotea: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.16.

Aotea canoe. The Whanganui iwi are sometimes referred to as Te Āti Haunui-a-Pāpārangi (the people of Haunui-a-Pāpārangi) and their relationship with Ngāti Ruanui was historically a close one at times.³⁷

Ngāti Ruanui identify two eponymous ancestors. Ruanui-a-Poukiwa (also spelt Ruanui-a-Pookiwa) (Ruanui I) was the grandfather of Rongorongo, the wife of Turi. However, that would imply a distinctive Ngāti Ruanui identity prior to the journey from Hawaiki, when most sources suggest that Turi's people were then known Ngāti Rongotea. More commonly, Ngāti Ruanui trace their descent from Ruanui-a-Tāneroroa (Ruanui II).³⁸ Tāneroroa, the daughter of Turi, married Uenuku-puanake of the *Takitimu* waka and their son was named Ruanui in honour of their ancestor back in Hawaiki.³⁹

The *Tikitimu* had made landfall in Hawke's Bay not long after Turi's arrival at Pātea. Some time after this, Tamatea-ariki-nui, the captain of the *Tikitimu*, travelled overland to Whanganui, where they heard of the presence of Turi at Pātea. Turi and his family met with Tamatea and it was then that Tāneroroa and Uenuku-puanake encountered one another. In tribal traditions it is said that Uenuku and another young man, Rau, having heard of the beauty of Tāneroroa, decided to travel north to seek her hand. At the Pātea River, Uenuku began to wade across, making the water appear deeper than it was by hiding his knees under water. Rau was a weak swimmer and decided it was too risky to follow, instead turning back. From this comes the Ngāti Ruanui whakataukī 'Pakupaku noa koe, e Pātea, me hoki a Rau i konei' (Shallow though you be, Pātea, you caused Rau to turn back).⁴⁰

³⁷ David Young, 'Whanganui tribes - Ancestors', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/whanganui-tribes/page-1> (accessed 6 December 2023).

³⁸ *Deed of Settlement of the Historical Claims of Ngaati Ruanui*, 12 May 2001, pp.5-6, https://www.tearawhiti.govt.nz/assets/Treaty-Settlements/FIND_Treaty_Settlements/Ngati-Ruanui/DOS_documents/Ngati-Ruanui-Deed-of-Settlement-12-May-2001.pdf.

³⁹ Tony Sole, 'Ngāti Ruanui - Origins of Ngāti Ruanui', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/ngati-ruanui/page-1> (accessed 7 August 2023).

⁴⁰ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.59.

4. The Musket Wars

Ngāti Ruanui relations with neighbouring iwi in the centuries after their first arrival in the South Taranaki district involved long periods of peace interspersed with occasional times of conflict and fighting. But in the early nineteenth century an intense sequence of warfare, employing new and much more lethal weaponry and stretching over decades, posed an existential threat for Ngāti Ruanui and other iwi. These were the Musket Wars.

Ngāpuhi in the north were the first to acquire muskets thanks to their trade with visiting whalers. At first the numbers were few. A Ngāpuhi taua led by Taukawa and Pangari came south to Taranaki in 1816 armed with just three muskets. At first, it was said their intention was simply to trade for mats and cloaks. But at Manaia, on the coast, a group of women were attacked and killed. A 1000-strong taua from many different Taranaki iwi was quickly assembled to avenge their loss and eventually managed to kill Taukawa and a number of others, forcing the surviving Ngāpuhi warriors to quit the district.⁴¹

It was to be the first of many raids on the district from the north. In 1818 Kāwhia iwi Ngāti Toa led a raid deep into Taranaki under the leadership of Te Rauparaha. Back at Kāwhia, Te Rauparaha was visited by a Ngāpuhi taua led by Tāmati Waka Nene and his brother Patuone around the end of 1819. Together, the pair persuaded Te Rauparaha to join them on a further expedition south. The taua, numbering up to 1400 men, and this time heavily armed with muskets, attacked Ngāti Ruanui at Ōkahutītī, killing many of the defenders and taking others captive.⁴² However, Ngāti Toa sources suggest they found no one in southern Taranaki to fight – not ‘a single person’, according to one manuscript and that Ngāti Ruanui and Ngā Rauru, having heard of the imminent approach of the taua had decided to retire into the interior until it had passed.⁴³ Richard Taylor later heard first-hand of the large numbers killed in the attack on Ōkahutītī. But these two competing narratives raise questions as to where this fits in the long sequence of conflicts fought in Taranaki during the Musket Wars.

⁴¹ Ron Crosby, *The Musket Wars: A History of Inter-Iwi Conflict, 1806–45*, Auckland: Reed Books, 1999, pp.52–53.

⁴² Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.128–29.

⁴³ Patricia Burns, *Te Rauparaha: A New Perspective*, Wellington: A.H. & A.W. Reed, 1980, p.60.

By 1821 Te Rauparaha had decided to migrate to the Cook Strait region. But he needed allies and was in Taranaki persuading Te Ātiawa to join him when another taua arrived in the region. This was the Amiowhenua, a multi-tribal party that included Ngāti Whātua, Marutūāhu and other iwi. It passed through southern Taranaki late in 1821, forcing Ngāti Ruanui and other iwi to once again take cover in the forests, but was besieged at Pukerangiora, in northern Taranaki, for a period of seven months. A relieving force of Waikato and Ngāti Maniapoto eventually came to its aid.⁴⁴

Ngāti Toa and their allies from Te Ātiawa and Ngāti Tama were careful to avoid clashing with Ngāti Ruanui as they passed through South Taranaki en route to the Cook Strait region. There, the resident Kurahaupō tribes would attempt without success to drive the newcomers from the district. Meanwhile, Waikato taua continued to enter Taranaki between 1826 and 1834 and Ngāti Ruanui, along with other local iwi, were drawn into conflict with them at various points. Coastal zones were frequently devoid of inhabitants as local residents took shelter in the more secure interior.⁴⁵

Te Ruakī Pā, approximately 5 kilometres north-east of Hāwera, was one such interior stronghold. Early in 1834 the Waikato tribes fell upon it. A siege lasting several months ensued before the defenders eventually surrendered. Large numbers were taken captive. The twin pā of Ngā Teko and Ōrangi-tuapeka straddling either side of the Kapuni rivermouth, and known jointly as Waimate, was the next target. After a battle that lasted nine days, Ngāti Ruanui under the leadership of Te Matakātea this time gained the upper hand. Te Wherowhereo, the pre-eminent Tainui rangatira, acknowledged the bravery of the defenders and declared that:

Kātahi anō taku rākau ka hoki mai. Ka hoki ake nei au, e kore anō e ara mai te rau o taku patu.

⁴⁴ Angela Ballara, *Taua: ‘musket wars,’ ‘land wars,’ or tikanga? Warfare in Māori Society in the Early Nineteenth Century*, Auckland: Penguin, 2003, pp.322-24.

⁴⁵ Ron Crosby, *The Musket Wars: A History of Inter-Iwi Conflict, 1806-45*, Auckland: Reed Books, 1999, p.169.

For the first time my weapon has returned unblooded. I am now returning, and will never again raise my weapon in your direction.⁴⁶

A period of devastating conflict in Taranaki came to an end with the withdrawal of Te Wherowhero and the Waikato taua. However, a sequel of sorts occurred when Ngāti Ruanui and their Ngā Rauru allies clashed with a Ngāti Tūwharetoa taua over insults directed at Te Pēhi Tūroa of Whanganui. These clashes, taking place as the Treaty of Waitangi was being signed around the country, pointed to the very real limits on Crown authority. And the clashes continued for some time afterwards. Following the loss of several important rangatira at Patoka Pā in 1840, Ngāti Tūwharetoa assembled a fresh taua the following year to seek utu. Besides torching two deserted pā, the taua achieved little. In December 1844 Ngāti Tūwharetoa made a further effort. The warship HMS *Hazard* was despatched to the area, while Bishop George Selwyn and various Crown officials pleaded with the taua to return home.⁴⁷ Eventually they were successful, though it was not until two Ngāti Ruanui were killed in 1847 that Ngāti Tūwharetoa were finally satisfied utu for their own losses had been obtained.⁴⁸

For all of the destruction and loss caused by the Musket Wars, when peace was gradually restored, so too did the old settlement patterns in South Taranaki. Communities which had retreated inland for their own safety and protection simply returned to the coastal plains, where they could fish, farm and cultivate their lands. In the Cook Strait region migration and warfare had resulted in complex and contested new patterns of customary tenure. Some Ngāti Ruanui had also travelled south to the Kapiti region and found themselves caught up in some of the clashes between the migrant groups over their respective rights.⁴⁹ But in South Taranaki the Musket Wars had few, if any, lasting implications for customary tenure.

⁴⁶ Tony Sole, 'Ngāti Ruanui - Times of unrest', Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/ngati-ruanui/page-2> (accessed 8 August 2023).

⁴⁷ Ron Crosby, *The Musket Wars: A History of Inter-Iwi Conflict, 1806-45*, Auckland: Reed Books, 1999, p.364-65; Ian Wards, *The Shadow of the Land: A Study of British Policy and Racial Conflict in New Zealand, 1832-1852*, Wellington: Government Printer, 1968, pp.313-15.

⁴⁸ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.154.

⁴⁹ Angela Ballara, 'Te Whanganui-a-Tara: Phases of Maori Occupation of Wellington Harbour c.1800-1840', in David Hamer and Roberta Nicholls (eds.), *The Making of Wellington, 1800-1914*, Wellington: Victoria University Press, 1990, pp.9-34; Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.135.

5. Ngāti Ruanui and European Contacts Before 1860

Pātea might have been one of the first places settled by the original Polynesian travellers to Aotearoa, but European engagement with the South Taranaki district was much more limited initially. That was probably attributable to some degree to the lack of large natural harbours along the otherwise rugged and wild west coast. Dutch navigator Abel Tasman sailed on by this stretch of coastline in December 1642, naming the westernmost point of Taranaki as Cape Pieter Boreel. In January 1770 James Cook named the mountain he spotted from the sea Egmont, after the First Lord of the Admiralty (and the point named by Tasman as Cape Egmont). Fires spotted on the shore were taken as a sure sign that the area was inhabited but Cook did not attempt to land anywhere along what he described as a ‘bold shore’.⁵⁰

Cook sailed along the Taranaki coastline again in 1774 and other explorers came and went. Richard Taylor later discovered that Māori who had observed Cook’s vessel from the shoreline at first took it for a floating island.⁵¹ Although there was no direct contact, European influence is likely to have been felt in other ways, such as the introduction of new crops like the white potato through trade with other iwi. By the early nineteenth century the potato was to be found in most parts of New Zealand. The establishment of a penal colony in New South Wales in 1788 attracted a growing number of visitors to New Zealand. Many came for seals or whales.⁵² By 1809 a handful of sealers had begun visiting Taranaki.⁵³

By the late 1820s a few traders such as Richard ‘Dicky’ Barrett and John ‘Jacky’ Love had been drawn to the North Taranaki area, acquiring cargoes of flax, pigs and potatoes from the local tribes in return for items such as muskets. It is possible that Ngāti Ruanui took part in such trade

⁵⁰ John Wilson, ‘European discovery of New Zealand - Cook’s achievement’, Te Ara - the Encyclopedia of New Zealand, <http://www.TeAra.govt.nz/en/photograph/3934/mt-taranaki-in-cooks-journal-13-january-1770> (accessed 7 August 2023).

⁵¹ Ian Church, *Heartland of Aotearoa: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.16.

⁵² Vincent O’Malley, *The Meeting Place: Māori and Pākehā Encounters 1642-1840*, Auckland: Auckland University Press, 2012, p.39.

⁵³ Ian Church, *Heartland of Aotearoa: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.17.

indirectly.⁵⁴ European vessels did not have to call into Pātea in order for Ngāti Ruanui to acquire goods such as muskets, since the tribes had their own active exchange and trading systems.

If first impressions counted, then one of the earliest encounters between Ngāti Ruanui and Europeans is likely to have left a deeply unfavourable impression among the iwi. In April 1834 the barque *Harriet* was driven ashore near Rahotu, along the South Taranaki coastline. All 32 on board survived the ordeal and clambered ashore. Relations with Ngāti Ruanui quickly turned violent. Around 12 of the *Harriet*'s male crew were killed and others, including Elizabeth (Betty) Guard, her children and others, were taken captive. Jacky Guard, Betty's husband, was released with others on the condition that he would return with a cask of gunpowder in return for the rest of the prisoners.⁵⁵

In the intervening four months, Betty and the others were well-treated. A man named Oaoiti had shielded her and in most accounts the pair lived as husband and wife. But Jacky Guard did not return with the promised ransom. Instead, the warship HMS *Alligator* was despatched to New Zealand with a party of 60 men from the 50th Regiment, accompanied by the schooner *Isabella*, with Jacky Guard and others on board. Oaoiti was shot, bayoneted and taken prisoner. Troops then torched Te Namu Pā. Eventually, Betty and the others were exchanged in return for the injured Oaoiti. A British parliamentary inquiry later condemned the excessive use of force employed against Māori during the *Harriet*'s rescue operation.⁵⁶

In March 1840 New Zealand Company agent Edward Jerningham Wakefield travelled overland to Pātea. Wakefield found about 200 Māori living at Pātea and a similar number nearby at the mouth of the Whenuakura River. He recorded that for those living at Pātea the *Alligator* affair was still 'fresh in their recollections'. They were anxious to learn if such a thing would happen again, Wakefield telling them it only would if their 'bad conduct' provoked retribution.⁵⁷ Later that year, Robert Stokes led a survey party from Wellington to Taranaki. Charles Heaphy, a

⁵⁴ Ian Church, *Heartland of Aotearoa: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.32.

⁵⁵ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.154-61.

⁵⁶ 'The Harriet affair', URL: <https://nzhistory.govt.nz/culture/maori-european-contact-pre-1840/the-harriet-affair>, (Ministry for Culture and Heritage), updated 14-Oct-2014.

⁵⁷ E.J. Wakefield, *Adventure in New Zealand, From 1839 to 1844; With Some Account of the Beginnings of British Colonization of the Islands*, London: John Murray, 1845, vol.1, p.257.

member of the group, stated that Pātea had been visited by a number of small trading vessels.⁵⁸ As discussed in a later chapter, the New Zealand Company subsequently claimed ownership of lands in the region based on deeds signed with members of other iwi elsewhere.

More sustained engagement with Europeans in the South Taranaki region came only with the arrival of missionaries in the area by the early 1840s. However, even before then the new religion had been introduced to Māori in the area by captives from the Musket Wars who had been taken to Northland, where they were exposed to Christianity (and often literacy) before being allowed to return to their homes by the late 1830s. In this way, the first wave of missionary activity in southern Taranaki was an exclusively Māori affair. Wiremu Nēra Ngātai of Ngāti Ruanui was one such man. He was taken north by Ngāpuhi raiders in the late 1820s and held at Hokianga, where he came under the influence of the Wesleyan missionary Nathaniel Taylor. Released in 1837, he returned to Waipapa, near Ōhangai, on the Tangāhoe River, and quickly began preaching. Through his efforts, it was said that nearly all the tribes in South Taranaki had been exposed to Christianity. In June 1840 Wesleyan missionaries Samuel Ironside, George Buttle and John Aldred visited the region, inspecting the chapel Ngātai had built at Pātea and observing one of his classes at Tangāhoe.⁵⁹

Māori forms of Christianity were typically syncretic ones, blending elements of tikanga and custom with the new teachings to create a uniquely Māori form of the religion, and Ngātai's efforts appear no exception.⁶⁰ A few months after the European missionaries had visited the area, Ngātai led a Christian service before a Ngāti Ruanui and Ngā Rauru taua did battle with a force from Ngāti Tūwharetoa. The combined Ngāti Ruanui-Ngā Rauru war party were successful and Ngātai's prior blessings were regarded as a tohu or good omen, greatly boosting the popularity of the new religion. Missionary John Whiteley wrote that The results...seem to operate

⁵⁸ Ian Church, *Little Ships of Patea*, Palmerston North: Dunmore Press, 1977, pp.2-3.

⁵⁹ Ian Church, 'Ngātai, Wiremu Nēra', Dictionary of New Zealand Biography, first published in 1990. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/1n9/ngatai-wiremu-nera> (accessed 8 August 2023).

⁶⁰ Vincent O'Malley, *The Meeting Place: Māori and Pākehā Encounters 1642-1840*, Auckland: Auckland University Press, 2012, pp.162-69.

wonderfully upon the minds of the people in favour of the Christian Atua & Pukapuka (God & Book)'.⁶¹

Ngātai guided another missionary, Charles Creed, through the district in February 1841 and the following year was instrumental in securing Ngāti Ruanui's first resident Pākehā missionary when another Wesleyan, John Skevington, established a mission station at Heretoa on the Waimate Plains.⁶² Skevington first visited Waimate on 16 April 1842 and recorded in his journal that:

We were received here with every demonstration of joy. The people stood in long rows to give us a welcome. The women shouted and wept, the men fired their guns, and the children danced and shouted, 'A missionary for us.' 'A missionary for us.' Noses in abundance were rubbed. But I escaped. In the evening their neat and good sized Chapel was crowded to excess to see the Missionary and to hear the Gospel...they consider a copy of the New Testament the greatest treasure they can possess.⁶³

The Wesleyans may have been first to establish a permanent presence among Ngāti Ruanui. But they did not have the field to themselves. Anglican missionary Octavius Hadfield had set up a new station at Ōtaki late in 1839 and in February 1840 came north to Taranaki in search of new converts. Large numbers of Ngāti Ruanui turned out to welcome them. In 1843 Richard Taylor was appointed to the Church Missionary Society's Whanganui station, making regular circuits north into southern Taranaki.⁶⁴ Bishop George Augustus Selwyn, the head of the Anglican Church in New Zealand, also visited the region in October 1842 and did not take kindly to the head start the Wesleyans had made over them in the area.⁶⁵

⁶¹ Ian Church. 'Ngātai, Wiremu Nēra', Dictionary of New Zealand Biography, first published in 1990. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/1n9/ngatai-wiremu-nera> (accessed 8 August 2023).

⁶² 'Early Pākehā', Pātea Historical Society, <https://www.pateahistoricalsociety.org.nz/early-pakeha.html>

⁶³ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.179.

⁶⁴ J. M. R. Owens. 'Taylor, Richard', Dictionary of New Zealand Biography, first published in 1990. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/1t22/taylor-richard> (accessed 8 August 2023).

⁶⁵ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.180-81.

The Wesleyans nevertheless continued to consolidate their presence in the region. Early in 1844 William Hough was appointed to run a new station at Pātea. Ill health saw him replaced by Thomas Skinner in January 1848, while at Heretoa William Woon had taken over from Skevington in May 1846. Woon was welcomed to the region with a massive feast and remained at Heretoa until 1853, when was appointed to a new post at Whanganui.⁶⁶

But Woon soon found there were limits to how welcome he was in the region. On no account would Ngāti Ruanui agree to let him build a new home closer to their settlements. Even new chapels were ruled out, lest Woon attempted to construct a dwelling on one of them that might be construed as implying some kind of claim on the land itself. ‘[A]ll I get from them is “He raruraru”’, Woon complained.⁶⁷

Woon remained bitter that Taylor retained a strong hold over many Māori in the district, despite having no permanent presence north of Whanganui, and that Māori who would come to him incessantly for Bibles or medicines would flock to Taylor’s services when he visited the region. Even worse from his perspective, by the 1850s some Ngāti Ruanui had been drawn towards Catholicism.⁶⁸ The Catholic Church in New Zealand remained overwhelmingly French at this time and Māori wishing to show contempt or defiance towards the British and the Crown were sometimes drawn towards it as a result. Catholic priests were also more likely to work within existing tribal structures, whereas Protestant missionaries frequently condemned ‘heathen’ Māori customs and practices.⁶⁹

Ngāti Ruanui’s priorities by the 1850s were principally secular ones – land retention, economic development and the preservation and protection of their rangatiratanga in the face of Crown forces that appeared a threat to all three.

⁶⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.182.

⁶⁷ Woon, Journal, 14 February 1848, quoted in Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.183.

⁶⁸ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.187.

⁶⁹ Vincent O’Malley, *The Meeting Place: Māori and Pākehā Encounters 1642-1840*, Auckland: Auckland University Press, 2012, pp.183-84.

6. The New Economy

Although the Treaty of Waitangi was taken to many coastal areas after being originally signed at the Bay of Islands on 6 February 1840, South Taranaki was not one of them. It is possible that at least one rangatira with Ngāti Ruanui links signed. ‘Tuterapouri’ (Tū-te-rangi-pōuri) signed a copy of the Treaty at Queen Charlotte Sound on 4 May 1840. He has been tentatively identified as belonging to the Taranaki and Ngāti Ruanui iwi.⁷⁰ It is further stated that ‘Tamaahua from Taranaki may have been his father. He married Wikitōria Apahuna, the daughter of Te Manutoheroa, who also signed this sheet.’⁷¹ Regardless of whether he did belong to Ngāti Ruanui, this could hardly be considered meaningful tribal consent to the Treaty. However, by 1843 the Colonial Office had ruled that the terms of the Treaty applied even to those chiefs and their tribes who had not signed the agreement.⁷²

As was seen previously, Ngāti Ruanui continued to be caught up in the Musket Wars through until the mid-1840s. The nearest Crown officials to them, based in Whanganui or New Plymouth, were hardly in a position to exercise authority along the South Taranaki coastline. And so Ngāti Ruanui and its constituent hapū continued to manage their own everyday affairs as they always had.

Those affairs focused increasingly on the new economy. After centuries of settlement, by the 1840s most of the coastal strip had been cleared of bush and dense vegetation, making it readily adaptable to the production of surplus good for sale to the settlers of New Plymouth, Whanganui, Wellington or beyond. Prior to 1840 Ngāti Ruanui had traded flax. But with the establishment of new markets for their produce in the European towns of the lower North Island, pigs, potatoes and wheat became the priority. Pigs might be driven around the coast for sale in New Plymouth or produce conveyed by waka.

⁷⁰ Claudia Orange, *The Treaty of Waitangi/Te Tiriti o Waitangi: An Illustrated History*, Wellington: Bridget Williams Books, 2020, p.422.

⁷¹ ‘Tū-te-rangi-pōuri’, <https://nzhistory.govt.nz/politics/treaty/signatory/8-42> (accessed 6 September 2024).

⁷² Lord Stanley to the Officer Administering the Government, 21 June 1843, GBPP, 1844 (556), p.475 (appendices).

A handful of Pākehā middlemen also helped to facilitate trade. In the 1840s Charles Brown was allowed to occupy land near Kanihi Pā, north of Hāwera, as a trading station.⁷³ Profits from early production were often reinvested in capital expenditure that would boost trade even further. As early as 1846 plans for the first flour mill in the area were in place, with 200 pigs paid as an advance for a mill at Waitoto, near Ōkaiawa, which was operational by the following year. That was quickly followed by a second mill near Rangatapu and another at Ketemarae.⁷⁴

Other hapū soon wanted their own mills. William Woon complained that the people at Manawapou were ‘mill mad’ and lamented that Europeans contracted to construct the mills sometimes failed to receive the agreed payment on time. But when Richard Taylor visited the Manawapou mill in 1854 he reported that it was working well.⁷⁵ And in one other instance, Ngāti Ruanui took civil proceedings against two European contractors who had absconded with £150 after failing to construct the mill they had been engaged for at Whareroa.⁷⁶

It is sometimes suggested that Māori enthusiasm for flour mills and other assets outstripped actual demand for these, reflecting a dysfunctional approach in which each hapū or iwi determined to acquire its own status symbol, rather than pooling their investments with rival groups to invest in only what was required. Regardless of whether there is any substance to such claims, the strong focus on economic activity in this period amongst Ngāti Ruanui is undeniable.

Settlers elsewhere in Taranaki confined to a narrow coastal strip of land in and around New Plymouth observed the economic progress of the tribes with some envy. If anything, it only increased the drive to secure more Māori lands in the region.⁷⁷ But that was something to which Ngāti Ruanui were consistently opposed.

⁷³ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.196-97.

⁷⁴ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.198.

⁷⁵ Hazel Petrie, *Chiefs of Industry: Māori Tribal Enterprise in Early Colonial New Zealand*, Auckland: Auckland University Press, 2006, p.198.

⁷⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.199.

⁷⁷ Hazel Petrie, *Chiefs of Industry: Māori Tribal Enterprise in Early Colonial New Zealand*, Auckland: Auckland University Press, 2006, pp.240-41.

7. The Anti-Land Selling Movement

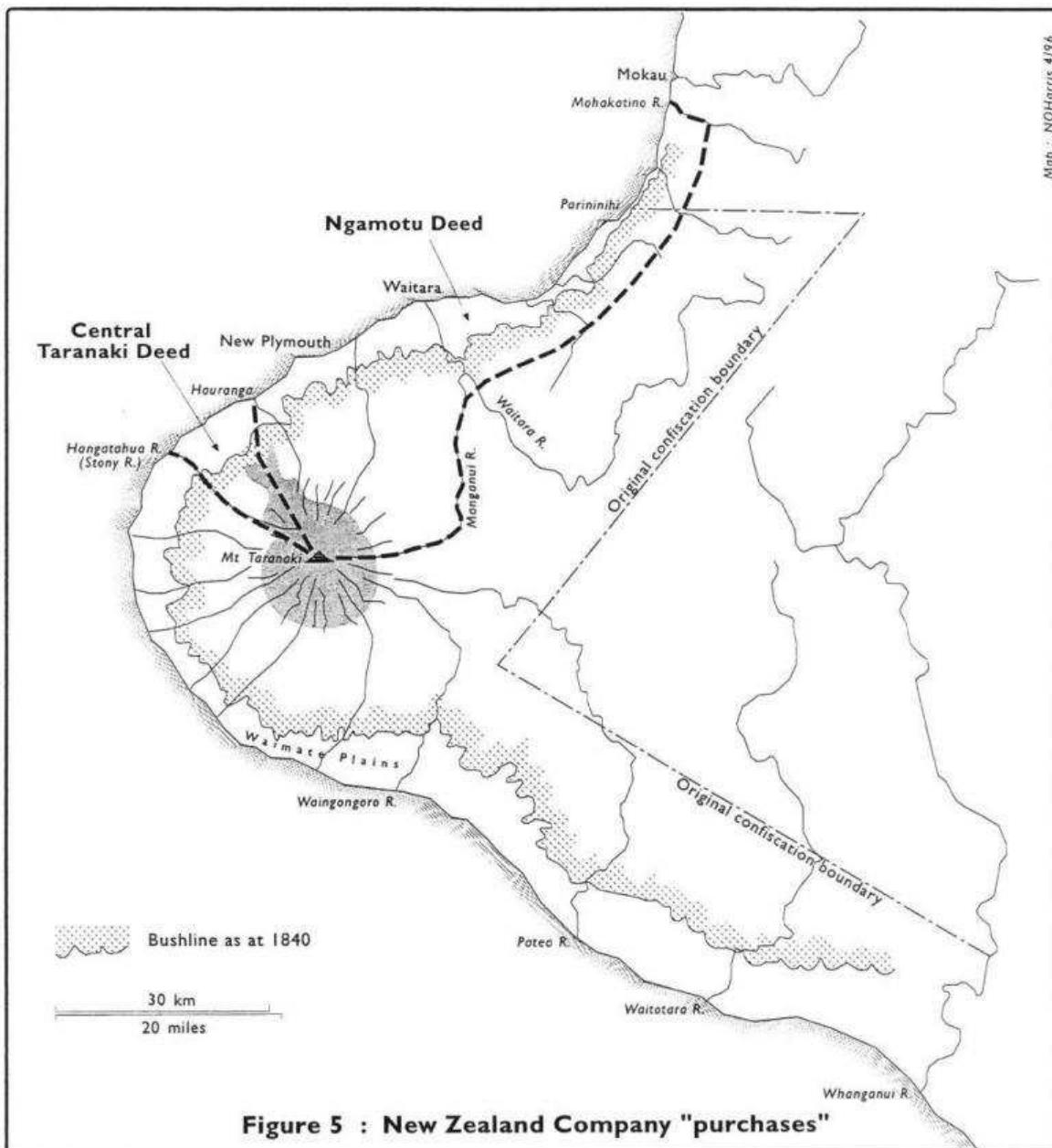
Although Ngāti Ruanui would become renowned for their opposition to land sales, a private company claimed to have purchased their entire territory prior to 1840. The New Zealand Company was founded in London in May 1839 to pursue the ‘systematic colonisation’ of New Zealand. The New Zealand Company-owned ship *Tory* departed England for New Zealand on 12 May 1839, just ten days after the Company had released its prospectus. On board the expeditionary voyage was Colonel William Wakefield, brother to Edward Gibbon Wakefield. William Wakefield had been tasked with finding land suitable for Company settlements.

On 25 October 1839 Wakefield, on behalf of the Company, entered into a purchase deed with Te Rauparaha, Te Rangihaeata and other rangatira from Ngāti Toa at Kapiti. The Kapiti deed encompassed a vast area extending from Mokau, in northern Taranaki, all the way south as far as the 43rd degree of latitude that ran across the South Island, coming out near the mouth of the Hurunui River in North Canterbury. That purported purchase, covering an estimated 20 million acres (around a third of the total New Zealand landmass), was so preposterous that even the Company eventually abandoned its claims to the full area.⁷⁸

Instead, the Company relied upon more localised agreements, including two deeds signed with respect to northern Taranaki on 15 February 1840. The Nga Motu deed covered an area from the Mohakatino River south as far as the Hauranga River, while the second deed extended south as far as Stony River (Hangatahua River). Neither deed involved Ngāti Ruanui lands. However, in an effort to frustrate New Zealand Company actions in the area, the Wesleyan missionary William White had entered into his own deed on 28 January 1840. This encompassed all the lands between the Mokau and Whanganui rivers, inland as far as their sources, which was purchased from a handful of Waikato and Ngāti Maniapoto rangatira. In an unusual condition of the deed, its signatories promised to permanently exclude Catholic missionaries from Taranaki.⁷⁹

⁷⁸ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.23

⁷⁹ Vincent O’Malley, ‘Te Rohe Potae Political Engagement, 1840-1863’, report commissioned by the Waitangi Tribunal, 2010, p.95.



Map 2 New Zealand Company Taranaki Deeds (*The Taranaki Report: Kaupapa Tuatahi*)

White failed to complete his purchase and later abandoned his claims in return for a small area. But the recognition of Tainui interests that it involved was a taste of things to come. On 31 January 1842 the Crown signed a deed with Te Wherowhero and his brother Kati, also known as Takiwaru, on behalf of 'the tribes of Waikato', whereby they received the sum of £150 cash,

along with two horses, two saddles, two bridles, and 100 blankets, for their interests in an area extending from Tongaporutu River in the north to Waitōtara in the south.⁸⁰

At various points subsequently, the Crown would attempt to use the existence of this deed to pressure Te Ātiawa into selling lands in northern Taranaki. Later, defenders of the Crown's claimed Waitara purchase would also rely on the deed, claiming that the lands in question had already been purchased from the Tainui tribes. But whatever claims to conquest that might have been argued in respect of northern Taranaki simply did not withstand serious scrutiny further south. There had been limited Tainui occupation of areas in northern Taranaki in the mid-1840s, for example, but nothing comparable in southern Taranaki. Without occupation any claim to conquest failed. And in northern Taranaki large numbers of Tainui men would later fight alongside Te Ātiawa, Ngāti Ruanui and other Taranaki iwi in defence of Te Ātiawa land rights. If they had no rights then the intervention made no sense.

A further New Zealand Company deed, signed by two Whanganui rangatira on 16 November 1839, also had potential implications for Ngāti Ruanui. It purported to convey to the Company all the lands between the Manawatū and Pātea rivers on the coast, inland as far as Tongariro.⁸¹ Much like William White in Taranaki, missionary Henry Williams had attempted to block the Company's dealings by entering into a deed in December 1839 whereby all the lands between the Rangitīkei and Pātea rivers were transferred to the Church Missionary Society in trust for the tribes.⁸² However, Land Claims Commissioner William Spain in 1845 awarded the Company a much smaller area of land, consisting of just 40,000 acres at Whanganui, subject to payment of additional compensation and had previously heard evidence that though Pātea and Manawatū had been mentioned in the deed, it was never the intention to sell these places.⁸³

⁸⁰ Deed of Sale from Te Wherowhero, 31 January 1842, AJHR, 1861, C-1, pp.167-168, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1861-I.2.1.4.1>.

⁸¹ Waitangi Tribunal, *He Whiritaunoka: The Whanganui Lands Report*, Wellington: Legislation Direct, 2015, vol. 1, p.126.

⁸² Waitangi Tribunal, *He Whiritaunoka: The Whanganui Lands Report*, Wellington: Legislation Direct, 2015, vol. 1, p.134

⁸³ Waitangi Tribunal, *He Whiritaunoka: The Whanganui Lands Report*, Wellington: Legislation Direct, 2015, vol. 1, pp.182, 187.

In the event a deed signed with the Crown in May 1848 encompassed an area of over 89,000 acres but ending in the Kai Iwi region just north of Whanganui. The sum of £1000 previously fixed as compensation was distributed to representatives of multiple iwi, including £70 for Ngā Rauru interests north of Whanganui. Ngāti Ruanui were also awarded £20 and so in this way could be said to have participated in their first land sale.⁸⁴ Although principled opponents of land selling, the presence of a market for their goods not too far to the south was in their interests, while the token payment made to them hardly left them with any meaningful part in proceedings. The transaction would have gone ahead with or without their involvement.

Members of Ngāti Ruanui living at Te Aro Pā in central Wellington were also drawn into the protracted negotiations concerning the New Zealand Company's disputed purchase of the Port Nicholson block, refusing to abandon their residence. The Waitangi Tribunal concluded that the Ngāti Ruanui and Taranaki iwi had ahi ka over the area around Te Aro Pā, as well as participating in the wider conquest of the Te Whanganui-a-Tara region.⁸⁵ The inhabitants of Te Aro Pā resisted strident settler calls for them to be removed from central Wellington before the site was eventually surveyed, subdivided and sold from the 1870s onwards.⁸⁶

Experiences such as these elsewhere are likely to have given Ngāti Ruanui insight into the consequences of land sales. They did not like what they saw. In 1847 Woon observed that there was 'no desire manifested by the natives here for Europeans to reside among them'.⁸⁷ Two years later the opening of a new chapel at Tūranganere was the occasion for further discussion. Woon reported on this occasion that 'A meeting was held of the Ngatiruanui Chiefs about selling land to Europeans, and nearly all are opposed to selling to government.'⁸⁸ Since private land purchases or leases were illegal under the Native Land Purchase Ordinance of 1846, that should have been the end of the matter. But the option of informal (that is, illegal) leasing was still open and had been employed by Ngāti Kahungunu and Rangitāne in Wairarapa to generate

⁸⁴ Bruce Stirling, 'Whanganui Maori and the Crown, 1840-1865', report commissioned by the Crown Forestry Rental Trust, 2004, Wai-903, #A65, p.540.

⁸⁵ Waitangi Tribunal, *Te Whanganui a Tara me ona Takiwa: Report on the Wellington District*, Wellington: Legislation Direct, 2003, p.42.

⁸⁶ Waitangi Tribunal, *Te Whanganui a Tara me ona Takiwa: Report on the Wellington District*, Wellington: Legislation Direct, 2003, pp.340-43.

⁸⁷ Woon to Secretary, Wesleyan Missionary Society, 1 June 1847, quoted in Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.210.

⁸⁸ Woon, Journal, 28 May 1849, MSDL-1506, ATL.

considerable income from their lands while retaining ownership of them. A European had sought permission to establish a cattle run in the South Taranaki district and some Ngāti Ruanui were open to making lands between Pātea and Manawapou available for these purposes. Others were concerned by the precedent this might create. Pōaha Tamaiākina wrote to Donald McLean, who had recently completed the Whanganui purchase for the Crown, to solicit his assistance in stopping the move. He informed McLean that:

There are some of Ngati Ruanui who are keen to give the land at Patea to the European. I don't agree with their idea, because you have heard my views on how my land is sacred and you agree with me. If I agree with their idea they say they are going to bring the European and his cows from Wellington to live at Patea. That European heard of their idea and agreed to come here. I said 'no' – he and his cows should not come here. He should stay on the land that the Europeans have paid for. Concerning Patea, we should not have cows or Europeans there. This is my thought; Mclean I want you to write to that European and tell him to stay where he is; meanwhile I'm trying to find out his name. It's no good that people want to cede our land at Patea to a European. You've heard my word that Patea land is sacred and you said that this should be a law for us. We should remember our view.⁸⁹

Within other iwi, including Te Ātiawa in Taranaki and Ngāti Kahungunu at Hawke's Bay, rifts over land selling would become so serious in the 1850s it would end in bloodshed. Ngāti Ruanui moved in the opposite direction, becoming united in their opposition to selling land. As noted previously, Woon's own efforts to acquire land for a mission station were continually frustrated amidst concerns that it might prove a thin end of the wedge.

In October 1851 over 300 Ngāti Ruanui attended a hui at Waimate to discuss the erection of a new flagstaff at New Plymouth by settlers, amidst concerns they might travel north to topple it just as Hone Heke had done at Kororāreka six years earlier. For Ngāti Ruanui the flagstaff was

⁸⁹ Poaha to McLean, 18 June 1849, McLean Papers, quoted in Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.212.

seen as potentially tied to plans to seize their lands.⁹⁰ Although the moment passed without incident, it spoke to a period of heightened anxiety and tensions.⁹¹

In September 1852 Donald McLean, by this time Chief Land Purchase Commissioner, and G.S. Cooper, Inspector of Police at New Plymouth, having heard rumours that the people at Pātea might be willing to sell land, travelled south to investigate. They soon discovered there was no substance at all to the rumours. Cooper reported that at Pātea they were told that the people had ‘fully determined not to dispose of any of their lands’. Meanwhile, nearby at Manawapou the two Crown officials were informed that Ngāti Ruanui ‘had made a solemn compact not to dispose of any land to Government’.⁹²

It appears that the rumours of a disposition to sell had first appeared in the *Taranaki Herald*. But in a letter from Woon published in the same newspaper a few weeks after McLean and Cooper’s trip to Pātea, the missionary made it clear that there was no prospect of Ngāti Ruanui agreeing to sell land any time soon. He wrote that:

The natives of my district are altering fast, and are certainly taking leave of their senses. They try me to the utmost in my endeavours to lead them the right way. They are continually holding meetings to prevent the land being sold to the Europeans. The greater part of the Ngatiruanui met at Whareroa on the 27th ult. to adopt measures to secure it; a letter from some Solon in the South, advising them to hold fast, stating that in “Ruha” (surely he does not mean Russia?) the pakehas work the Europeans like oxen, driving them with the whip, and that they may expect similar treatment if they part with their land. In one of the Taranaki Heralds it is stated that the natives are likely to sell a part of Patea. For the information of all concerned I can assure them that, were they to cover the land with gold, the Pateans would not part with it.⁹³

⁹⁰ Ann Parsonson, ‘Nga Whenua Tautohe o Taranaki: Land and Conflict in Taranaki, 1839-59’, report commissioned by the Waitangi Tribunal, November 1991, Wai-143, #A1(a), p.101.

⁹¹ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.216-17.

⁹² Cooper to Civil Secretary, 18 September 1852, quoted in Ann Parsonson, ‘Nga Whenua Tautohe o Taranaki: Land and Conflict in Taranaki, 1839-59’, report commissioned by the Waitangi Tribunal, November 1991, Wai-143, #A1(a), p.103.

⁹³ *Taranaki Herald*, 20 October 1852, <https://paperspast.natlib.govt.nz/newspapers/TH18521020.2.7>

Cooper, having spent three weeks among Ngāti Ruanui confirmed this, writing in January 1854 that ‘I believe no consideration on earth could induce these Natives to let or sell an inch of their land for any purpose whatever’.⁹⁴

The fact that Ngāti Ruanui were aware of the treatment of serfs in Tsarist Russia shows the extent to which they were cognisant of developments elsewhere around the globe, thanks in no small part to literacy. But it was no use vowing never to sell lands if their neighbours did it instead. It appears to be partly for this reason that they sought to get neighbouring iwi on board. This was what Europeans at the time contemptuously described as an anti-land selling ‘league’.⁹⁵ In May 1853 the missionary Richard Taylor observed the construction of a large whare at Manawapou at which it was intended ‘to hold a meeting in with the Ngati-raukawa’.⁹⁶

A year later, the whare, 120 feet long and named Taiporohēnui (the finishing of the work) had been completed for a hui scheduled to start in late April 1854. Besides Ngāti Ruanui, others in attendance included members of Ngā Rauru, Taranaki, Te Ātiawa, Whanganui, Ngāti Raukawa and Ngāti Toa (in the form of Tamihana Te Rauparaha).⁹⁷ In a letter to the Whanganui Resident Magistrate in May the decision of the Manawapou hui was announced. The authors wrote that:

This letter is to Major Durie and is sent to him as a messenger from the Native Chiefs of Ngatiruanui, of Taranaki, of Ngāruru, of Wanganui and of Ngatiraukawa. Listen the committee has assembled at Taiporohēnui, consisting of two thousand, eight hundred souls. Joseph (Titokowaru) stood up in that great assemblage and said, ‘Listen, to me my children, my mother is dead and I was nourished by her milk, and thus let our land be kept by us as milk for our children’.

⁹⁴ Cooper to Colonial Secretary, 8 January 1854, quoted in Ian Church, *Heartland of Aotearoa: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020, p.105.

⁹⁵ Keith Sinclair, *The Origins of the Maori Wars*, Auckland: Auckland University Press/Oxford University Press, 1961, p.71.

⁹⁶ Richard Taylor, Journal, 26 May 1853, quoted in Ann Parsonson, ‘Nga Whenua Tautohe o Taranaki: Land and Conflict in Taranaki, 1839-59’, report commissioned by the Waitangi Tribunal, November 1991, Wai-143, #A1(a), p.126.

⁹⁷ Keith Sinclair, *The Origins of the Maori Wars*, Auckland: Auckland University Press/Oxford University Press, 1961, pp.70-71.

The committee has decided upon the following boundaries for the land of both the Natives and Europeans. The boundaries of the Native land are to be on the Wanganui side Motueka and Mohanau. On the Taranaki side Okurukuru, and the boundaries inland are to be Te Wononga and to Whakangerengere (in the vicinity of Tariki). Let these boundaries be for ever held sacred and let neither European or Natives transgress them for ever and ever. If any man among us should wish to sell any of their land to the white man for money, the rules of the white people must be careful not to purchase it. These are the sayings of the following chiefs of the Ngatiruanui (24 signatures), of the chiefs of Taranaki (6 signatures) of the chiefs of Ngarauru (7 signatures).⁹⁸

McLean thought it best to ignore this message, while Cooper considered the meeting a failure. While Ngāti Ruanui were sincere and determined in their opposition to selling land, no broad-based, inter-iwi ‘league’ emerged from the Manawapou meeting to block future sales. Some of those who attended the hui later stated that no agreement had been reached on this point.⁹⁹ Ngāti Ruanui had allies but hardly unanimous support. Keith Sinclair concluded that, besides Ngāti Ruanui, ‘each tribe was hopelessly divided over the issue’.¹⁰⁰

This conclusion is borne out by subsequent events in northern Taranaki. In August 1854 what became known as the Puketapu feud erupted when the Crown’s purchase of the small Tārurutangi block from a faction of the Puketapu hapū resulted in an exchange of gun fire with rival hapū members opposed to the sale, resulting in multiple deaths. The dispute continued over the next three years, resulting in further clashes. By the end of 1854 Ngāti Ruanui had also been drawn into the dispute after a Ngāruahine man was shot and killed at Waitara. A Ngāti Ruanui taua numbering in the hundreds was soon assembled and 11 people killed in the subsequent fighting.¹⁰¹

⁹⁸ Native chiefs to Major Durie, 6 May 1854, quoted in Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.219-20.

⁹⁹ Keith Sinclair, *The Origins of the Maori Wars*, Auckland: Auckland University Press/Oxford University Press, 1961, p.71.

¹⁰⁰ Keith Sinclair, *The Origins of the Maori Wars*, Auckland: Auckland University Press/Oxford University Press, 1961, p.72.

¹⁰¹ Ann Parsonson, ‘Nga Whenua Tautohe o Taranaki: Land and Conflict in Taranaki, 1839-59’, report commissioned by the Waitangi Tribunal, November 1991, Wai-143, #A1(a), p.133.

In the face of settler calls for protection, by September 1855 a contingent of 400 troops from the 58th and 65th Regiments were stationed in New Plymouth, taking up residence in barracks constructed on Marsland Hill overlooking the town.¹⁰² Wiremu Kingi Te Rangitake of Te Ātiawa had been among staunch opponents of selling land since returning with his Te Ātiawa people to Waitara from the Wellington region in the 1840s. Despite attempting to remain outside the Puketapu dispute, he was regularly accused of masterminding the whole affair and came to be seen as the supposed ringleader of the ‘league’ blocking land sales in Taranaki. It hardly helped matters that his own lands at Waitara had long been coveted by settlers.¹⁰³

In April 1856 a Ngāti Ruanui taua returned north to support Katatore, the leader of the Puketapu faction that had opposed the sales. At least eight of their number were killed and when a further taua arrived in June a further ten people were killed. Tentative peace making efforts began among Te Ātiawa and the fighting came to an end early in 1857.¹⁰⁴ But when Katatore was killed in January 1858 Ngāti Ruanui refused to become involved in the subsequent reprisals, taking the view that he had betrayed them by offering land for sale. Peace was gradually restored within Te Ātiawa and, through the customary mechanism of marriage, with Ngāti Ruanui.¹⁰⁵ But it was to prove short-lived.

¹⁰² W.H. Skinner, ‘Notes on Marsland Hill’, *Transactions and Proceedings of the Royal Society of New Zealand*, vol. 37, 1904, pp.211-15.

¹⁰³ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.61.

¹⁰⁴ Ann Parsonson, ‘Nga Whenua Tautehe o Taranaki: Land and Conflict in Taranaki, 1839-59’, report commissioned by the Waitangi Tribunal, November 1991, Wai-143, #A1(a), p.135.

¹⁰⁵ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.228-29.

8. The Waitara and Waitōtara Purchases

From the outset, Waitara was regarded as an essential component of any British settlement in Taranaki, both for its navigable river and its flat and fertile lands.¹⁰⁶ The surveyor F.A. Carrington wrote in 1841, for example, that ‘If we are deprived of the Waitara district and are obliged to cultivate the almost impenetrable forest, I in this case see no hope for this Settlement. If on the other hand we are permitted to retain the Waitara land we shall flourish.’¹⁰⁷ R.H. Aubrey likewise believed that ‘if brought into cultivation the banks of the Waitara might become the garden of the Pacific.’¹⁰⁸ Governor FitzRoy’s 1844 decision to overturn Spain’s extensive award to the New Zealand Company of some 60,000 acres at New Plymouth effectively restored the Waitara lands to Māori ownership, placing the onus on the Crown to negotiate anew the purchase of this and other spots deemed desirable or essential for the purposes of colonisation and settlement in the district.

In 1848 Donald McLean was instructed to purchase the south bank of the Waitara River from Wiremu Kingi and the Te Ātiawa community living at Waikanae, ahead of their anticipated return to Taranaki.¹⁰⁹ He subsequently reported that at a meeting attended by some 500 Māori:

the sentiments expressed by Wm. King’s party were to the effect that they would sooner lose their lives than part with their land, that food would not grow on the payment they would receive for it, Europeans were not strong to take it, and they should rather have their throats cut than let the “Pakeha’s [sic]” or white men have the favoured land of their ancestors.¹¹⁰

¹⁰⁶ Ann Parsonson, ‘The Waitara Purchase and War in Taranaki’, (report commissioned by the Waitangi Tribunal), 1990, p.1; Harold Miller, *Race Conflict in New Zealand, 1814–1866*, Auckland: Blackwood & J. Paul, 1966, pp.167–168.

¹⁰⁷ Carrington to Liardet, 15 October 1841, quoted in Ann Parsonson, ‘The Waitara Purchase and War in Taranaki’, report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, p.2.

¹⁰⁸ Journal of R.H. Aubrey, 12 February 1841, quoted in B. Wells, *The History of Taranaki: A Standard Work on the History of the Province*, New Plymouth: Edmonson & Avery, 1878, p.55.

¹⁰⁹ Opposition to any sale of the Waitara lands had been made clear sometime before McLean’s 1848 visit to Waikanae. See Kingi to FitzRoy, 8 June 1844, quoted in Wells, B., *The History of Taranaki: A Standard Work on the History of the Province*, New Plymouth: Edmonson & Avery, 1878, pp.111–12; Kingi to McLean, 9 December 1846, McLean Papers, qMS-1206, ATL.

¹¹⁰ McLean to Lieutenant-Governor Eyre, 6 April 1848, McLean Papers, MS-Papers-0032-0123, ATL.

Wiremu Kingi told McLean ‘I will not give up my land, till I am first dragged by the hair and put in gaol!’¹¹¹ He subsequently pleaded with McLean not to make any purchases until there was unanimous support among the owners as otherwise disputes would inevitably occur. But Crown officials remained unyielding. Grey had met with Kingi himself in February 1847, at which time he threatened to recognise the Waikato tribes as owners of the Taranaki lands unless Te Ātiawa proved more amenable to making further territory available for European settlement.¹¹²

Intermittent offers were subsequently received from some of those with customary interests at Waitara to part with these to the Crown, but the ongoing opposition of other owners such as Kingi meant that, prior to March 1859, these were not actively pursued. Ihaiā Te Kirikumara was informed in 1854, for example, that the government would buy his lands at Waitara only if he was able to point out the distinct boundaries of these and could demonstrate that the earlier opposition to any land sale in the area had disappeared.¹¹³ Since the latter pre-condition was one that could hardly be complied with, it appears that nothing further was heard of any proposed purchase for a few years.¹¹⁴

Instead, the Crown, following the failure of McLean’s 1848 negotiations in respect of Waitara, concentrated its efforts elsewhere in the district. But although moderately successful in securing further lands for the New Plymouth settlers, the government’s Taranaki acquisitions came at a significant cost in terms of relations within and between local hapū and their rangatira.

Thomas Gore Browne, travelled to Taranaki in March 1859. During the course of a meeting with Taranaki Maori it was made clear, according to one contemporary account of the gathering, that:

¹¹¹ McLean to Lieutenant-Governor Eyre, 6 April 1848, McLean Papers, MS-Papers-0032-0123, ATL

¹¹² B. Wells, *The History of Taranaki: A Standard Work on the History of the Province*, New Plymouth: Edmonson & Avery, 1878, p.140.

¹¹³ Ann Parsonson, ‘The Waitara Purchase and War in Taranaki’, report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, p.4.

¹¹⁴ Ann Parsonson, ‘The Waitara Purchase and War in Taranaki’, report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3 pp.4-5.

the Governor thought the Maories would be wise to sell the land they cannot use themselves, as it would make what they could use more valuable than the whole; but that he never would consent to buy land without an undisputed title. He would not permit any one to interfere in the sale of land unless he owned part of it; and, on the other hand, he would buy no man's land without his consent.¹¹⁵

That followed further comments from Browne concerning the feuding that had taken place and his determination to enforce English law should further murders occur. Soon after this Te Teira of Waitara:

stated that he was anxious to sell land belonging to him, that he had heard with satisfaction the declaration of the Governor referring to individual claims, and the assurance of protection that would be afforded by his Excellency. He minutely defined the boundaries of his claim, repeated that he was anxious to sell, and that he was the owner of the land he offered for sale. He then repeatedly asked if the Governor would buy this land. Mr McLean on behalf of his Excellency replied that he would. Te Teira then placed a parawai (bordered mat), at the Governor's feet, which his Excellency accepted. This ceremony, according to Native custom, virtually places Teira's land at Waitara in the hands of the Governor.¹¹⁶

This was not the first time Te Teira had offered the Waitara lands for sale. According to Crown official Henry Halse, he had made a similar offer late in 1857, meeting with strong opposition from Wiremu Kingi and other owners.¹¹⁷ And although various explanations have been advanced for his interest in selling the lands, the most commonly accepted one has it that a young woman betrothed to a nephew of Te Teira had instead married a relative of Kingi. Considering the utu or compensation offered for this slight insufficient, Te Teira, it is said, had determined to obtain redress through a 'whakahe', that is, through bringing trouble upon the

¹¹⁵ *Taranaki Herald*, 12 March 1859, <https://paperspast.natlib.govt.nz/newspapers/TH18590312.2.8>.

¹¹⁶ *Taranaki Herald*, 12 March 1859, <https://paperspast.natlib.govt.nz/newspapers/TH18590312.2.8>.

¹¹⁷ Halse to McLean, 1 December 1857, quoted in Ann Parsonson, 'The Waitara Purchase and War in Taranaki', report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, p.5.

tribe.¹¹⁸ Yet as Ann Parsonson has observed, Crown agents involved in completing the purchase were later remarkably silent on this background to the transaction.¹¹⁹

Te Teira's move at the March 1859 meeting elicited an instant response, and the *Taranaki Herald* noted that, following acceptance of his offer:

Paora then informed the Governor that Te Teira could not sell the land he had offered without the consent of Weteriki and himself, as they had a joint interest in a portion of it.

Te Teira replied to him, and was immediately followed by William King, who, before addressing the Governor, said to his people 'I will only say a few words and then we will depart,' to which they assented. He then said 'Listen, Governor. Notwithstanding Teira's offer I will not permit the sale of Waitara to the Pakeha. Waitara is in my hands, I will not give it up; *ekore, ekore, ekore* (i.e., I will not, I will not, I will not. 'I have spoken!' and turning to his tribe added 'Arise, let us go' – whereupon he and his followers abruptly withdrew.¹²⁰

Although Browne consistently maintained that Wiremu Kingi had not asserted a proprietary interest in the land,¹²¹ the weight of evidence suggested otherwise. Kingi had, in fact, made those customary claims to the Waitara lands clear to the government shortly before the fateful March 1859 meeting with Browne. In a letter to the governor dated 11 February 1859, he wrote that:

The boundary of the land which is for ourselves is at Mokau. These lands will not be given by us into the Governor's and your hands, lest we resemble the sea-birds which

¹¹⁸ Ann Parsonson, 'The Waitara Purchase and War in Taranaki', report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, pp.6-7.

¹¹⁹ Ann Parsonson, 'The Waitara Purchase and War in Taranaki', report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, p.9.

¹²⁰ *Taranaki Herald*, 12 March 1859, <https://paperspast.natlib.govt.nz/newspapers/TH18590312.2.8>.

¹²¹ Browne to Lytton, 29 March 1859, AJHR, 1860, E-3, pp.2-3, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

perch upon a rock, when the tide flows the rock is covered by the sea, and the birds take flight, for they have no resting place.

Kei Mokau te rohe mai o te whenua mo matou ake, ko enei whenua ekore e hoatu e matou ki a korua ringaringa ko te Kanawa, kei rite matou ki nga manu o te moana e noho ana i runga i te kowhatu, ka pari te tai ka ngaromia taua kowhatu e te moana, ka rere nga manu, no te mea kaore he nohoanga mo ratou.¹²²

Kingi's claim over Waitara should hardly have come as a surprise, since he had informed Crown officials as early as 1844 of his determination not to part with those lands (and reminded them of the fact at regular intervals thereafter).¹²³ But the settler pressure for land locally was unrelenting. In 1858 the New Plymouth Provincial Council had even petitioned for the system of Crown land purchasing to be changed to accommodate sales by individuals or minority owners where the full consent of all customary right holders could not be obtained.¹²⁴

While this was clearly intended to facilitate the easier acquisition of Māori lands, there was perhaps another reason why such an approach was favoured, summed up in the comments of Taranaki settler and colonial politician C.W. Richmond, who told the General Assembly in 1860 that:

It is not just that the minority should condemn the majority, who wish to escape from it, to the tribal life, to the beastly communism of the Pah, to the slough of barbarism from which they are striving to emerge.¹²⁵

Kingi was not alone in his complaint that, through his acceptance of Te Teira's offer, the governor had indeed adopted a new system of land purchasing in which disputed lands were

¹²² Wiremu Kingi Te Rangitake to Governor Browne, 11 February 1859, AJHR, 1860, E-3A, p.5, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.8>.

¹²³ Ann Parsonson, 'Te Rangitake, Wiremu Kingi, ?-1882', DNZB, vol.1, p.500.

¹²⁴ Parsonson, 'The Waitara Purchase', pp.13-14; Harold Miller, *Race Conflict in New Zealand, 1814-1866*, Auckland: Blackwood & J. Paul, 1966, p.168. The name of the New Plymouth province was officially changed to Taranaki in 1859.

¹²⁵ *Nelson Examiner and New Zealand Chronicle*, 15 August 1860, <https://paperspast.natlib.govt.nz/newspapers/NENZC18600815.2.11>.

purchased from only a portion of the owners and the supposed right of the individual was trumpeted over that of the tribe.¹²⁶ McLean, for one, knew better than to implicate himself in such a disaster more than was strictly necessary. Following his presence at the March 1859 meeting, he did not return to Taranaki for more than a year, ignoring all entreaties to come back and complete the Waitara purchase, and instead leaving Robert Parris – ‘clearly uncomfortable and feeling out of his depth at having sole responsibility’ for the affair – to finalise the transaction.¹²⁷

Complicating matters further were conflicting rumours as to whether Wiremu Kingi or others had placed the lands at Waitara lands under the protection of the Māori King. If they had, then the Kingitanga would be obliged to come to their aid. As neither Kingi nor Governor Browne showed any signs of backing down, and a showdown loomed on the horizon, many eyes turned to how the Tainui tribes were likely to respond. In 1858 they had been instrumental in raising up the first Māori King, Pōtatau Te Wherowhero of Ngāti Mahuta, as a symbol and source of unity for Māori. That had followed a series of hui and discussions, including a gathering at Pūkawa, on the shores of Lake Taupō in 1856, at which the need for new ways for Māori to manage their own affairs had been discussed and debated. Wiremu Tamihana Tarapipipi Te Waharoa, known to many as ‘the kingmaker’ for his role in anointing the first King with a Bible as part of the ceremony by which he was raised up, emphasised the desire to live in peace alongside Europeans under the mantle of Queen Victoria. But Browne and other Crown officials came to see the movement as a direct challenge to the Crown’s sovereignty.¹²⁸

Members of Ngāti Ruanui attended the Pūkawa hui at which Te Wherowhero was put forth as King in 1856 (Te Wherowhero had fallen off his horse en route to the gathering and so never made it). However, when a letter from Waikato was read to a hui of Ngāti Ruanui in 1857, ‘inviting them to make Potatau a king’ it was noted that ‘Most said they would have nothing to do with him as he belonged to the Queen.’¹²⁹ That might have reflected the fact that Te

¹²⁶ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.74.

¹²⁷ Ray Fargher, *The Best Man Who Ever Served the Crown? A Life of Donald McLean*, Wellington: Victoria University Press, 2007, p.193.

¹²⁸ Vincent O’Malley, *The New Zealand Wars/Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2019, pp.99-100.

¹²⁹ Taylor Journal, 5 May 1857, quoted in Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.229.

Wherowhero was previously regarded as a firm friend of the settlers, even bringing large numbers of Tainui men and their families to Auckland in the 1840s to protect the settlement from potentially hostile iwi.¹³⁰

In January 1859 an envoy of the Māori King was received at Warea, where the Taranaki iwi agreed to place their lands under the protection of the Kīngitanga. Late the following month Taylor gave a service at Heriko (Jericho), where he observed Māori ‘from every part’, including a Kīngitanga delegation. While Taylor preached against the Kīngitanga, its representatives condemned him afterwards, declaring that:

whilst we tried to raise their eyes to heaven the pakehas came behind and stole their land from under them, that they got their names to show the Queen how they had been tamed and then the Queen sent governors and officers to take possession of the country; that England was now grasping all the world and fighting in every place with the natives who resisted and that God was with them.¹³¹

A few days later the Kīngitanga delegation were at Ihupuku Pā, Waitōtara, attempting to secure more support for their movement. Taylor was later told that during the course of this latest hui some Ngāti Ruanui in attendance who had ‘a kind of claim’ on Waitōtara, offered to place it under the protection of the Māori King. This, it was said, so offended a group of Ngā Rauru owners that they vowed to sell the land to the Queen instead. It was not that they particularly wanted to sell the land. It was the perceived interference in their own affairs that they resented.

Taylor wrote to Donald McLean a few weeks later informing him of this outcome and advising that purchasing the Waitōtara block would be ‘highly important to break up the Maori league & likewise give the European a footing within the Ngatiruanui bounds’.¹³² And so, while Ngāti Ruanui remained vitally interested in what was happening at Waitara, they were also

¹³⁰ Vincent O’Malley, *The Great War for New Zealand: Waikato, 1800-2000*, Wellington: Bridget Williams Books, 2016, pp.47-50.

¹³¹ Taylor Journal, 25 February 1859, quoted in Aroha Harris, ‘An “Iniquitous Job”? Acquisition of the Waitotara Block by the Crown’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #120, p.4.

¹³² Taylor to McLean, 14 March 1859, quoted in Aroha Harris, ‘An “Iniquitous Job”? Acquisition of the Waitotara Block by the Crown’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #120, p.6.

confronted with another land deal on their own doorstep (and within the area that they had vowed at Manawapou in 1854 should never be sold).

Despite their opposition, on 11 May 1859, the Crown successfully paid a first instalment of £500 on the 30,000-acre Waitōtara block.¹³³ McLean reported that he had ‘found it necessary to make this advance with some degree of promptitude, and before survey, as great exertions were being made by the Ngatiruanui Natives to resist the sale, and have the land handed over to Potatau’.¹³⁴

While Ngā Rauru were clearly divided in their sentiments, Ngāti Ruanui were solidly opposed to land dealings. Acting on Taylor’s advice, McLean had seized the opportunity to push through a deal before they could rally further opposition to it, with a deliberate view to undermining the Ngāti Ruanui stance. Taylor urged the purchase to be completed swiftly ‘to hinder the Ngatiruanui from interfering’.¹³⁵ In the event, the final deed would not be signed until July 1863.¹³⁶ Isaac Featherston, the Wellington Superintendent who had also been appointed land purchase commissioner, rejected requests for £8000, insisting he would pay no more than £2500, at the same time reducing reserves by 1249 acres.¹³⁷ The Waitangi Tribunal concluded that ‘those who signed the final deed could represent only a small portion of Nga Rauru who had interests, quite apart from those of Ngati Ruanui and Whanganui who also appear to have had tribal associations that constituted interests at Maori law’.¹³⁸

One reason it had been possible for the Crown to push through with the Waitōtara purchase in the face of widespread opposition is that war had come to Taranaki as the result of the other purchase it had also been determined to complete at Waitara.

¹³³ AJHR, 1863, E-15, p.1, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1863-I.2.1.6.25>.

¹³⁴ McLean to Colonial Treasurer, 25 May 1859, AJHR, 1863, E-15, p.1, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1863-I.2.1.6.25>.

¹³⁵ Aroha Harris, ‘An “Iniquitous Job”? Acquisition of the Waitotara Block by the Crown’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #I20, p.16.

¹³⁶ Deed of Purchase, 4 July 1863, AJHR, 1863, E-15, pp.5-7, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1863-I.2.1.6.25>.

¹³⁷ Ione Margaret Bremer, ‘The Early Development of the Patea-Waverley District: A Study of the Problems of Settling Confiscated Land’, MA thesis, Victoria University of Wellington, 1962, p.11.

¹³⁸ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.67.

9. The Taranaki War, 1860-63

With McLean largely avoiding further involvement in the matter after March 1859, Browne pressed on with the Waitara purchase, which increasingly became not merely a question about the fate of less than 1000 acres at Taranaki, but a broader issue of honour, and even of sovereignty and rangatiratanga. The governor maintained, despite all of the evidence to the contrary, that Kingi had not asserted any claim to the land and was instead merely attempting to exercise an unwarranted chiefly veto on behalf of the Taranaki ‘land league’. A few days after his decision to push on with the survey of the block under armed guard had led to open warfare between British troops and the people of Waitara in March 1860, Browne wrote to the Secretary of State for the Colonies to defend his actions. It was, the governor declared:

now clear to me that W. King has been encouraged in his opposition by an assurance of formidable support, and that the question of the purchase of an insignificant piece of land is merged in the far greater one of nationality.

I have insisted on this comparatively valueless purchase, because if I had admitted the right of a Chief to interfere between me and the lawful proprietors of the soil, I should soon have found further acquisition of territory impossible in any part of New Zealand.

Even if the right of ‘mana’ (viz., a feudal superiority without proprietary right in the land) exists at all, W. King could neither possess nor exercise it, Potatau; the Chief of the Waikatos, having obtained it by conquest, and sold all his claims at New Plymouth to the New Zealand Company.

Without admitting this right, (which is the only one asserted by W. King) I could not with reason have rejected the offer made to me by Teira and his party, because that was the only obstacle to their selling the land, and (by the Treaty of Waitangi) they are prevented from selling to any one but the Government.

It follows that I must either have purchased this land, or recognized a right which would have made W. King virtual sovereign of this part of New Zealand, which is the object of his avowed ambition.¹³⁹

The Native Minister C.W. Richmond meanwhile suggested that Waitara was less a crisis that had been stumbled into than an issue deliberately selected as a trial of strength. According to Richmond:

The leading promoters of the Maori King movement in Waikato and elsewhere, assert the National independence of their race, and oppose the further extension of European settlement. They sympathise profoundly with armed resistance to the British Government, more especially with armed resistance to the further cession of territory to the Crown.

It has long been manifest that the first attempt to enforce obedience to the Governor's decision in any question affecting Natives, might bring the disaffected tribes to the point of open rebellion...

An occasion has now arisen on which it has become necessary to support the Governor's authority by a Military Force. The issue has been carefully chosen – the particular question being as favourable a one of its class as could have been selected.¹⁴⁰

Once Browne had determined to proceed with the purchase, the real issue at stake was whether the Crown's real and effective authority (or substantive sovereignty) would prove sufficient to complete the transaction in the face of determined opposition from Kingi and other customary owners. For Kingi and his party it was a question of mana and rangatiratanga; for Browne a matter of sovereignty and face. Fundamental issues that had remained in contention

¹³⁹ Browne to the Duke of Newcastle, 22 March 1860, AJHR, 1860, E-3, p.18,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁴⁰ C.W. Richmond, Memorandum, 20 March 1860, AJHR, 1860, E-3, p.24,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

since the time of the Treaty would thus be brought to a head, especially once supporters of the Kīngitanga appeared in Taranaki in support of Kingi and the other owners.

Browne had backed himself into a corner through his insistence that the issue was one in which the Queen's supremacy was at stake. There could hardly be any gentle or dignified climb-down from such a lofty position, which of itself did much to draw in others in support of Kingi. Once Browne had raised the stakes, the question to be determined was no longer merely the fate of 600 acres at Taranaki but a more fundamental issue as to whose will would prevail. And that was especially magnified once elements of the Kīngitanga began to take an interest in the Waitara dispute. As early as April 1859 reports were in circulation in Taranaki that an anonymous letter had been sent to Waikato purporting to offer the Waitara lands to the Māori King, whose response was eagerly anticipated.¹⁴¹ Kingi, meanwhile, had again reiterated his opposition to the proposed transaction, writing to the governor that 'I will not agree to our bedroom being sold (I mean Waitara here), for this bed belongs to the whole of us'.¹⁴²

Then, in November 1859, District Commissioner Robert Parris was instructed to pay an instalment of £100 to Te Teira on the land, following an interview with Kingi which Crown officials chose to interpret as proof that the chief had not advanced any customary claims on the land.¹⁴³ An altogether different version of that encounter, subsequently published in the government's own Maori-language newspaper *Te Manuhiri Tuarangi*, presented quite a different picture. Rather than translating the reply to Parris' question as to whether the land belonged to Teira and party as 'Yes; the land is theirs', as had previously been suggested, in this version Wiremu Kingi was recorded as saying that 'It belongs to Taylor and all of us, but as he is setting it adrift to sea, I shall seize upon it and drag it ashore again.'¹⁴⁴ If this version was accurate then

¹⁴¹ Robert Parris to T.H. Smith, 23 April 1859, AJHR, 1860, E-3, pp.5-6,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>. Kingi had been informed of the instalment of Potatau Te Wherowhero as King soon after this had taken place, and arrangements appear to have been made for representatives of the Kīngitanga to visit Waitara to solicit support for the movement. Native Chiefs of Rangiaowhia to Wiremu Kingi, 21 June 1858, enclosure in Browne to Stanley, 19 August 1858, no.70, CO 209/146, p.132, Archives NZ.

¹⁴² Kingi to Browne, 25 April 1859, AJHR, 1860, E-3, p.6,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁴³ Parris to McLean, 4 December 1859, AJHR, 1860, E-3, p.9,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁴⁴ Grey to Newcastle, 11 August 1863, AJHR, 1863, E-2, p.37,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1863-I.2.1.6.2>.

there was no room for doubt that Kingi had – not for the first time, it might be added – asserted ownership rights over Waitara. And as George Grey would later note, the sense of collective or communal ownership was even stronger in the original Maori-language document, with its use of ‘no matou katoa’.¹⁴⁵

In January 1860 Te Teira and other sellers urged the governor to complete the purchase speedily, declaring that ‘This woman that we gave to you in the face of day is now lying cold.’¹⁴⁶ Browne accordingly ordered the survey of the land to be commenced. If any attempt was made to prevent the survey, Imperial troops were to be called out and martial law proclaimed in the province.¹⁴⁷ Browne, though, had evidently calculated that such brinksmanship would prove unnecessary, writing to the Secretary of State for the Colonies on the same day these instructions were issued that:

Rumours have reached me that the survey will be interrupted by the Chief William King (who has evidently been advised by some disaffected person) and that difficulties may ensue. I do not put much faith in these rumours, or anticipate resistance when the Natives see that, though always ready to consider every reasonable objection, I am not the less determined to enforce Her Majesty’s right to deal with her own subjects without hindrance from any one not having a legitimate interest in the transaction.¹⁴⁸

Kingi did indeed desire to avoid fighting and that was seen clearly in his decision to send out a group of mostly elderly and unarmed women to peacefully prevent the survey on 20 February.¹⁴⁹ Lieutenant-Colonel Murray wrote to the chief on the same date to declare that such actions

¹⁴⁵Grey to Newcastle, 11 August 1861, AJHR, 1863, E-2, p.37,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1863-I.2.1.6.2>. Elsewhere Grey noted that ‘several misunderstandings connected with the whole of this subject have arisen from the difficulty of the Natives making themselves thoroughly understood by foreign authorities, from the figurative nature of their language, from the few persons who understand it well, and from the consequent misinterpretations, omissions, or misprints, which from time to time take place in even the most important documents.’ Grey to Newcastle, 26 October 1863, AJHR, 1863, E-2A, p.3, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1863-I.2.1.6.3>.

¹⁴⁶Te Teira and others to Browne, 19 January 1860, E-3, pp.9-10,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁴⁷Extract from Minutes of the Executive Council, 25 January 1860, AJHR, 1860, E-3, p.11,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁴⁸Browne to Newcastle, 25 January 1860, AJHR, 1860, E-3, p.10,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁴⁹Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.75.

constituted ‘rebellion against the Queen.’¹⁵⁰ The land would be seized by the troops if such opposition was not immediately brought to an end, it was added. To this Kingi replied a day later that:

You say that we have been guilty of rebellion against the Queen, but we consider we have not, because the Governor has said he will not entertain offers of land which are disputed.

The Governor has also said, that it is not right for one man to sell the land to Europeans, but that all the people should consent. You are now disregarding the good law of the Governor, and adopting a bad law.

This is my word to you. I have no desire for evil, but, on the contrary, have great love for the Europeans and Maories. Listen; my love is this, you and Parris put a stop to your proceedings, that your love for the Europeans and the Maories may be true.

I have heard that you are coming to Waitara with soldiers, and therefore I know that you are angry with me. Is this your love for me, to bring soldiers to Waitara? This is not love; it is anger. I do not wish for anger; all that I want is the land.

All the Governors and the Europeans have heard my word, which is, that I will hold the land.¹⁵¹

Murray responded one day later by proclaiming martial law in the province, in readiness for an imminent confrontation.¹⁵² The Waitangi Tribunal concluded that the language of that proclamation, especially rendered in te reo Māori (in which martial law was given as ‘Ko te Ture whawhai kia puta inaiane i ki Taranaki’) read more like a declaration of war on the part of the government.¹⁵³

¹⁵⁰ Murray to Kingi, 20 February 1860, GBPP, 1861[2798], p.9.

¹⁵¹ Kingi to Murray, 21 February 1860, GBPP, 1861 [2798], p.9.

¹⁵² Murray to Major of Brigade, 22 February 1860, GBPP, 1861 [2798], p.9.

¹⁵³ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.76.

Coming hard on the heels of Kingi's much more conciliatory sounding letter to Murray, the proclamation must surely have painted an image of the government as adopting an uncompromising and aggressive stance in the minds of many Māori. And yet, even on the eve of war, it was still not too late to pull back from the brink. For one thing, a deed of purchase for the Pekapeka block had still not been executed, finally being signed days later, on 24 February 1860.¹⁵⁴ While Browne remained confident that Kingi would back down, John Whiteley and another minister who visited Waitara at this time found the chief busily making arrangements to evacuate the women and children at the settlement. Whiteley and his colleague tried to impress upon some of the young men at the pā the consequences that were likely to follow if they continued to resist the survey once British troops were sent to protect the work, with the former recording in his journal that 'They were attentive and respectful but would not accede to our wishes. They seem determined to hold...the land even at the sacrifice of life.'¹⁵⁵

Browne, though, informed the Secretary of State for the Colonies that private letters were 'full of surmises and alarms, and talk of a war of races, but I do not put faith in them, or anticipate any real opposition, when the chief William King sees that I am determined not to permit him to defy Her Majesty's Government.'¹⁵⁶ He indicated an intention to travel to New Plymouth in order to once again warn Kingi of the consequences of continued interference in the survey. Browne reached Taranaki on 1 March and immediately dispatched Parris and Rogan to find Kingi and bring him back to the governor under written promise of safe return. But the same vessel by which Browne had arrived also carried more than 200 British troops, and Kingi took to the bush.¹⁵⁷ When the Te Atiawa rangatira was eventually located with the assistance of John Whiteley he confirmed, by way of a letter addressed to the governor, his desire for peace and friendship and requested that Browne meet him at a location midway between Waitara and New Plymouth.¹⁵⁸ Browne, though, rejected Kingi's letter as nothing but 'a mockery and a subterfuge to obtain time until he can get assistance.'¹⁵⁹

¹⁵⁴ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.76.

¹⁵⁵ Whiteley, Journal, 22 February 1860, quoted in Ann Parsonson, 'The Waitara Purchase and War in Taranaki', report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, p.44.

¹⁵⁶ Browne to Newcastle, 27 February 1860, GBPP, 1861 [2798], p.7.

¹⁵⁷ Browne to Newcastle, 2 March 1860, GBPP, 1861 [2798], p.11.

¹⁵⁸ Kingi to Browne, 2 March 1860, GBPP, 1861 [2798], pp.11-12.

¹⁵⁹ Browne to Newcastle, 2 March 1860, GBPP [2798], p.11.

Instead, the governor issued orders to the newly arrived commander of the Imperial troops, Colonel Gold, ‘to take military possession of the land purchased from the Chief Teira at the Waitara river.’¹⁶⁰ And in preparation for the forthcoming conflict he addressed a gathering of Māori at New Plymouth, reminding them that the Treaty of Waitangi secured their rights and property to them, despite which Kingi (he claimed) was acting in defiance of such a guarantee by preventing Te Teira from dealing with his own property as he saw fit.¹⁶¹ A manifesto circulated to all of the tribes in the North Island formed a further plank in the governor’s efforts to portray the supposed justness of the Crown’s position.¹⁶²

On the morning of 5 March, Gold marched on Waitara with 400 troops, setting up camp on the disputed land, while Browne arrived on the scene onboard HMS *Niger*.¹⁶³ While Browne observed that Māori were lying in ambush upon arrival, no resistance was offered. But by the following morning a stockade had been thrown up on the road between New Plymouth and Waitara, and a British party attempting to take provisions to the latter place was prevented from passing.¹⁶⁴ They were eventually permitted through and an ultimatum to abandon the pā within 20 minutes was issued and complied with in less than half of that time. The pā was then torched by British troops.¹⁶⁵ It was also reported that Te Teira had totally destroyed Kingi’s own pā at the mouth of the Waitara River.¹⁶⁶ Within days of this, however, Kingi was making preparations to erect a new pā at Waitara, while the British were preparing to recommence the Pekapeka survey under heavy armed guard.¹⁶⁷

¹⁶⁰ Browne to Gold, 3 March 1860, GBPP, 1861 [2798], p.13.

¹⁶¹ Ann Parsonson, ‘The Waitara Purchase and War in Taranaki’, report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, pp.45-46; John Whiteley, Journal, 8 March 1860, pp.152-153, MS-Copy-Micro-0769, ATL. Browne went on to warn that the Queen had many troops and had recently suppressed a mutiny in India involving a much larger population than Maori could even begin to count.

¹⁶² Ann Parsonson, ‘The Waitara Purchase and War in Taranaki’, report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3 , pp.46-47.

¹⁶³ Browne to Newcastle, 12 March 1860, GBPP, 1861 [2798], p.12; James Cowan, *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period*, 2 vols, Wellington: Government Printer, 1983 (original edition 1922), vol.1, p.163.

¹⁶⁴ *Taranaki Herald*, 10 March 1860, <https://paperspast.natlib.govt.nz/newspapers/TH18600310.2.4>.

¹⁶⁵ Browne to Newcastle, 12 March 1860, GBPP, 1861 [2798], p.12.

¹⁶⁶ *Taranaki Herald*, 10 March 1860, <https://paperspast.natlib.govt.nz/newspapers/TH18600310.2.4>.

¹⁶⁷ Browne to Gold, 11 March 1860, GBPP, 1861 [2798], pp.16-17; Ann Parsonson, ‘The Waitara Purchase and War in Taranaki’, report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, p.52.

That survey was begun on 13 March and finished the following day. Observers, including the *Taranaki Herald*, were baffled by the absence of any effort on the part of Kingi's followers to obstruct the survey. Perhaps, the newspaper speculated, it might prove to be a 'bloodless campaign' after all.¹⁶⁸ But by 15 March Kingi's people had erected a new L-shaped pā on the south-western corner of the block, and the following day they set fire to the fern, pulled up the surveyor's stakes, and endeavoured to physically erase all boundary lines marked on the ground.¹⁶⁹ Gold and his troops took up a position near the new pā on 17 March, dispatching a messenger to issue an ultimatum to surrender at once or be fired upon.¹⁷⁰ He soon returned with the news that those inside Te Kōhia pa would neither read the message nor receive it.¹⁷¹

Browne had earlier advised Gold that it was 'very desirable that collision should be avoided as long as it is possible to do so' and that 'The first blood shed is a matter to which the natives attach great weight, and other tribes would join William King in a demand for *utu* if he could satisfy them that he had not been the first aggressor.'¹⁷² As it turned out the British were first to open fire, fixing their artillery and guns on the pā from a mound some 750 yards away. At this point, according to the correspondent for the *Taranaki Herald*, 'the natives danced a war dance, hoisted their fighting flag, and returned the fire from three faces of the pa.'¹⁷³ Firing from inside the pā then ceased for more than a hour, at which point two or three of the Volunteer cavalrymen, assuming that Kingi and his followers had evacuated the site, galloped up to the position, only to be confronted with a renewed volley of fire.¹⁷⁴ One of this group, a young cavalryman named John Sarten, in this way became the first person to be killed in the Taranaki War.¹⁷⁵ At dawn the following morning a further advance was made on the pā, which this time was found to be empty.¹⁷⁶ Having expected a 'short and decisive struggle', the *Taranaki Herald* found such an outcome 'inexplicable',¹⁷⁷ and the longer that Kingi's forces survived to fight

¹⁶⁸ *Taranaki Herald*, 17 March 1860, <https://paperspast.natlib.govt.nz/newspapers/TH18600317.2.4>.

¹⁶⁹ *Taranaki Herald*, 17 March 1860, <https://paperspast.natlib.govt.nz/newspapers/TH18600317.2.4>.

¹⁷⁰ Gold to Kingi, 17 March 1860, GBPP, 1861 [2798], p.16.

¹⁷¹ Gold to Browne, 19 March 1860, GBPP, 1861 [2798], p.16.

¹⁷² Browne to Gold, 3 March 1860, GBPP, 1861 [2798], p.13.

¹⁷³ *Taranaki Herald*, 24 March 1860, <https://paperspast.natlib.govt.nz/newspapers/TH18600324.2.8>.

¹⁷⁴ *Taranaki Herald*, 24 March 1860, <https://paperspast.natlib.govt.nz/newspapers/TH18600324.2.8>.

¹⁷⁵ James Cowan, *The New Zealand Wars and the Pioneering Period*. 2 vols. Wellington: Government Printer, 1983 (original ed. 1922), vol.1, p.164.

¹⁷⁶ Gold to Browne, 19 March 1860, GBPP, 1861 [2798], p.16.

¹⁷⁷ *Taranaki Herald*, 24 March 1860, <https://paperspast.natlib.govt.nz/newspapers/TH18600324.2.6>. A number of similar letters from the chiefs of Mokau were also published in the government's Māori-language newspaper.

another day, the more feasible it became for their ranks to be bolstered by reinforcements from other iwi. Ngāti Ruanui and Taranaki were on hand before the end of March,¹⁷⁸ but already attention had turned to the likely response of the Waikato tribes.

Throughout this period Ngāti Ruanui had maintained contact with the Kingitanga. In November 1859 representatives from the King had travelled to Ngāti Ruanui territory.¹⁷⁹ And in March 1860 a Ngāti Ruanui delegation travelled to the headquarter of the Kingitanga at Ngāruawāhia, reportedly to make ‘the allegiance of their respective tribes to the “Maori king”’.¹⁸⁰ A Tainui party was assembled to escort them home in April and speculation as to their intentions was acute, with some European observers believing they were going to join the fight.¹⁸¹

Ngāti Ruanui had, meanwhile, already joined the fight. Governor Browne and his officers had expected an early and decisive victory at Te Kōhia. They had failed to achieve it and in the wake of the battle reinforcements from Auckland and elsewhere flooded into the district. But supporters from Ngāti Ruanui, Ngā Rauru and Taranaki iwi rallied to Wiremu Kingi’s cause and within a week of Te Kōhia 500 of them had come to join in the defence of his lands.¹⁸² These reinforcements fortified a position at Kaipopo, a few miles south of New Plymouth not far from Ōmata. On 28 March a party of troops from New Plymouth marched south towards Ōmata on a mission to bring any remaining settlers families into the township for their own protection. Although they met with no resistance, a second group of settler militia and volunteers marching along the beach were ambushed at Waireka Stream by a taua that included the recent Ngāti Ruanui arrivals that descended on them from Kaipopo Pā.¹⁸³

Te Karere Maori/Maori Messenger, 31 May 1860,
<https://paperspast.natlib.govt.nz/newspapers/MMTKM18600531.2.13>.

¹⁷⁸ Ann Parsonson, ‘The Waitara Purchase and War in Taranaki’, report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3, p.53.

¹⁷⁹ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.230.

¹⁸⁰ T.H. Smith, Narrative of a visit to Waikato, n.d., quoted in Vincent O’Malley, *The Great War for New Zealand: Waikato, 1800-2000*, Wellington: Bridget Williams Books, 2016, p.118.

¹⁸¹ Vincent O’Malley, *The Great War for New Zealand: Waikato, 1800-2000*, Wellington: Bridget Williams Books, 2016, pp.118-20.

¹⁸² Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.233-34.

¹⁸³ Vincent O’Malley, *Voices from the New Zealand Wars/He Reo Nō Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2021, p.117; Nigel Prickett, *Landscapes of Conflict: A Field Guide to the New Zealand Wars*, Auckland: Random House, 2002, pp.60-63.

A lengthy exchange of gunfire ensued. A party of British troops went to the aid of the besieged settler soldiers but withdrew before it got dark, complying with orders to be back in New Plymouth for garrison duties before nightfall.¹⁸⁴ That decision provoked noting but scorn and contempt from Taranaki settlers. The reputation of British military forces in Taranaki was partly redeemed when a group of sailors and marines from HMS *Niger* under Captain Peter Cracroft arrived on the scene. What followed next has been much disputed. Cracroft decided to attack Kaipopo Pā before it was dark. Heavy fighting ensued. Some British accounts described very large Māori losses, with up to 150 killed. At that level it would have been one of the most crushing losses of the New Zealand Wars, up there with the 1864 Ōrākau battle. On the other hand, historian James Belich describes even the notion of British victory at Waireka as a ‘myth’.¹⁸⁵

Te Rei Te Hanataua, a great Ngāti Ruanui fighting chief who had also fought in the Musket Wars decades earlier, was among those killed at Waireka. According to one report a large Ngāti Ruanui taua, numbering nearly 500, turned for home on hearing of the outcome of the Waireka battle.¹⁸⁶ If true, that would tend to lend support for the notion of a heavy Māori defeat. But even so, it was still not the decisive battle the British craved.

By the time of the next major engagement, at Puketākauere, on 27 June 1860, matters had taken a significant turn with the intervention of a substantial number of Waikato and Ngāti Maniapoto fighters. There are different accounts of how that might have come about. In some versions a delegation was sent south to investigate the merits of Wiremu Kingi’s grievances on the ground. When they concluded that he had, indeed, been wronged, others travelled south to lend him military support. Pōtatau Te Wherowhero remained cautious, telling Ngāti Maniapoto that they should go if they wished to be ‘food for the birds’.¹⁸⁷

¹⁸⁴ Murray to Major of Brigade, 30 March 1860, GBPP, 1861 [2798]. pp.26-27.

¹⁸⁵ James Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland: Auckland University Press, 1986, p.88.

¹⁸⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.235-36.

¹⁸⁷ Vincent O’Malley, *The Great War for New Zealand: Waikato, 1800-2000*, Wellington: Bridget Williams Books, 2016, p.117.

But it was not just Ngāti Maniapoto who headed south to support Te Ātiawa. And regardless of whether the Māori King had approved their actions, from the perspective of Crown officials this was an unjustified and rebellious Kīngitanga intervention in a matter that did not concern the Waikato tribes. On the morning of 23 June 1860 Major Nelson of the 40th Regiment observed a fire burning to the rear of a belt of fern south east of the British encampment at Waitara, and Māori there engaged in cutting wood and carrying it off to Puketākauere. A reconnaissance party sent to inspect these activities was fired upon on their arrival back at camp. They returned fire until safely back at their base, and Nelson believed that there were some casualties among the Māori group, but was unable to say how many.¹⁸⁸

Nelson and 350 officers and men set out a few days later, on 27 June, to attack the Puketākauere pā. What followed was, from the British perspective, an unmitigated disaster. Nelson divided up his force in an effort to block any route of retreat from the pā. Artillery fire opened up from a range of 400 yards failed to create a breach in the defences of the large pā sufficient to justify an assault, but during the period in which heavy fire was directed at the pā, ‘large bodies of Maories were seen advancing from the rear and occupying in extended order a ditch and bank, about 400 yards in advance of our right flank, from which they kept up a constant fire.’ Nelson ordered his men to advance in the direction of the bank, but a deep ravine with an entrenchment behind it made further progress impossible. Māori concealed in their rifle pits and in surrounding high fern opened up a ‘destructive fire’ on Gold’s men, forcing them to retreat.¹⁸⁹

Nelson had been informed a day earlier that Colonel Gold trusted he would ‘teach the troublesome Natives a lesson they will not easily forget.’¹⁹⁰ Instead, his force had been ambushed and forced into a humiliating retreat.¹⁹¹ That was better, however, than the fate of the second main body of British troops under the command of Captain Messenger, to the rear

¹⁸⁸ Nelson to Major of Brigade, 23 June 1860, AJHR, 1860, E-3, pp.47-48,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁸⁹ Nelson to Major of the Brigade, 27 June 1860, AJHR, 1860, E-3, p.48,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁹⁰ James Paul (Acting Major of Brigade), 26 June 1860, AJHR, 1860, E-3, p.48,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>.

¹⁹¹ James Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland: Auckland University Press, 1986, pp.93-94.

of the entrenchments, many of whom did not make it back to camp at all. Instead, large numbers were killed in the swampy terrain, and according to one Māori veteran of the conflict, the swamp there subsequently came to be known as ‘Te Wai-Kotero’ (after a pool in which maize and potatoes were steeped until they became putrid) on account of the many corpses that lay there after the battle.¹⁹² Total British casualties were reported immediately after the battle at 30 killed and 34 wounded, or just over 18% of the total attacking force, though at least five of the wounded were described as being in a dangerous condition, two later dying.¹⁹³ Total losses on the Māori side are harder to establish. One newspaper report speculated that as many as 200 may have been killed or wounded, but multiple accounts put the Māori loss at five killed.¹⁹⁴ The true figure may have been eight dead.¹⁹⁵

Whichever way it is looked at, Puketākauere was a crushing and demoralising defeat for the British and a great morale boost for Kingi and other defenders of Waitara. It was also significant because many of those involved on the Māori side belonged to Ngāti Maniapoto or other Waikato iwi. They appear to have been comprised of the same group who had initially gone to Taranaki as escorts for the Ngāti Ruanui party returning home from Ngāruawāhia. It has been suggested that at some point between May and June 1860 at least part of this group, led by Epiha Tokohihi of Ngāti Maniapoto, had determined to take up the fight, though it appears that others did not.¹⁹⁶ Among those killed at Puketākauere was Pahata Te Kiore, one of the two special investigators sent to Taranaki to investigate the justness of Wiremu Kingi’s grievances.¹⁹⁷

¹⁹² James Cowan, *The New Zealand Wars and the Pioneering Period*. 2 vols. Wellington: Government Printer, 1983 (original ed. 1922), vol.1, p.188.

¹⁹³ Nelson to Major of Brigade, 27 June 1860, AJHR, 1860, E-3, p.49,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1860-I.2.1.6.7>; Edmund Bohan, *Climates of War: New Zealand in Conflict, 1859-69*, Christchurch: Hazard Press, 2005, p.64.

¹⁹⁴ James Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland: Auckland University Press, 1986, p.95; *Taranaki Herald*, 7 July 1860,

<https://paperspast.natlib.govt.nz/newspapers/TH18600707.2.6>.

¹⁹⁵ Nigel Prickett, *Māori Casualties of the First Taranaki War, 1860-61*, Auckland War Memorial Museum, Auckland, 2006, pp.91-94.

¹⁹⁶ James Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland: Auckland University Press, 1986, p.91.

¹⁹⁷ James Cowan, *The New Zealand Wars and the Pioneering Period*. 2 vols. Wellington: Government Printer, 1983 (original ed. 1922), Cowan, *New Zealand Wars*, vol.1, pp.184, 189.

Puketākauere was a serious blow to British morale. Colonel Gold, although not even present at Puketākauere, was replaced by Major-General Thomas Pratt just over a month later as a direct result of the defeat.¹⁹⁸ Waikato warriors returning from the fight at Taranaki were said to have expressed great astonishment at the failure of British troops to adjust to Māori warfare, saying that they would continue to get beaten ‘if they continue to fight as if their antagonists were Pakehas.’¹⁹⁹ Widespread fear now gripped the settlers of New Plymouth.²⁰⁰

Ngāti Ruanui had not been involved in the Puketākauere action but began to come north again in its wake. Rural lands beyond New Plymouth were controlled by roving taua, including some Ngāti Ruanui fighters. Within the township itself, women and children were evacuated in August. But at the end of that month most of the Tainui men returned home for planting season. There would be another lull again in fighting until late spring.

By late October multiple taua had returned to the province. A predominantly Ngāti Hauā party led by Te Wetini Taiporutu ignored plans to rendezvous at Kairau, outside Wairau. Fearing that the taua might be planning an assault on New Plymouth, new British commanding officer Major-General Thomas Pratt determined to intercept the party. In the early hours of 6 November 1869, Pratt led a 600-strong detachment against the group, inflicting heavy losses on them at Māhoetahi, south of Waitara.²⁰¹

However, the action at Māhoetahi failed to fundamentally alter the situation at Taranaki. Reinforcement from Waikato continued to arrive over the summer months, constructing a series of pā at Kairau, Te Ārei, Huirangi and Matarikoriko. Rather than attempting to storm them, Pratt opted for a more cautious approach, constructing a series of saps that allowed the British to inch their way towards these positions instead. Redoubts were then constructed to consolidate their hold over any ground won. On 23 January 1861 a taua led by Hapurona of Te

¹⁹⁸ James Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland: Auckland University Press, 1986, p.97; Matthew Wright, *Two Peoples, One Land: The New Zealand Wars*, Reed, Auckland, 2006, pp.100-101.

¹⁹⁹ Arthur Purchas, Memorandum of an interview with Tamati Ngapora, 27 September 1860, CO 209/155, p.405, ANZ.

²⁰⁰ Danny Keenan, *Wars Without End: The Land Wars in Nineteenth Century New Zealand*, 1st edition, Penguin, Auckland, 2009, p.201.

²⁰¹ Vincent O’Malley, *The Great War for New Zealand: Waikato, 1800-2000*, Wellington: Bridget Williams Books, 2016, pp.130-32.

Ātiawa and Rewi Maniapoto of Ngāti Maniapoto attempted to disrupt these plans with a daring attack on the No. 3 redoubt at Huirangi, but suffered heavy casualties in the process.²⁰²

Sapping operations continued through February, creeping towards Te Ārei. But in March Wiremu Tamihana of Ngāti Hauā arrived on the scene and negotiated a ceasefire and truce. By 21 March the Tainui fighters had packed up their belongings and returned home, leaving the Crown to negotiate with Te Ātiawa and their allies from the other Taranaki tribes. Ngāti Ruanui did not attend the talks, but returned home with rustled cattle and sheep, at the same time destroying a number of outlying settler homes as they went. Donald McLean, who had been sent back to Taranaki to settle matters for the Crown, reported on 1 May that:

The Ngatiruanui tribe made no overtures for peace, and their conduct during the suspension of hostilities, having destroyed some settlers' houses before retreating to their country, fully indicates that they require further chastisement before they yield submission to English rule and authority.²⁰³

On 15 April Governor Browne issued terms for the Taranaki and Ngāti Ruanui iwi. In it, he warned that their 'offences' were much more serious than those of Wiremu Kingi and Te Ātiawa since the dispute at Waitara was a matter in which they were not concerned. Browne insisted that:

In dictating these terms I cannot overlook the outrages that you have committed. Whatever may have been the dispute in reference to the land at Waitara it was a matter with which you had no concern. Without even pretence of quarrel with the Queen's Government, or her European subjects, you have taken advantage of the disturbances caused by another tribe to set the authority of the Queen and the law at defiance ; to attack her Majesty's troops ; to burn, destroy, and steal property ; and treacherously kill without provocation Her Majesty's subjects while engaged in their peaceful occupations. Moreover, you have driven off the settlers from land which, years ago, you

²⁰² James Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland: Auckland University Press, 1986, p.109.

²⁰³ McLean to Governor, 1 May 1861, GBPP, 1862 [3040/3049], p.45.

had sold and been fully paid for, and have avowed your intention of re-possessing yourselves of it and retaining it by force. However much I may condemn the offences committed by the Ngatiawa, I look on those perpetrated by you to be of a far more serious nature, and before I can consent to grant you peace I shall require restitution and compensation for the past, and explicit declaration of your intention to conduct yourselves as peaceable and orderly subjects of Her Majesty for the future.

I require --

1. Entire submission to the Queen and the Law.
2. All plunder now in your possession to be forthwith given up, and compensation made for that which is not returned, and for property destroyed and injured.
3. That all mails shall be permitted to pass without interruption, and the mail carriers protected.
4. That people, goods, and cattle shall be allowed to pass without molestation.

The grave offence of killing unarmed settlers and children is one against the Queen and the Law, and will not be overlooked. Whenever those men who are charged with having committed that offence are taken by the Officers of Justice they will be tried, and the law will declare whether they are guilty, and, if guilty, what punishment they shall suffer.²⁰⁴

Taranaki and Ngāti Ruanui were given a mere matter of days to respond to these uncompromising terms. From the perspective of Ngāti Ruanui, however, what happened in northern Taranaki was a matter of immense interest to them since it was a harbinger of things to come in their own rohe if they did not act to prevent it. There was to be no submission.²⁰⁵

For a time there seemed every prospect of a resumption of hostilities in the province, this time perhaps even featuring a campaign directed against the recalcitrant South Taranaki iwi. But Governor Browne was turning his attentions elsewhere, planning a spring invasion of Waikato in retaliation for their intervention in Taranaki. That 1861 invasion of Waikato was forestalled by

²⁰⁴ Browne to 'the Chiefs of the Taranaki (or Ngatiruanui) Tribe', 15 April 1861, AJHR, 1861, E-1B, p.6, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1861-I.2.1.6.3>.

²⁰⁵ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.240-41.

the decision to replace Browne as governor.²⁰⁶ By September George Grey had returned to New Zealand for a second term as governor.

The first Taranaki War had ended inconclusively. Some Te Ātiawa were induced to sign their own terms of peace, agreeing to ‘not resort to force for the redress of grievances real or imaginary’.²⁰⁷ Wiremu Kingi, significantly, did not sign, instead travelling to Waikato, where he remained for the best part of the next two years.²⁰⁸

Grey had been highly critical of the Waitara purchase, describing it as ‘an unjust act’.²⁰⁹ But this did not deter him from contemplating further action against those who had resisted the Crown’s attempt to enforce the transaction by means of armed invasion. In times of turmoil, the tribes did what they always had, retreating from their coastal settlements to ones further inland, on the perimeters of the bush. McLean noted that Ngāti Ruanui would be difficult to attack at such locations, especially in winter, though a spring offensive might be possible.²¹⁰

In a forerunner to what would later happen to Māori from elsewhere, in October 1861 Grey was said to be soliciting views on the wisdom of exiling all of Ngāti Ruanui to the Chatham Islands. He subsequently declared that he would talk with Ngāti Ruanui only after they had returned all stolen property and handed over land in compensation for their actions.²¹¹ By January 1862 Grey was threatening to establish a chain of military posts down the Taranaki coastline, stretching all the way to Ngāti Ruanui territory, if they would not vacate the settler farms they had occupied since fighting had ended in the province.²¹²

Ngāti Ruanui remained undeterred. By February 1862 it was reported that they and Taranaki had imposed a toll on travellers passing down the coastline, and had also blocked messengers

²⁰⁶ Vincent O’Malley, *Beyond the Imperial Frontier: The Contest for Colonial New Zealand*, Wellington: Bridget Williams Books, 2014, pp.111-13.

²⁰⁷ Speech containing terms on which submission would be accepted, addressed to the Ngatiawa Insurgents, 3 April 1861, GBPP, 1862 [3040/3049], p.38.

²⁰⁸ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.87.

²⁰⁹ Grey to Newcastle, 21 November 1860, Duke of Newcastle Papers, Micro-MS-Coll-20-1576, ATL.

²¹⁰ Memorandum by the Native Secretary, n.d. [c. April 1861], AJHR, 1862, E-1, p.19,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1862-I.2.1.6.1>.

²¹¹ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.242.

²¹² H. R. Richmond to C. W. Richmond, 6 January 1862, G.H. Scholefield (ed.), *The Richmond-Atkinson Papers*, Wellington: Government Printer, 1960, vol. 1, p.739.

carrying mail.²¹³ They vowed not to allow any roads through their territory, while settlers were also said to be banned from passing through it.²¹⁴

Later inquiries found the grievances over Waitara to be well-founded. Grey decided to return the disputed lands. But before doing so, on 4 April 1863, he ordered 300 soldiers from the 57th Regiment to seize control of the Tataraimaka block. Although its earlier alienation was not disputed, it had been occupied by Māori as an equivalent for Waitara. Grey's decision to evict Māori at gunpoint from Tataramaika without first restoring the Waitara lands to Te Ātiawa was widely considered by the tribes as signalling a resumption of warfare in Taranaki.²¹⁵

From this perspective, the seizure of Tataraimaka demanded a response. On 4 May 1863 a party of troops escorting a military prisoner along the coastline at Ōakura was attacked by a Ngāti Ruanui and Taranaki taua and all but one of the ten troops killed. Later that month Grey announced that Waitara would be returned to its owners. Had the governor done this first, then a renewal of the war might have been avoided. As it was, it was too late to make any difference.

Although British troops had seized Tataraimaka in April, a party that included Taranaki, Ngā Rauru, Ngāti Ruanui and Te Ati Haunui from Whanganui returned to construct a pā on a portion of the block by the Katikara River. On 4 June 1863 Lieutenant-General Duncan Cameron, who had been commander of British forces in New Zealand since April 1861 but had yet to see action, led 870 men against the pā. Grey watched the battle unfold from the deck of HMS *Eclipse*, whose heavy guns were employed to shell the Māori position. In all 28 of the defenders were killed and there were allegations that at least two wounded Māori prisoners had been executed. No prisoners were taken.²¹⁶ It appears that most of the garrison inside the pā were from Whanganui, with relatively few Ngāti Ruanui present.²¹⁷

²¹³ Nelson Examiner and New Zealand Chronicle, 11 February 1862,
<https://paperspast.natlib.govt.nz/newspapers/NENZC18620211.2.15>

²¹⁴ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.242.

²¹⁵ Vincent O'Malley, *The Great War for New Zealand: Waikato, 1800-2000*, Wellington: Bridget Williams Books, 2016, pp.175-76.

²¹⁶ Vincent O'Malley, *The New Zealand Wars/Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2019, p.96.

²¹⁷ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.245.

Occasional skirmishing continued over the next nine months, culminating in a more significant engagement at Kaitake Pā on 25 March 1864. But by this time most British troops had been withdrawn from Taranaki as attention had shifted to the invasion of Waikato that began on 12 July 1863, ending at Ōrākau on 2 April 1864.

10. Pai Mārire and Further Warfare, 1864-66

By the early months of 1864 warfare at Taranaki had taken on a different dimension. In 1862 Te Ua Haumene of the Taranaki iwi had a vision in which the archangel Gabriel appeared before him with promises of protection for true believers. Te Ua founded the Pai Mārire (Good and Peaceful) faith in response, based on a mixture of Old and New Testament teachings and Māori religious beliefs. The new faith soon gained adherents among the Taranaki tribes, its messages of deliverance from a time of trouble resonating with many. Many Ngāti Ruanui were among those drawn to Pai Mārire.²¹⁸

Although Te Ua conceived of the new religion as a peaceful one, Crown officials and many Europeans soon came to view it as a fanatical and bloodthirsty cult. The attack on a group of soldiers from the 57th Regiment that took place at Te Ahuahu on 6 April 1864 cemented that reputation. Seven soldiers were killed, including Captain Thomas Lloyd, and when their bodies were recovered they were found to have been decapitated. Lloyd's head was later carried from tribe to tribe as a kind of war trophy, an act described by one historian as a 'studied insult that symbolized spiritual conquest by the victor'.²¹⁹

At the end of the month a further engagement occurred that added to that impression. A taua that included Ngāti Ruanui and other local iwi attacked the British redoubt at Sentry Hill in broad daylight. Reports described them as chanting Pai Mārire karakia as they went, their right hands upraised and open. Some said they had done so believing they could ward off British bullets with their incantations. That ignored other evidence their tactics might have been designed to draw the troops out of the redoubt in order to fight them in the open as had occurred during an earlier engagement at Allen's Hill in October 1863.²²⁰ Whatever their intentions, the party suffered heavy casualties, with between 35 and 50 of their number killed.²²¹

²¹⁸ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.254-55.

²¹⁹ Paul Clark, 'Hauhau': *The Pai Marire Search for Maori Identity*. Auckland: Auckland University Press/Oxford University Press, 1975, p.13.

²²⁰ Vincent O'Malley, *The New Zealand Wars/Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2019, pp.154-55.

²²¹ James Cowan, *The New Zealand Wars and the Pioneering Period*. 2 vols. Wellington: Government Printer, 1983 (original ed. 1922), vol. 2, pp.21-26.

Following defeat at Ōrākau in April 1864, in the final battle of the Waikato War, supporters of the Māori King retreated south of the Pūniu River into what became known as the King Country, a region as yet beyond the effective control of the Crown. In June 1864 an invitation was extended to King Matutaera to come to Taranaki. Taiporohēnui, the site of the famous hui in 1854, was made available for the King and his entourage, who arrived in early August. There, Matutaera adopted the new faith and took the baptismal name Tāwhiao (though he would later develop his own Tariao religion). So did Rewi Maniapoto and many of the other leading Kīngitanga figures who had also travelled to Taranaki. The King and his supporters remained in Taranaki until December, hosted by Ngāti Ruanui and other iwi.²²²

Despite this, and perhaps reflecting the heavy losses sustained so far, Ngāti Ruanui were becoming more reluctant to fight. In January 1865 Ngāti Ruanui were said to have vowed that they would take up arms again only if attacked, though other reports suggested they were divided on the question of peace.²²³ Within weeks of this, the iwi of South Taranaki would be under attack again. Following completion of the Waitōtara purchase in 1863, in October 1864 the Crown sold lands in the block to settlers. As part of the preparations ahead of the sale, surveyors began laying out a road through the block. Local Māori viewed this as a matter of great concern. They had observed how construction of the Great South Road from Auckland had enabled the Crown to launch a ground invasion of Waikato in July 1863. Ngā Rauru warned that the road should not cross the Waitōtara River.²²⁴

Governor Grey was in no mood to heed this warning and in December issued orders to Lieutenant-General Duncan Cameron to use two regiments to secure ‘sufficient possession’ of land between the Pātea River and Whanganui in order to enable road construction through Waitōtara to continue. Confirming the fears of local Māori, Grey also signalled the construction of military settlements at such points along the road as might be found convenient.²²⁵

²²² Paul Clark, *‘Hauhau’: The Pai Marire Search for Maori Identity*. Auckland: Auckland University Press/Oxford University Press, 1975, pp.16-19.

²²³ Paul Clark, *‘Hauhau’: The Pai Marire Search for Maori Identity*. Auckland: Auckland University Press/Oxford University Press, 1975, pp.23-24.

²²⁴ Aroha Harris, ‘An “Iniquitous Job”? Acquisition of the Waitotara Block by the Crown’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #I20, pp.43-49.

²²⁵ Aroha Harris, ‘An “Iniquitous Job”? Acquisition of the Waitotara Block by the Crown’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #I20, p.47.

A position at Weraroa, on the Waitōtara block, had been fortified by Ngā Rauru and Ngāti Ruanui, with support from some Waikato and other iwi.²²⁶ Cameron set out from Whanganui on 24 January 1865 with 1000 troops, but informed Grey he would need double that number to take Weraroa. On their first night, the British set up camp at Nukumaru. As they were pitching their tents, the British came under fire, and four soldiers were killed or wounded in the skirmish. Worse followed the next day, when a 600-strong taua advanced on the British camp, killing 13 soldiers.²²⁷

Following these clashes, Cameron constructed three redoubts between Waitōtara and Pātea, crossing the Waitōtara River on 5 February but resisting Grey's desire for him to launch an assault on Weraroa.²²⁸ Cameron had become disillusioned with the war in New Zealand, describing the Waitōtara purchase as 'a more iniquitous job [crime or swindle] than that of the Waitara block'.²²⁹ Amidst an increasingly toxic relationship with Grey, he tendered his resignation as commander of British forces in New Zealand, but continued in office until his departure from the country in August.

The British bypassed Weraroa and pushed north. On 13 March 1865 they encountered a party of around 200 Māori, including Ngāti Ruanui, at Te Ngaio, about two miles from their own camp at Pātea. Throughout most of the New Zealand Wars Māori had avoided fighting in the open in an attempt to neutralise British advantages. Te Ngaio showed why. The British pursued the taua for several miles over open country, inflicting significant casualties. One wounded prisoner, asked why they had fought despite the insurmountable odds, responded 'What would you have us do? This is our village, these are our plantations. Men are not fit to live if not brave enough to defend their own homes.'²³⁰

²²⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.264.

²²⁷ Vincent O'Malley, *The New Zealand Wars/Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2019, p.159.

²²⁸ Aroha Harris, 'An "Iniquitous Job"? Acquisition of the Waitotara Block by the Crown', report commissioned by the Waitangi Tribunal, 1993, Wai-143, #I20, p.53.

²²⁹ Cameron to Grey, 28 January 1865, AJHR, 1865, A-4, p.6,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1865-I.2.1.2.4>.

²³⁰ Morgan S. Grace, *A Sketch of the New Zealand War*, London: Horrace Marshall & Son, 1899, pp.127-37.

The British were now deep in Ngāti Ruanui territory and by the end of March had reached as far as the Waingongoro River.²³¹ Grey wrote to Cameron that he was ‘very glad to hear...that you had given the Ngatiruanuis a thrashing’ at Te Ngaio, adding ‘This is the first time that tribe has come in for any punishment. It will, I think, do them good.’²³² Redoubts had been constructed at Waitōtara, Pātea, Kākārōma and Manutahi, where the British spent three days digging potatoes abandoned by their Ngāti Ruanui owners.²³³ Most of those not caught up in the fighting had again taken to the bush. Ngāti Ruanui were desperate to avoid further fighting and invited Crown official Robert Parris to come and meet with them at Te Kauae. Although reluctant, Parris eventually went at the end of June, hearing first-hand the desire of Ngāti Ruanui for peace.²³⁴

In a token of their desire for an end to the fighting, members of Ngāti Ruanui sent cartloads of food to the British at their redoubts. Meanwhile, large numbers of those defending Weraroa Pā began abandoning their position.²³⁵ Grey determined to lead an assault on Weraroa. On the evening of 21 July most of the remaining defenders slipped away. When Grey led a force of 800 colonial troops and their Māori allies into the pā the following morning no resistance was offered. Around 60 men were taken prisoner and transferred to Wellington, where they were held on a hulk in the middle of the harbour. Most of the prisoners later escaped, though some drowned in the attempt.²³⁶

On 1 August the governor revoked the proclamation of martial law that had been in place over Taranaki province since 1860. Some skirmishing continued. But in September Grey went a step further, declaring in a proclamation that the war that had commenced at Ōakura in May 1863 had now ended. All of those who had taken part in the war would be forgiven, with the exception of those involved in a number of specific killings. Grey expressed his hope that ‘the Natives will now have seen that resistance to the law is hopeless’. Those who came in and laid down their arms would be provided with lands in places to be pointed out to them out of those about to be

²³¹ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.97.

²³² Grey to Cameron, 16 March 1865, AJHR, 1865, A-4, p.17,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1865-I.2.1.2.4>.

²³³ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.266.

²³⁴ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.268-69.

²³⁵ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.269.

²³⁶ Heather Bauchop, ‘The Wars and Iwi Losses, Taranaki, 1860-1870’, report commissioned by the Waitangi Tribunal, June 1992, Wai 143, H11, p.87.

confiscated. Any Māori who refused to come in would not be eligible to take part in these arrangements.²³⁷

Grey's proclamation also announced that no more lands would be confiscated. In January 1865 two proclamations confiscated specific areas of land at Waitara and Ōakura under the New Zealand Settlements Act 1863. But no lands had been taken in South Taranaki. That all changed with proclamations dated the same day as Grey's peace announcement that (as discussed in a later chapter), confiscated all lands between the Whanganui River and Parininihi in northern Taranaki.²³⁸

Peace had been restored on paper only, and only on condition that the Taranaki tribes agreed to accept the confiscation of most of their lands as a fait accompli. In the immediate aftermath of the peace proclamation, confusion reigned as to whether further military operations were permissible. The killing of an interpreter and a 'native policeman' at Kākaremea early in October clarified matters, with Grey demanding a military response. By the middle of the month such operations had resumed.²³⁹

Cameron's replacement as overall commander of British forces in New Zealand, Trevor Chute, took an uncompromising approach to the war and began planning a major military offensive into southern Taranaki. At the end of December he led a 620-strong force, consisting of British and colonial troops and their Māori allies north from Whanganui to Waitōtara. Over the next five weeks he led an extraordinarily brutal campaign that saw at least eight pā and 20 villages attacked and destroyed. Most of the settlements attacked and torched in this way were Ngāti Ruanui ones. As James Belich notes, 'Not all the pa stormed were hostile, not all the villages burned were fortified, and not all the Maori slain were armed, but the devastation was just the same. This was the terrible strategy known as "bush-scouring" – sudden attacks on soft targets, even deep in the bush.'²⁴⁰

²³⁷ Proclamation, 2 September 1865, AJHR, 1866, A-5, pp.4-5,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1866-I.2.1.2.8>.

²³⁸ *New Zealand Gazette*, no.35, 5 September 1865, pp.265-67.

²³⁹ Heather Bauchop, 'The Wars and Iwi Losses, Taranaki, 1860-1870', report commissioned by the Waitangi Tribunal, June 1992, Wai 143, H11, pp.89-90.

²⁴⁰ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand, 1868-9*, Wellington: Allen & Unwin/Port Nicholson Press, 1989, p.8.

On 13 January Chute's forces attacked Ōtapawa, a Pai Mārire stronghold on the Tāngahoe River south of Hāwera. Around 30 Māori (out of an estimated 300 defenders) and 11 British were killed in the attack. Ketemarae followed two days later, when at least ten Māori were killed. A notable feature of the campaign was how few Māori prisoners had been captured. Some colonial commentators suggested at this time that Chute had personally revived the prestige of the British army in New Zealand. In New Plymouth plans were put in place to pay tribute to the gruff Irishman. But euphemisms concerning his 'vigorous' prosecution of the war likely papered over a multitude of sins.

This darker history of Chute's campaign came to light at least in part when one of his senior officers, Colonel Henry Edwin Weare, commander of the 50th Regiment in New Zealand, wrote a private letter to his brother, Rev. Thomas Weare, in England. Weare, who had served in the British Army since 1841 and taken part in the invasion of Waikato (including being present for the attack on Rangiaowhia in February 1864) wrote from the campaign front in Taranaki in January 1866 describing the killing of prisoners in cold blood and Chute's alleged orders that none should be taken alive.²⁴¹

During the attack on Te Pūtahi on 7 January, Weare and his men had captured an uninjured prisoner. But Weare reported that after he had returned to base camp at Pātea, Chute had received him 'very coldly...for taking this man alive, after his intimation of "no prisoners"'.²⁴² Weare had informed Chute that he 'could not order my men to kill a man after he had thrown down his arms and surrendered'. Instead, the prisoner was taken to another camp, held there for three days 'till the 11th, on which morning the General left at 3a.m.; and at 8, under instructions from the General, this prisoner was taken down to a gully, tied hand and foot, and then cruelly shot to death by some men of the Fiftieth'. Weare had written officially to Chute seeking to know whether orders had been given to the officer responsible for overseeing this

²⁴¹ 'Personal Notes', *Auckland Star*, 13 February 1899.

²⁴² Extracts from Colonel Weare to Rev. T.W. Weare, 13 January 1866, AJHR, 1867, A-1B, p.4, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

act, Captain Young, telling his brother ‘otherwise he has cast a stain on the name of the regiment’.²⁴³

Not that Weare blamed Chute alone for what had occurred. He declared that Chute had been urged on in ‘all these atrocities of killing and no prisoners’ by the governor and ministers, whose true sentiments had come out since Cameron’s departure. Weare added that:

The Natives will be very badly off for the next six months, for they have no open land open to them now, and they must fall back into the bush, make clearings, and cultivate, which will take them six months at least. The friendlies took two men the other day, one a chief, whose ears they cut off, dried in the sun, and presented them to their chief, with the request that he would wear them on his watch chain. Nice allies!...This wholesale confiscation should be inquired into, as there is not an inch of open land left them in the line from Mount Egmont to Parakeno. If you want peace, you must give your enemy a chance of living, and means of procuring food; at present they have none left to them. I hope the degrading and brutalizing manner in which this war is now conducted may be known in England, and the troops no longer be allowed to be demoralized by the Colonists for their sole selfishness’.²⁴⁴

Weare’s letter, which included other allegations of atrocities committed by Māori allies in the same campaign (including one man disembowelled alive and then thrown on a fire to die), so concerned his brother, Rev. T.W. Weare, that he alerted the British government to the statements, stating that these contained ‘evidence of further atrocities committed by the troops in New Zealand, under pressure, as would appear, from the Colonial Authorities’.²⁴⁵

Edward Cardwell, Secretary of State for the Colonies, via Permanent Under Secretary for the Colonies Frederic Rogers, had previously sent a letter to the War Office, stating that they had

²⁴³ Extracts from Colonel Weare to Rev. T.W. Weare, 13 January 1866, AJHR, 1867, A-1B, p.4, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

²⁴⁴ Extracts from Colonel Weare to Rev. T.W. Weare, 13 January 1866, AJHR, 1867, A-1B, p.4, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

²⁴⁵ T.W. Weare to E. Cardwell, 23 April 1866, AJHR, 1867, A-1B, p.4, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

been informed that ‘officers serving on the West Coast of New Zealand have received a semi-official notification through the Staff of General Chute that the General does not wish any prisoners to be taken, and that the General himself has stated that the Colonial Government does not want the expense of prisoners’. It was added that at least two prisoners were alleged to have been killed in compliance with this instruction and that it was further claimed ‘barbarities are perpetrated by the Native allies with the knowledge of our troops – two Natives, it is said, having been thrown on a fire, one alive, after being disembowelled, the other after his head had been cut off’.²⁴⁶

Rogers’ letter came a day after Rev. Weare had sought an interview with Cardwell (an old acquaintance from Christ Church College at Oxford University), enclosing another letter from his brother that repeated the allegations, and describing the contents as ‘witness to atrocities’ and ‘deliberate murders’.²⁴⁷ In it Colonel Weare emphasised that those acts attributed to Māori allies had been authorised and encouraged by officers, writing:

The General has ordered no prisoners to be taken, and already the most brutal things have been done, a man being disembowelled and then thrown alive on the fire; another his head cut off...this was allowed and encouraged in the camp, tho’ actually done by the native allies. But many acts of cruelty have been done by our men, urged on by the officers, under pressure from the General. One case, Captain Vivian, 2/14th, whose men wounded a man and smashed his knee-cap, asked what they were to do with him, and he said leave him alone. This officer was abused in terms I am afraid to repeat, in presence of his men, by his colonel and brother officers. This officer none can beat for gallantry.

* * * *

I will never allow a man of my regiment to butcher a man if it cost me my commission. I have seen young officers ready to cry, and my finest and most gallant officers are

²⁴⁶ F. Rogers to E. Lugard, 20 March 1866, AJHR, 1867, A-1B, p.1,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

²⁴⁷ T.W. Weare to Cardwell, 19 March 1866, GBPP, 1867-68 [4019], p.27.

disgusted at being lowered into colonial butchers. The General told me the Colonial Government did not want the expense of prisoners.

* * * *

Another old man and woman were taken and feasted, then told to go, and when a few yards shot down, the woman escaping. The man, in the case of Captain Vivian, was immediately shot down with a dozen bullets.²⁴⁸

Cardwell wrote to Governor Grey, shortly after receiving the first letter from Rev. Weare, at the same time seeking reassurances that military operations in New Zealand were being conducted in accordance with ‘the humane usages of civilized warfare’.²⁴⁹ Late in April Cardwell wrote again to Grey, this time enclosing extracts from one of Colonel Weare’s letters to his brother on the subject.²⁵⁰

Grey responded indignantly to Cardwell’s first letter, denying that he had ever, directly or indirectly, informed anyone that the colonial government did not want the expense of prisoners. He stated that he only ever twice heard of allegations of prisoners being executed by Crown forces in New Zealand. In the first instance, he had read in a newspaper that troops under Chute had committed such an act, but subsequently been reassured that the General had intervened when the matter had been raised with him, issuing orders for the man’s life to be spared. He then heard that Chute’s supposed intervention had come too late to save the man’s life. The second case, according to Grey, involved two prisoners on the East Coast ‘tried and shot by our Native Allies’, who had subsequently been ordered to abstain from such proceedings again in the future. Beyond these two exceptions, Grey added that ‘I have heard no other allegations of acts of cruelty, except in the case of the attack made on the Native Mission Village of Rangiaohia, by the European Forces under General Cameron, one Sunday morning (21st

²⁴⁸ Extracts of letter dated Patea, 10 January 1866, enclosure to T.W. Weare to Cardwell, 19 March 1866, GBPP, 1867-68 [4019], p.27.

²⁴⁹ Edward Cardwell to Grey, 26 March 1866, AJHR, 1867, A-1B, p.1,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

²⁵⁰ Cardwell to Grey, 26 April 1866, GBPP, 1867-68 [4019], pp.1-2.

February, 1864). In that case, he noted, ‘I heard with sorrow those reports, but...could not tell whether they were true or not’.²⁵¹

Responding subsequently to extracts from Weare’s letter, Grey noted that the accusations made were ‘charges of enormous and atrocious cruelties practised either by the troops or with their knowledge’. He was highly critical of Weare’s failure to officially report the allegations so that they could be investigated and refused to respond to the substance of the claims made.²⁵²

Colonel Weare, meanwhile, finding his private correspondence a matter of very serious and unexpected controversy, now claimed that the statements contained in his letters had been nothing more than ‘camp rumours’.²⁵³ It seems clear that if he had wanted the substance of the allegations made known in England, it was never his intention that his own name should be attached to them.²⁵⁴ Significantly, however, he still insisted that it was his clear understanding that Chute did not wish any prisoners to be taken, declaring ‘I certainly myself understood that the Major-General did not wish prisoners’.²⁵⁵

For his part, Chute claimed that, although he had told his men that the campaign was planned to punish rebels, not take prisoners, he had never intended this to be taken as implying or condoning the execution of prisoners. He asserted that no prisoners had been killed by his own men.²⁵⁶

That prisoners were executed is confirmed in other sources, including Gustavus Ferdinand von Tempsky’s, *The West Coast Campaign under Major-General Chute*, first published anonymously in 1866. Describing the attack on Te Pūtahi pā on 7 January, von Tempsky wrote

²⁵¹ Grey to Cardwell, 13 June 1866, AJHR, 1867, A-1B, p.2,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

²⁵² Grey to Cardwell, 30 June 1866, AJHR, 1867, A-1B, pp.4-7,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

²⁵³ Colonel Weare to Assistant Military Secretary, 6 June 1866, AJHR, 1867, A-1B, p.7,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

²⁵⁴ Rev. Weare informed the British government that he had ‘received a letter from my brother entirely disapproving of the step I took in making use of his private letter’. T.W. Weare to Earl of Carnarvon, 20 August 1866, GBPP, 1867-68 [4019], p.28.

²⁵⁵ Colonel Weare to Assistant Military Secretary, 6 June 1866, AJHR, 1867, A-1B, p.7,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>.

²⁵⁶ B.J. Dalton, *War and Politics in New Zealand 1855-1870*, Sydney: Sydney University Press, 1967, p.250.

that, ‘The firing between the pa and the Rangers continued for about an hour, and judging from what a prisoner said afterwards, had told well upon the Hau-haus; and after giving this information the prisoner was ‘freed’ from the cares of this life’.²⁵⁷ The execution of prisoners during Chute’s Taranaki campaign was further brought to public attention by newspaper reports published at the time, including at least one highly critical response.²⁵⁸ Weare’s statements should have come as no surprise to newspaper readers in New Zealand.

Contrary to Colonial Office expectations, the whole saga would soon be played out in public. Cardwell had sent the original allegations to Grey in a confidential despatch. Grey had immediately shared the contents of the despatch with the Executive Council.²⁵⁹ This action, and his description of its contents as a ‘base and wicked calumny’ (even after confirming his awareness of cases where prisoners had been shot), prompted a rebuke from the Colonial Office and contributed to the eventual decision to terminate his governorship.²⁶⁰ The recriminations continued for some time. By April 1867 news of Weare’s original allegations were published in the colonial newspapers, prompting a further round of anger directed at the by this time contrite military officer. In August the Legislative Council passed resolutions endorsing Grey’s actions in defending the colony from ‘unfounded charges’ that were ‘a stain upon the Christian character of the nation’.²⁶¹ By the following month the House of Representatives, after appointing a special select committee to consider the whole matter, had done likewise.²⁶²

Chute received a hero’s welcome upon his return to New Plymouth on 27 January 1866, despite a near-disastrous inland route back to the settlement. Ngāti Ruanui, meanwhile, were left to

²⁵⁷ [G.F. von Tempsky], *A Campaign on the West Coast of New Zealand*, Whanganui: Times, 1866, p.16.

²⁵⁸ ‘Barbarous Deeds’, *Daily Southern Cross*, 27 January 1866,

<https://paperspast.natlib.govt.nz/newspapers/DSC18660127.2.21.4>.

²⁵⁹ Minute entered on proceedings of the Executive Council of New Zealand, 23 May 1866, GBPP, 1867-68 [4019], pp.9-10.

²⁶⁰ Extract from Minutes of the Executive Council, 23 May 1866, AJHR, 1867, A-1B, p.3, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.3>; Dalton, *War and Politics in New Zealand*, pp.253-56; A.J. Harrop, *England and the Maori Wars*, London: New Zealand News, 1937, ch.13.

²⁶¹ Extract from Journal of the Legislative Council, 2 August 1867, GBPP, 1867-68 [4019], p.23; NZPD, 2 August 1867, vol.1, pt.1, pp.283-89.

²⁶² Extract from the Journals of the House of Representatives, 4 September 1867, GBPP, 1867-68 [4019], pp.24-26; NZPD, 4 September 1867, vol.1, pt.2, pp.732-38; ‘Report of Select Committee as to the Allegations of Colonel Weare, C.B.’, *Daily Southern Cross*, 29 August 1867, <https://paperspast.natlib.govt.nz/newspapers/DSC18670829.2.23>.

pick up the pieces. An unknown but significant number had been killed, their homes, crops and cattle all either destroyed or plundered. They were left with nothing. Among the settlements destroyed was Manawapou, including the Taiporohēnui whare built in 1854.²⁶³

Although this was the last major campaign in which British troops fought before being progressively withdrawn from the colony between 1866 and 1870, colonial militia were ready to step in to their place. Surveyors began work on the confiscated lands. But even after bearing the brunt of Chute's scorched earth campaign, Ngāti Ruanui remained unwilling to accept the validity of the confiscation of their lands. In March 1866 the Taranaki Superintendent informed the Colonial Secretary that:

...after carefully considering the subject with those here whom I consider the best qualified to form an opinion as to the course which should be adopted, I have come to the conclusion that, before any settlers (whether called Military or Agricultural) are located on lands at points intermediate between Patea and Stony River, it will be necessary either to reduce the Natives of that District to submission and to acquiescence in the confiscation of the land, or to inflict so severe a chastisement on them that they practically abandon the contest.²⁶⁴

What would it take to break Ngāti Ruanui and other iwi of South Taranaki? They had suffered terribly in Chute's recent campaign, but even that had failed to do the job. From the perspective of at least some Crown officials, they would have to suffer more.

With the British army no longer available to fight in most circumstances, in June 1866 Thomas McDonnell, a veteran of the Waikato War, took command of the colonial forces stationed at Pātea. He had more recently taken part in Chute's scorched earth campaign and been wounded

²⁶³ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.272.

²⁶⁴ H.R. Richmond to Colonial Secretary, 28 March 1866, AJHR, 1866, A-2A, p.11, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1866-I.2.1.2.3>.

in the attack on Te Pūtahi. His own short but bloody campaign in the second half of 1866 was just as pitiless.²⁶⁵

A contingent had been posted to the area in order to allow the survey of confiscated lands between the Waitōtara and Waingongoro rivers to proceed under armed guard. At one o'clock in the morning of 2 August 1866 McDonnell led 200 troops, some of them drunk, into the settlement of Pōkaikai. Rangatira Ngāhina Nātanahira was then absent at New Plymouth negotiating peace with government official Robert Parris. It appears that the chief was attempting to mediate peace on behalf of Ngāti Ruanui more broadly.²⁶⁶ But McDonnell was miffed that the rangatira had not submitted directly to him. He wanted the glory for himself. The Tāngahoe people of Pōkaikai would be punished for this perceived snub. Like Rangiaowhia, Pōkaikai was an open village, many of its residents at the time women, children and elderly men.²⁶⁷

As McDonnell's forces approached, they opened fire on the sleeping residents. A 10-year old girl watched as her grandparents were shot and killed. Another child was fired on unsuccessfully. A trooper demanded that the chief's wife hand over an earring made of shark's tooth. When she refused, he took out a knife and cut it from her ear. The village was then torched and women and children taken prisoner. There were rumours that at least one wounded woman was raped, an official inquiry later concluding that no 'wanton outrage' had been committed by any enrolled member of the force.²⁶⁸

Although two members of the 1868 Parliamentary inquiry into the Pōkaikai scandal found McDonnell's attack was acceptable, a minority report from George Graham condemned it as

²⁶⁵ James Belich. 'McDonnell, Thomas', Dictionary of New Zealand Biography, first published in 1990. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/1m33/mcdonnell-thomas> (accessed 17 August 2023).

²⁶⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.285.

²⁶⁷ James Belich, 'I Shall Not Die': Titokowaru's War, New Zealand 1868-1869. Wellington: Allen & Unwin/Port Nicholson Press, 1989, pp.39-40.

²⁶⁸ Report of the Pokaikai Commission, 11 August 1868, AJHR, 1868, A-3, ii,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1868-I.2.1.2.4>; Lachy Paterson and Angela Wanalla, *He Reo Wahine: Māori Women's Voices from the Nineteenth Century*, Auckland: Auckland University Press, 2017, pp.89-99.

‘improper and unjust’.²⁶⁹ Following the attack, McDonnell was unrepentant, threatening to carry fire and sword through their country if those resisting the confiscations did not immediately surrender and taking the chief’s son as hostage until he received an answer. A group of about 30 Ngāti Ruanui took an oath of allegiance at Ōhangai on 7 August.²⁷⁰

On 3 September 1866 McDonnell attacked the settlement of Kete Mara, killing as many as six people. A further significant engagement occurred at Te Pungarehu on 2 October 1866, another night time attack on a village that was torched and destroyed, with an estimated 30 Māori killed, some buried inside the burning ruins of their whare.²⁷¹ Several further villages, including Te Popoia and Tirotiromoana, were attacked and destroyed before McDonnell’s ruthless operations were wound up in November 1866. Members of the 18th Royal Irish Regiment, 2nd Battalion, took part in some of these operations under Major J.H. Rocke. They even temporarily destroyed the settlement at Te Maru-o-te-Whenua, a short distance from Te Ngutu-o-te-Manu, one of the epicentres of renewed Taranaki warfare two years later.²⁷²

Meanwhile, Ngāti Ruanui emissaries attempting to treat for peace were arrested and imprisoned on Marsland Hill overlooking New Plymouth. By mid-November most villages south of Waingongoro had surrendered and it was reported that only three Ngāti Ruanui hapū, with about 200 fighting men in all, were continuing to hold out.²⁷³ The Crown had attempted to lure others with promises of land for them to settle on north of the Pātea River if they made their surrender.²⁷⁴ But once the limited extent of the lands to be returned became apparent, and ‘creeping confiscation’ ate into the rest, further resistance was likely.²⁷⁵ As Tony Sole explains:

Governor Grey, in 1865, declared all coastal land from Stony River to Waitōtara to be confiscated, although the government did not have the means to enforce it at that time.

²⁶⁹ Graham to Governor Bowen, 22 July 1868, AJHR, 1868, A-3, p.26,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1868-I.2.1.2.4>.

²⁷⁰ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.287.

²⁷¹ McDonnell to Captain Holt, 4 October 1866, AJHR, 1867, A-1A, pp.16-17,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.2>.

²⁷² Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.292-93.

²⁷³ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.293,

²⁷⁴ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.292.

²⁷⁵ James Belich, ‘I Shall Not Die’: *Titokowaru’s War, New Zealand 1868-1869*. Wellington: Allen & Unwin/Port Nicholson Press, 1989, p.14.

The medium-term result, however, meant that, in the Crown's eyes, when Māori returned to their land after the government depredations in 1865-66 they were, in effect, squatting on Crown land. This became a source of confusion and ill-feeling, for the tribes returned on the assumption that Pākehā had taken their share when the military campaigns stopped.²⁷⁶

Unresolved tensions over raupatu would soon see a resumption of fighting in the region, despite the deep desire of Ngāti Ruanui and other iwi for an end to the wars they had endured since 1860.

²⁷⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.299.

11. Titokowaru's War

Following the short but deadly campaigns led by Chute and then McDonnell in 1866, the province of Taranaki saw a halt to hostilities. But war clouds remained on the horizon. In 1865 the confiscation of nearly 1.2 million acres of land, stretching from Parininihi in northern Taranaki down as far almost as Whanganui, had been proclaimed. Under pressure from Whanganui Māori 'loyalists', in January 1867 the Crown had reluctantly abandoned confiscation south of the Waitōtara River. But on paper, at least, all of the lands north of that point had been confiscated.²⁷⁷

What remained unclear was whether that paper confiscation would become a reality. By 1868 the answer to that question was becoming more obvious as surveyors pushed onto the lands, converting nominal into real raupatu.²⁷⁸ For Ngāti Ruanui and the other Taranaki tribes who had already suffered enormously since 1860, renewed warfare was hardly an attractive proposition. Instead, Māori leaders sought to promote peaceful co-existence, combined at times with a strategy of non-violent resistance to the land takings.²⁷⁹

Even those who had not made their submission sought a resumption of peace in the area. At a meeting held at Te Ngutu-o-te-Manu in February 1867 Ngāti Ruanui who had held out agreed that the time for fighting was now over. A letter was sent to military officers in the area declaring that 'The reason of our meeting is we wish to return to our former position and live in peace with the Pakehas.'²⁸⁰ Later that month a group of Ngā Rauru and Ngāti Ruanui rangatira went one step further, penning a letter to Queen Victoria. An English translation of their letter was later published. In it they wrote that:

We have fought, the cause was the land, and our land has been taken away entirely by the Europeans, and we are like the morning mist which floats away in the space

²⁷⁷ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, ch. 5.

²⁷⁸ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*', Wellington: Bridget Williams Books, 1989, p.14.

²⁷⁹ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia, 2005, pp.304-07.

²⁸⁰ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*', Wellington: Bridget Williams Books, 1989, p.10.

between heaven and earth, when the day is fine (time of peace) that mist entirely disappears, this is our simile for us who remain.

O Lady, the Queen, we strive to find out the practice of the law (Court) which takes away our land, whether indeed it comes from England or only from this country, this is our inquiry. Does it come from you, O Queen, or from the Europeans here only? All our land has gone to the European, from the Waitotara to Whenuakura, thence to the Patea, as far as Tangahoe, as Waingongoro, as Kaupokonui, and inland to the backbone of the country, all has passed to the European. To you, O our Queen, and to your whole Council, belong the decision whether our land shall be restored by the European for our support, for the cultivation of those things which sustain the life of the European.²⁸¹

Māori appeals directly to Queen Victoria, the person with whom they entered into the Treaty of Waitangi with in 1840, were not uncommon in the later nineteenth century, driven in part by the assumption that she was personally obliged to ensure the agreement entered into on her behalf was honoured (and partly by the belief that they could not expect to obtain justice from settler governments in New Zealand).²⁸² But in this instance the British government insisted it could not even consider the petition, because it had reached it via the missionary Richard Taylor and not through the governor (though the Under Secretary of State for the Colonies insisted they would not have intervened with the decisions of the New Zealand government regardless of whether correct protocol had been followed).²⁸³

A further hui at Te Ngutu-o-te-Manu later in March 1867 confirmed the desire of Ngāti Ruanui for peace, but also their ongoing opposition to the survey of confiscated lands in the area. They accused government official Robert Parris of having lured them out of the bush with promises

²⁸¹ AJHR, 1868, A-1A, p.10, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1868-I.2.1.2.2>.

²⁸² Vincent O’Malley, ‘Kingitanga and Crown: New Zealand’s Maori King Movement and its Relationship with the British Monarchy’, in Robert Aldrich and Cindy McCreery (eds), *Crowns and Colonies: European Monarchies and Overseas Empires*, Manchester: Manchester University Press, 2016, pp.163-76.

²⁸³ Under Secretary of State for the Colonies to Taylor, 21 November 1867, AJHR, 1868, A-1A, p.11, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1868-I.2.1.2.2>.

of peace, only to be starved on the plains. They resolved on a strategy of non-violent resistance against the surveys.²⁸⁴

Following a number of incidents, Resident Magistrate James Booth met with two Pakakohi rangatira on 15 May. They were angry that the Crown was now trying to take their lands, even though fighting had ended, and one told him:

I speak on behalf of my tribe the Pakakohi. The surveyors shall not cross the Patea. You are a bad man, you come amongst this people professing to bring peace and goodwill, we agree to peace and now you want to steal our land. If the Governor wanted to take our land why did he not take it at the time fighting was going on, and not first make peace with us, and afterwards take our land?²⁸⁵

Booth tried to claim that their lands had been confiscated in 1865 and they were aware of this all along. But since no one had taken possession of the lands, that nominal taking had no practical effect. It was only when surveyors and settlers arrived on the land that confiscation became a reality. The rangatira told him in response that they ‘will not strike the first blow...but we will send off anyone who may attempt to make any survey on our lands’.

Although the surveys were temporarily suspended while Booth sought instructions, Ngāti Ruanui leaders believed it was only a matter of time before they were resumed. They began debating what to do at that point. At issue was whether they should take up arms again if it came to it. For many, that was unthinkable after all that they had already been through. It was preferable, from this perspective, to seek the return of as much confiscated land as they could while accepting, for the sake of peace, that the rest would be taken.²⁸⁶

²⁸⁴ A.S. Atkinson, Journal, 6 April 1867, G.H. Scholefield (ed.), *The Richmond-Atkinson Papers*, Wellington: Government Printer, 1960, vol. 2, p.239; Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.305.

²⁸⁵ James Belich, ‘*I Shall Not Die’: Titokowaru’s War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, p.15.

²⁸⁶ James Belich, ‘*I Shall Not Die’: Titokowaru’s War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, p.15.

In June 1867 one southern Taranaki leader organised a peace hikoi, having previously proclaimed it ‘the year of the lamb’.²⁸⁷ Riwha Titokowaru of Ngāruahine, Ngāti Ruanui, and Ngā Rauru (but most closely identified as Ngāruahine) the instigator of these peace initiatives, had previously fought against Crown forces, losing an eye at Sentry Hill in April 1864. An early convert to the Pai Mārire faith, Titokowaru’s own standing had grown since the seizure and subsequent death of its founder, Te Ua Haumene in 1866. As Titokowaru took on a more prominent role as a peacemaker and spiritual leader for his followers, he was also confronted with difficult choices around how to respond to what was happening to his people.²⁸⁸

The survey of 50,000 acres south of the Waingongoro River for a military settlement soon resumed. It did so under military occupation. An August 1867 return listed 154 officers and men garrisoned between the Pātea and Waingongoro rivers, with a further 113 men liable to serve in the militia having been called out for actual service, along with other military settlers and members of the Native Contingent.²⁸⁹ European settlement of Pātea and Hāwera commenced with military occupation. At Hāwera, for example, a blockhouse was the central feature of the settlement, around which 30 blocks of ten acres each were farmed by the military settlers, most of whom remained too scared to settle on their rural allocations further from the town.²⁹⁰

As is discussed in more detail in a subsequent chapter, various lands had also been reserved for ‘loyal Natives’ and ‘returning rebels’ as inducements to come in. These included 12,000 acres between the Whenuakura and Pātea rivers, along with other lands between Pātea and Waingongoro.²⁹¹ Actually receiving titles to these lands was another matter, however, and many rangatira increasingly came to view the government’s promises as hollow ones.²⁹² They could

²⁸⁷ James Belich, ‘*I Shall Not Die*: Titokowaru’s War, New Zealand 1868–1869, Wellington: Bridget Williams Books, 1989, pp.16, 23.

²⁸⁸ James Belich. ‘Titokowaru, Riwha – Titokowaru, Riwha’, Dictionary of New Zealand Biography, first published in 1990, updated April, 2011. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/1t101/titokowaru-riwha> (accessed 6 September 2024).

²⁸⁹ ‘Return of Land Confiscated in Waitotara and New Plymouth’, 16 August 1867, AJHR, 1867, A-16, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.25>.

²⁹⁰ G.I. Rawson, ‘The Evolution of the Rural Settlement Pattern of Lowland South Taranaki 1860–1920’, MA thesis, University of Canterbury, 1967, p.15.

²⁹¹ Parris to J. C. Richmond, 11 June 1867, AJHR, 1867, A-18, p.7.

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1867-I.2.1.2.27>.

²⁹² Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.308.

see the lands being taken from them. It was much harder to see any actual evidence of lands being returned.

Describing the overall situation in the area at around this time, historian James Belich writes that:

By the end of 1866, South Taranaki had been disembowelled. The surviving Ngati Ruanui and Ngarauru had fled the coastal lowland for their ancient fastnesses in the mountainous inland forest. But the notion that Maori could easily pluck a living from the bush was always nonsense: these refuges could not feed them for long, and soon some had to trickle back the arable areas, under the shadow of British redoubts. This was the classic lever by which Maori groups were prised into some sort of submission: concede, become ‘insiders’ and lose some of your best land, or remain ‘outsiders’, independent in your bush fastnesses, and lose the lot. So the people emerged from their hideouts and set about picking up the pieces of their lives, renewing cultivations, building new villages, and rebuilding some of the old. The mere cessation of violence was not enough to allow this process of reconstruction. The tensions between tribe and subtribe, born of desperate and sometimes selfish resistance and collaboration, had yet to be repaired. There were still more than 1,000 troops in the district, Imperial, colonial, and kupapa, and the situation was always ready to explode like an unstable bomb. Until peace was formalised and given some prospect of permanence, the situation remained hopelessly insecure.²⁹³

The powder keg that was South Taranaki would soon blow. After the year of the lamb came the ‘year of the lion’.²⁹⁴ In March 1868 Titokowaru held the latest hui at the settlement he and his followers had founded at Te Ngutu-o-te-Manu, declaring his opposition to the Kingitanga and renouncing military action against the Crown.²⁹⁵ But he also authorised a series of taua muru, or raiding parties, designed to exact utu from Pākehā now occupying the confiscated lands.

²⁹³ James Belich, ‘I Shall Not Die’: Titokowaru’s War, New Zealand 1868–1869, Wellington: Bridget Williams Books, 1989, pp.8–9.

²⁹⁴ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, p.100.

²⁹⁵ James Belich, ‘I Shall Not Die’: Titokowaru’s War, New Zealand 1868–1869, Wellington: Bridget Williams Books, 1989’, p.46.

These kinds of plundering expeditions had long been employed by Māori as an alternative to war.²⁹⁶ In this instance they were clearly intended to send a message to those in occupation of the lands confiscated from the iwi of South Taranaki. And yet, to the European settlers and authorities in Taranaki, these were petty thefts that demanded a response – not the entirely understandable and restrained actions of a people who had seen nearly everything they had taken from them. What followed was a war that shook the settlers and government authorities to the bone, while carving out Titokowaru's reputation as a remarkable military leader.

In May 1868 Pātea Resident Magistrate James Booth raided Te Ngutu-o-te-Manu, seizing horses and other property taken from the settlers and taking a group of men away as prisoners.²⁹⁷ There is some evidence to suggest the horses in question might originally have been stolen from Māori.²⁹⁸ On 7 June one of the men broke free and returned to his own people. Booth demanded that he be handed over.²⁹⁹ To comply would effectively legitimate the Crown's authority over the area, including the finality of the land confiscations. Titokowaru gave his answer two days later, when three military settlers out sawing timber near the Waingongoro River were attacked and killed at his behest. A few days after this a member of the constabulary who had left Waihi redoubt north of Hāwera to search for his horse was ambushed and attacked. Trooper Smith's legs were left lying in the bush but the rest of his body was taken to Te Ngutu-o-te-Manu, where it was ritually consumed.³⁰⁰ Titokowaru's war had begun.

Titokowaru had not personally taken part in this act but used confirmation of the deed to instil fear and horror among the settler population in a letter from late June sent via a 'loyalist' chief known as Puano. It was remarkably effective. Wild rumours circulated as to his movements and intentions. And a series of stunning victories over colonial forces only added to the general sense of dread. That was also reflected in the aftermath of these conflicts. Historian James

²⁹⁶ Vincent O'Malley, *The Meeting Place: Māori and Pākehā Encounters, 1642-1840*, Auckland: Auckland University Press, 2012, pp.203-07.

²⁹⁷ Booth to J.C. Richmond, 15 May 1868, GBPP, 1868-69 (307), pp.207-08.

²⁹⁸ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.313.

²⁹⁹ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, pp.53-56.

³⁰⁰ James Cowan, *The New Zealand Wars and the Pioneering Period*, Wellington: Government Printer, 1983, vol. 2, p.182.

Belich writes that ‘Titokowaru’s War is a dark secret of New Zealand history, forgotten by the Pakeha as a child forgets a nightmare’.³⁰¹

In the message to Puano sent in late June 1868, Titokowaru claimed to have eaten the flesh of the trooper killed on the 12th of that month, while also declaring ‘I shall not die; I shall not die. When death itself is dead I shall be alive’.³⁰² There is no evidence that he had personally engaged in cannibalism. It hardly mattered: his statement, and wild rumours in circulation as to his movements and intentions, had the desired effect. However, not all Ngāti Ruanui were willing to support Titokowaru’s actions and some wrote letters condemning the killing of the settlers.³⁰³ Above all, they sought a swift restoration of peace.

It was not to be. In the early hours of 12 July 1868, 60 of Titokowaru’s men, led by Haowhenua, attacked the garrison at Turuturumōkai, less than two miles north of Hāwera. By the time that reinforcements, led by Gustavus Ferdinand von Tempsky arrived, ten of the garrison had been killed and another six lay wounded.³⁰⁴ Of the garrison of 22, just six men escaped unscathed. It was during this attack that an old practice was revived, the heart of the first killed removed as an offering to Tūmatauenga, the god of war.³⁰⁵

Following the attack at Turuturumōkai, Thomas McDonnell vowed revenge. Late on the evening of 10 August 1868 he led a force of 300 colonial troops against Titokowaru’s own stronghold of Te Ngutu-o-te-Manu, north of Hāwera. In heavy rain, the party got soaked and lost, their guide, Lucy Takiora, unable to lead them to the pā. McDonnell aborted the expedition early the following morning.³⁰⁶

³⁰¹ James Belich. ‘Titokowaru, Riwha - Titokowaru, Riwha’, Dictionary of New Zealand Biography, first published in 1990, updated April, 2011. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/1t101/titokowaru-riwha> (accessed 6 September 2024)

³⁰² Titokowaru to Puano, 25 June 1868, GBPP, 1868-69 (307), pp.216-17.

³⁰³ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.315-17.

³⁰⁴ Von Tempsky to McDonnell, 12 July 1868, AJHR, 1868, A-8, p.37,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1868-I.2.1.2.10>.

³⁰⁵ James Belich, ‘I Shall Not Die’: Titokowaru’s War, New Zealand 1868-1869, Wellington: Bridget Williams Books, 1989, pp.81-97.

³⁰⁶ James Belich, ‘I Shall Not Die’: Titokowaru’s War, New Zealand 1868-1869, Wellington: Bridget Williams Books, 1989, pp.102-03.

A second expedition involving 350 troops set out early on 21 August 1868. This time the attacking force, consisting of Armed Constabulary and volunteer forces from Taranaki and Wellington, managed to find their way to the pā, its occupants caught by surprise and forced to take cover in the nearby bush. McDonnell ordered his men to search the settlement for arms and ammunition before torching the various whare, beginning with Titokowaru's own home. Titokowaru's fighters then rallied, firing on the troops from their bush cover, compelling McDonnell's men to retreat. There had been a few casualties on both sides but the engagement had been far from decisive, despite initial settler press reports claiming a crushing victory.³⁰⁷

On 7 September 1868 McDonnell led 360 men, including 110 Whanganui Māori under Te Keepa Te Rangihewinui (Major Kemp), along with volunteers and constabulary, against Te Ngutu-o-te-Manu for a third time. Advancing through dense bush with a view to attacking a village immediately behind the actual pā, McDonnell's force became lost and eventually arrived at a different location, the open clearing in front of the pā they walked through removing any element of surprise. As the colonial troops advanced towards the pā, they found themselves under heavy fire from front, right and rear, but could see no enemy. Alerted to the advancing troops, Titokowaru had issued instructions for his small band of defenders, around 40 in all, to conceal themselves in the bush while the remaining 20 men occupied the pā with him. Kimble Bent, an American by birth and deserter from the 57th Regiment who served as a gunsmith for Titokowaru, was also ordered out of the pā before the fighting started.³⁰⁸

Not for the first time, the British had fallen into a trap. Hit from nearly every direction by an invisible combatant, McDonnell's men were easy targets, falling in great numbers in a matter of minutes. Among those killed was von Tempsky, known to Māori as Manu-Rau (one hundred birds) on account of his ability to rush from one place to another, doing the work of many soldiers. Troops who had witnessed his death began to panic. With many officers felled, the subsequent retreat was chaotic and confused. Titokowaru's small band gave chase, inflicting

³⁰⁷ Thomas McDonnell to Under Secretary for Colonial Defence, 22 August 1868, AJHR, 1868, A-8, pp.48-49, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1868-I.2.1.2.10>.

³⁰⁸ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, pp.116-18.

many more casualties. The last of the survivors from this rout reached their camp 8 kilometres away four days later.³⁰⁹

In all the colonial forces lost 24 killed and 26 wounded, along with an unknown but probably small number of Te Keepa's men. Three of Titokowaru's fighters were killed in the engagement. Among the few prisoners captured was a six-year old boy, Ngatau Omahuru, who was later informally adopted by former premier William Fox and his wife Sarah. He went on to become a law clerk but was many years later reunited with his family. Another small boy had been killed because he would not keep quiet when captured. An eyewitness account describes the child being repeatedly struck on the head with the butt of a rifle by a member of the Native Contingent, before a European soldier stepped forward to put the child out of its misery with a single shot.³¹⁰

Recriminations were swift, not because of the obvious atrocity committed against the child but due to the crushing defeat suffered by Crown forces. McDonnell, who had pointed the finger at multiple others for the disaster, was replaced by George Whitmore as the officer in charge of the hunt for Titokowaru. Many of the demoralised colonial troops deserted or refused further service. Lacking a sufficient force to hold their position, the government withdrew their remaining troops from the redoubt at Waihi, close to Hāwera, all the way south to Pātea, effectively ceding the territory in between to Titokowaru. His mana had only grown as a result of the battle and anxious officials reported that Māori elsewhere had cheered the result, predicting that the country would be returned to them after all. The millenarian promises of Pai Mārire appeared on the cusp of fruition.³¹¹

Following Te Ngutu-o-te-Manu, Titokowaru spent some time attempting to draw the colonial forces into battle again. But Whitmore would not take the bait, claiming inadequate troop numbers and widespread disaffection among those still serving. And so Titokowaru changed

³⁰⁹ James Cowan, *The New Zealand Wars and the Pioneering Period*. 2 vols. Wellington: Government Printer, 1983 (original ed. 1922), vol. 2, pp.202-14.

³¹⁰ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, pp.118-19; J.H. Walker, 'The Defeat at Te Ngutu-o-te-Manu', W.F. Gordon, Correspondence and Research Material, Te Papa Tongarewa Museum of New Zealand.

³¹¹ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, pp.138-47.

tack. If the troops would not come to him, he would need to go to them. The new pā built by him at Moturoa, near present-day Waverley, was around ten miles south of Whitmore's headquarters at Pātea and within striking distance of Whanganui. After the recent disaster, anything was possible. Whitmore was left with no alternative but to tackle Titokowaru head on.³¹²

In the early hours of 7 November 1868, Whitmore and a force of around 550 men, including Te Keepa's party, marched inland from their redoubt at Wairoa (Waverley) for Moturoa. Te Keepa's scouts pressed forward, returning to report that they had not been seen, and that a surprise advance on the pā could be carried out without any unreasonable danger. Whitmore drew confidence from the fact that the pā was clearly unfinished. A plan was formulated that involved Te Keepa's men taking up position at the rear of the pā, with Whitmore remaining at the front and a third group led by Major Hunter storming what appeared to be the most vulnerable point on the left flank.³¹³

Far from being caught by surprise, Titokowaru's forces were ready and waiting. Hunter got to within a few metres of the pā with relative ease, only for the defenders to fire down upon them from their concealed position, killing Hunter and many of his men within minutes. Those who survived withdrew from their positions and Whitmore ordered his men to retreat. But Titokowaru's fighters now came out of their rifle pits and gave chase most of the way back to their redoubt. The colonial forces lost 19 killed and 20 wounded during the engagement. Whitmore later felt compelled to explain that he had been unaware at the time of ordering the retreat that not all of those who fell had been safely removed. Given that one soldier's remains were cooked and consumed by a small number of those in the pā, the imperative to remove them had been great.³¹⁴

³¹² 'Turuturumōkai to Moturoa', <https://nzhistory.govt.nz/war/titokowarus-war/turuturumokai>, (Ministry for Culture and Heritage), updated 26-Oct-2021.

³¹³ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, pp.162-68.

³¹⁴ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, pp.169-79.

Although not on the same scale as Te Ngutu-o-te-Manu, Moturoa had been another disaster for the colonial troops. Within days came reports of Te Kooti's deadly attack on Matawhero, on the other side of the island, compelling Whitmore and many of his men to sail for Tūranga (Gisborne district). Titokowaru had not only held his ground but advanced deep into territory that ought to have been comfortably held and defended by the colonial forces. Moturoa 'changed a grave situation into an acute national emergency'.³¹⁵ After this succession of catastrophic and unexpected defeats on both coasts of the North Island, the colony faced an existential crisis. Relations with Britain hit a low point, with many settlers angry at the withdrawal of imperial regiments from the country. And some worried what might happen if Titokowaru was ever joined in the field by the Kingitanga, defeated but far from destroyed in its own clash with the Crown.

More in desperation than expectation, the government offered a reward of £1000 for the head of Titokowaru, dead or alive. Like Hone Heke decades earlier, Titokowaru responded by putting up a reward of his own for the governor's head (2 shillings and 6 pence, or 25 cents). The government later defended its reward by declaring that it should not be restrained by the laws of war between 'civilized nations' when fighting such a foe.³¹⁶

Desperate times called for desperate measures, it seemed, especially as Titokowaru's stunning victories had swelled the ranks of those willing to fight alongside him. On 27 November 1868 the Kai Iwi Cavalry, a volunteer unit from Whanganui commanded by Lieutenant John Bryce, were out on patrol when they encountered a party of Māori at Handley's Woolshed at Nukumaru. The Kai Iwi cavalry had a reputation for ill-discipline. Whitmore had previously described them as 'a perfect pack of devils, and most uncontrollable', adding that, 'If they smell natives, they follow Bryce like a pack of hounds, and cut, slay, and destroy the poor natives before you have time to look around you.'³¹⁷

³¹⁵ James Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland: Auckland University Press, 1986, p.254.

³¹⁶ Opinion of the Attorney-General as to the Legal Status of the Maories Now in Arms, James Prendergast, 30 June 1869, *GBPP*, 1870 [c.83], pp.59-60.

³¹⁷ *Whanganui Herald*, 8 December 1868, <https://paperspast.natlib.govt.nz/newspapers/WH18681208.2.8>.

The official report of what followed on 27 November noted that they had killed eight ‘Hauhaus’, with sabre, revolver or carbine. What the report failed to mention was that the victims of this attack were a group of young Māori children, aged between about 6 and 12 years of age, who were out hunting pigs and geese. Two of the children were killed. According to later Māori testimony, Kingi Takatua, about 10 years old, was killed by a single stroke from a sword that cut his head in half. Another boy, Akuhata Herewini, around two years older, died as a result of multiple sword attacks. Both children’s bodies were also riddled with bullet wounds. Ihaka Takarangi survived but lost several fingers shielding his head from a sabre blow aimed down upon him.³¹⁸

A denouement to this savage incident occurred years later when the Australian writer George Rusden was sued by John Bryce for libel. Rusden had written in his 1883 *History of New Zealand* that ‘Some women and young children emerged from a pah to hunt pigs. Lieutenant Bryce and Sergeant Maxwell of the Kai Iwi Cavalry dashed upon them and cut them down gleefully and with ease’.³¹⁹ As there were no women present, and Bryce could not be shown to have personally ‘cut down’ anyone himself, the High Court jury in London found in his favour. Bryce, by this time a prominent, if controversial, colonial politician, was awarded the then huge sum of £5000 in compensation, later reduced to just over half of this amount on appeal to the Privy Council. Rusden never fully recovered from this very public humiliation.³²⁰

While Whitmore was fighting Te Kooti on the other side of the island, Whanganui was protected with a substantial garrison but no further steps taken to tackle Titokowaru. For his part, the Māori military commander was said to have been desperate to avenge the atrocities committed against their children at Handley’s Woolshed. In early December 1868 Titokowaru delivered a parting message to Whitmore, asking ‘to whom belongs the land on which you are now standing?’³²¹

³¹⁸ James Belich, ‘I Shall Not Die’: Titokowaru’s War, New Zealand 1868-1869, Wellington: Bridget Williams Books, 1989, pp.195-204.

³¹⁹ G.W. Rusden, *History of New Zealand*, London: Chapman and Hall, 1883, vol. 2, p.504.

³²⁰ Vincent O’Malley, *Voices from the New Zealand Wars/He Reo Nō Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2021, pp.341-42.

³²¹ Titokowaru to Whitmore, 5 December 1868, GBPP, 1868-69 (307), p.321.

His defiant tone pointed to a long and difficult campaign ahead. Whitmore arrived back at Whanganui on 18 January 1869, this time taking charge of a force of around 2000 men and with confidence boosted after the recent action against Te Kooti at Ngātapa. Within a few days of his return, Whitmore led around 1000 troops towards Titokowaru's latest position at Tauranga-ika, just 25 kilometres north of Whanganui. Besides some occasional long-range firing and skirmishing, the advance north was largely uneventful. By 2 February 1868 Whitmore had established camp within a few hundred metres of the pā. Artillery fire was unleashed on the position. But Titokowaru's latest pā was easily his most formidable and it sustained little damage during the bombardment.³²²

During the evening some of the troops sang songs and exchanged banter with those inside Tauranga-ika. But as the evening grew late, the pā became quiet. Whitmore was preparing to surround the position early the following morning when scouts reported that it had been abandoned. Although Whitmore was prone to exaggerating his difficulties, he later reported that no soldiers in the world could have successfully stormed the pā, with its double row of palisades, rifle pits and formidable defences.³²³

Unknown to Whitmore at the time, Titokowaru's force of 400 or so fighters had not simply retreated from Tauranga-ika but had begun dispersing. Although various explanations have been offered for this move, it appears that Titokowaru had slept with the wife of one of his lieutenants prior to the battle, destroying his personal tapu and angering his allies as a result. With the omens now against them, a council of chiefs was convened and the decision made to leave. A small party of 40 men remained behind with Titokowaru to cover the retreat of the remainder. Titokowaru eluded capture, making his way north again to Taranaki. But Titokowaru's war was over.³²⁴

Expeditions to round up supporters continued for some months. Titokowaru himself narrowly escaped when his camp at Ōtautū, near the Pātea River, was attacked by Whitmore's forces

³²² Whitmore to Defence Minister, 3 February 1869, GBPP, 1868-69 (307), p.357.

³²³ Whitmore to Defence Minister, 3 February 1869, GBPP, 1868-69 (307), p.357.

³²⁴ James Belich, '*I Shall Not Die': Titokowaru's War, New Zealand 1868-1869*, Wellington: Bridget Williams Books, 1989, pp.242-46.

on 13 March 1869. At this point those still with Titokowaru began to scatter.³²⁵ Further settlements were torched, crops and cultivations destroyed, and stragglers killed as part of a plan to deter Ngāti Ruanui and other South Taranaki iwi members who had joined Titokowaru from returning to their homes. Two Māori killed at their kainga at Araukūku on 27 October 1869 were the final people to die in the conflict. But the Crown had already signalled that former promises of lands for those who returned were now deemed to have been forfeited with respect to all those who fought alongside or supported Titokowaru.³²⁶

Others faced a future of exile and imprisonment. In June 1869 a group of 233 Pakakohi men, women and children made their submission upon being reassured that they would remain unharmed. The government almost immediately broke that promise by having 96 of the men shipped to Wellington, where they were tried for treason. Seventy-six of the men were sentenced to death, including the still extant full punishment for treason involving being hanged, drawn and quartered – a gruesome and protracted process of execution following ritual humiliation and torture – but with reassurances that such a sentence would not be carried out. Instead, the sentences were later commuted to between three and seven years' hard labour.³²⁷

The Pakakohi prisoners were sent to Dunedin in November 1869 to serve their sentences and put to work building roads and a causeway, along with undertaking other public works across the settlement. The *Otago Daily Times* published a detailed account of their arrival and the circumstances in which they had been sent to Dunedin. Over the following years it updated readers on their conditions a number of times. ‘The Dunedin winters punish them terribly, and they are loud in their lamentations at the cold’, said one.³²⁸ During their time in Dunedin the men had worked on building the road connecting the town with Otago Peninsula, constructed playing fields at what is now Otago Girls’ High School, dug trenches at the new Botanic Gardens and even worked on improvements to the Octagon.³²⁹

³²⁵ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.342-43.

³²⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.349.

³²⁷ Ian Church, *Salutary Punishment: Taranaki Māori Prisoners in Dunedin, 1869-72, and 1879-81*, Pātea: Pātea Historical Society, 2019, pp.16-17.

³²⁸ *Otago Daily Times*, 17 February 1872, <https://paperspast.natlib.govt.nz/newspapers/ODT18720217.2.24>.

³²⁹ Ian Church, *Salutary Punishment: Taranaki Māori Prisoners in Dunedin, 1869-72, and 1879-81*, Pātea: Pātea Historical Society, 2019, pp.28-32.

Reports that their wives and children might be sent south to accompany their men prompted the women of Pakakohi to write to the government in ‘sorrow and anxiety’ (‘e mamae no te ngakau’) pleading for their men to instead be allowed to return home.³³⁰ It was to no avail. In the harsh and unfamiliar climate, many of the men fell ill and at least 18 died. The government finally relented in 1872 and allowed the survivors to return home to Taranaki. But news of their imminent release in 1872 prompted a backlash from settlers in southern Taranaki, some of whom warned them not to return, and at the same time declaring ‘We were once your friends. You destroyed the friendship’.³³¹

The issue of their return was tied closely with the fate of their lands. In November 1871 Richard Taylor dined with Premier William Fox during a visit to Wellington. Taylor recorded in his journal that:

I spoke to him about the location of the Ngatirua[nui] prisoners when set at liberty and where they had drawn the line of confiscation. He said they had not decided but promised the Patea settlers that the original owners shd. never be allowed to set foot again amongst them. In fact they declared they would shoot anyone that came amongst them and it appeared that the Ngatiruanui would never be restored to any part of their ancient abodes. I tried to reason with him on the injustice of such a decision but apparently without effect.³³²

As is discussed in the following chapters, paper confiscations proclaimed in 1865 were subject to a complex series of later court judgments, ministerial promises, purchases, payments and other undertakings, whose combined effect really only became clear in the 1880s. But as Fox had indicated to Taylor in 1871, the net outcome saw Ngāti Ruanui deprived of most of their ancestral lands.

³³⁰ Pakakohi women to McLean, 30 October 1870, AD1 103 CD 1870/3386, Archives New Zealand, Wellington.

³³¹ ‘Wairoa’, *Wanganui Herald*, 11 March 1872,

<https://paperspast.natlib.govt.nz/newspapers/WH18720311.2.10>; Ian Church, *Salutary Punishment: Taranaki Māori Prisoners in Dunedin, 1869-72, and 1879-81*, Pātea: Pātea Historical Society, 2019, pp.56-57.

³³² Richard Taylor, Journal, 18 November 1871, qMS-1999, ATL.

12. Raupatu and the New Zealand Settlements Act

The New Zealand Settlements Act was passed into law in December 1863, giving legislative sanction to a policy to confiscate the lands of Māori in punishment for their supposed ‘rebellion’ and as a way of recouping the costs involved in fighting the wars. Such a policy had been agreed between Governor George Grey and his ministers in June 1863 – that is, prior to the invasion of Waikato on 12 July 1863 – and constituted an integral component of the Crown’s overall war plans.³³³ The government planned to raise a £3 million loan on the London markets, which would be recovered through the sale of confiscated lands. Other lands would be awarded to military settlers, set aside for public uses or returned to Māori considered to have remained ‘loyal’ during the fighting. Legislation was passed authorising such a loan and providing for its expenditure, while a Suppression of Rebellion Act also passed during the 1863 parliamentary session gave the Crown sweeping powers to suppress rebellion, including authorising capital trials by court martial of any persons suspecting of aiding and abetting ‘rebels’.³³⁴

The preamble to the New Zealand Settlements Act constituted an extended justification for the confiscation policy, condemning ‘insurrections amongst the evil-disposed persons of the Native race’ which had caused ‘great injury alarm and intimidation of Her Majesty’s peaceable subjects of both races’ and involved ‘great losses of life and expenditure of money in their suppression’. Supposed ‘outrages upon lives and property...of an almost daily occurrence’ were also noted, along with ‘combinations’ formed with ‘the object of attempting the extermination or expulsion of the European settlers’ and ‘open rebellion against Her Majesty’s authority’. The Act was therefore intended to make ‘adequate provision...for the permanent protection and security of the well-disposed Inhabitants of both races for the prevention of future insurrection or rebellion and for the establishment and maintenance of Her Majesty’s authority and of Law and Order throughout the Colony’ through the ‘introduction of a sufficient number of settlers able to protect themselves and to preserve the peace of the Country’.

³³³ Domett to Grey, 24 June 1863, AJHR, 1863, E-7, p.8,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1863-I.2.1.6.15>.

³³⁴ B.J. Dalton, *War and Politics in New Zealand, 1855-1870*, Sydney: Syndey University Press, 1967, p.182.

For these purposes, section 2 of the Act enabled the governor-in-council to declare districts subject to the legislation where satisfied that ‘any Native Tribe or Section of a Tribe or any considerable number thereof has since the first day of January 1863 been engaged in rebellion against Her Majesty’s authority’. That date had, it seems, been selected to avoid the appearance that any lands would be confiscated as a result of the first Taranaki War, following official inquiries that confirmed the validity of Wiremu Kingi’s grievances over the Waitara purchase. It was, therefore, all the more ironic that those lands would, having been momentarily returned to their customary owners, then be confiscated from them under the Settlements Act in 1865 in punishment for their supposed involvement in ‘rebellion’.

Within those districts declared under the Settlements Act eligible sites could then be set apart for settlement (section 3), from which the governor-in-council could from time to time reserve or take any lands for the purposes of the Act (section 4). There was thus to be three-step process before any land was taken, involving the proclamation of a district subject to the provisions of the Act, followed by the setting apart of eligible sites for settlements for colonisation and finally the actual taking of lands for such settlements.

‘Rebellion’ was not clearly defined anywhere in the Act, but section 5 did specify that those who had participated in rebellion, or aided or assisted those who had, were ineligible to receive compensation for any interests taken from them. It stated that:

V. Compensation shall be granted to all persons who shall have any title interest or claim to any Land taken under this Act provided always that no compensation shall be granted to any of the persons following that is to say to any person –

(1.) Who shall since the 1st January 1863 have been engaged in levying or making war or carrying arms against Her Majesty the Queen or Her Majesty’s Forces in New Zealand
or –

(2.) Who shall have adhered to aided assisted or comforted any such persons as aforesaid or –

(3.) Who shall have counselled advised induced enticed persuaded or conspired with any other person to make or levy war against Her Majesty or to carry arms against Her Majesty's Forces in New Zealand or to join with or assist any such persons as are before mentioned in Sub-Sections (1) and (2) or –

(4.) Who in furtherance or in execution of the designs of any such persons as aforesaid shall have been either as principal or accessory concerned in any outrage against person or property or –

(5.) Who on being required by the Governor by proclamation to that effect in the *Government Gazette* to deliver up the arms in their possession shall refuse or neglect to comply with such demand after a certain day to be specified in such proclamation.³³⁵

One did not need to be a ‘rebel’ in order to be ineligible to receive compensation, therefore, since merely aiding, assisting or comforting such persons was sufficient to be ruled out.

Section 6 allowed the governor to issue a proclamation specifying a date by which those who had engaged in rebellion should submit to the law or render themselves ineligible for compensation. It was entirely discretionary, however, as a result of which there was no requirement for any such proclamations to be issued.

The following section declared that compensation was to be ‘granted according to the nature of the title interest or claim of the person requiring compensation and according to the value thereof’ and set out time limits for filing compensation claims of six months for those living within the colony and 18 months for those outside of it from the date of a proclamation under Section 4. It is unclear what the intent of the first part of this clause was, though it could be read as placing a greater value on confiscated lands previously held under grant from the Crown, for example, compared with those under customary title. There was no further stipulation as to the basis upon which compensation should be calculated, such as a requirement for it to be determined in accordance with full market value, for example.

³³⁵ New Zealand Statutes, no.8, 1863.

Sections 8 to 15 of the Act provided for the establishment of a Compensation Court consisting of Judges appointed by Governor-in-Council and set out their power to compel the attendance of witnesses. Under Section 13 provision was also made for compensation claims to be determined by a pair of ‘indifferent Arbitrators’ appointed by the claimant and Crown respectively, provided the former was appointed in writing at the time of making the claim. Although the extent to which this clause was implemented is not clear, it may have been included to cover those few cases where European land interests were caught up in the confiscations. Section 14 stated that ‘The Judge shall grant to every Claimant who shall be entitled to compensation a Certificate specifying the amount thereof and describing the land in respect of which the same is granted and the nature of the Claimant’s title interest or claim therein.’ It was followed by Section 15, which stated that such certificates ‘shall entitle the person in whose favor the same was granted to receive from the Colonial Treasurer the amount named in such Certificate as payable to him.’ Read together, these two clauses seemed to imply that compensation was therefore to be payable in money, though there was nothing that explicitly ruled out compensation in land (or scrip), an ambiguity that would eventually require later legislative amendment to specify the different ways in which compensation could be granted.

Section 16 of the Act required the governor to have laid out a sufficient number of towns and farms to meet any undertakings with persons for the granting of land in return for military service in accordance with any contracts entered. Once such lands had been set apart, it was lawful for the Governor-in-Council to cause towns to be surveyed and laid out, as well as suburban and rural allotments (Section 17). All such lands were then to be ‘let sold occupied and disposed of for such prices in such manner and for such purposes upon such terms and subject to such Regulations as the Governor in Council shall from time to time prescribe for that purpose’ (Section 18) and all money received directed towards the repayment of ‘the expenses of suppressing the present insurrection and the formation and colonization of the Settlements including the payment of any Compensation which shall be payable’ under the Act (Section 19). The final section allowed the provisions relating to the formation of settlements for colonisation to also be applied to lands obtained by purchase with the consent of provincial authorities. This was consistent with the Loan Appropriation Act, which had allocated money for settlement

purposes to all of the North Island provinces, regardless of whether they were deemed subject to ‘rebellion’.

The New Zealand Settlements Act received a low key response during its passage through Parliament, with James FitzGerald one of few members of the House of Representatives to unequivocally oppose the measure. He condemned the Settlements Act as an ‘enormous crime’ and ‘contrary to the Treaty of Waitangi’.³³⁶ Outside the parliamentary debating chambers, retired Chief Justice Sir William Martin was a strong critic, pointing to the example of Ireland, where confiscations had left a legacy of a ‘brooding sense of wrong’ passed down over many generations and resulting in ongoing upheaval and disturbance. He feared that the confiscation policy might bring about a similar outcome in New Zealand.³³⁷

The British government also worried that the overzealous application of confiscation would prolong the war and thereby increase the financial and military burdens imposed on British taxpayers. It imposed a range of conditions on the way in which confiscation should be implemented but did not oppose confiscation in principle. In the event, a number of the conditions specified by the Secretary of State for the Colonies when announcing that he would not disallow the New Zealand Settlements Act were either wholly or partly ignored. These included a two-year limit on the use of the legislation (subsequently extended unilaterally to four years by the New Zealand Parliament), along with instructions to first attempt to secure voluntary cessions of land before resorting to outright confiscation, and a requirement to avoid taking lands belonging to ‘loyal’ or neutral Māori unless absolutely essential. But the legislation was allowed to stand regardless.³³⁸

The New Zealand Settlements Act was amended three times and many other pieces of legislation were passed concerning confiscation. In some cases these subsequent Acts amended the process by which confiscation or compensation was to be applied. Many more provisions validated errors or actions already committed or enabled lands to be allocated to

³³⁶ NZPD, 5 November 1863, 1861-1863, p.784.

³³⁷ AJHR, 1864, E-2, p.14, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1864-I.2.1.6.3>.

³³⁸ Vincent O’Malley, ‘Te Rohe Potae War and Raupatu’, report commissioned by the Waitangi Tribunal, 2010, p.349.

landless former ‘rebels’, while legislation stretching through to the twenty-first century dealt with the legacy of confiscation and Māori efforts to have their raupatu grievances addressed by the Crown.³³⁹

Although the New Zealand Settlements Act was not passed into law until December 1863, the question of whether to impose confiscation at Taranaki had been debated since at least March 1861, with officials ultimately deciding against demanding land as a condition of peace. The resumption of warfare changed everything and confiscation was quickly back on the cards. Evidence of the first concrete confiscation proposal came in a memorandum from Premier Alfred Domett to Grey dated 5 May 1863, in which he confirmed the agreement reached between ministers and the governor the previous evening for lands at Taranaki between Ōmata and Tataraimaka belonging to those implicated in the Ōakura ambush to be ‘forfeited to Her Majesty, and a Military Settlement formed there’.³⁴⁰ There had been earlier proposals for military settlements contemplated by both the central and provincial governments, it would appear, though the details of most of these is sketchy.³⁴¹ What is clear is that these were not premised on the confiscation of Maori lands but involved grants of Crown waste lands to military pensioners in return for performing specified duties – the Howick model from the 1840s, in other words. The best developed of these proposals, it would seem, involved a military settlement on the Tataraimaka block itself – which had been occupied by British troops without incident on 4 April 1863.³⁴² In this case at least some of the land, previously held by the Taranaki tribes as utu or an equivalence for the seizure of Waitara, was held under Crown grant by about 20 settlers, and Domett wrote to the Provincial Superintendent on 16 April 1863 seeking support for a scheme of military settlement premised on the compulsory purchase of such interests.³⁴³

³³⁹ Richard Boast and Richard S. Hill (eds), *Raupatu: The Confiscation of Maori Land*, Wellington: Victoria University Press, 2009, p.152.

³⁴⁰ Domett, memorandum, 5 May 1863, AJHR, 1863, E-2, pp.20-21,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1863-I.2.1.6.2>; Riseborough, ‘Taranaki Raupatu Claim’, p.16.

³⁴¹ See, for example, *Southern Cross*, 14 February 1862,
<https://paperspast.natlib.govt.nz/newspapers/DSC18620214.2.1.2>; *Taranaki Herald*, 22 November 1862,
<https://paperspast.natlib.govt.nz/newspapers/TH18621122.2.15>; *Daily Southern Cross*, 30 April 1863,
<https://paperspast.natlib.govt.nz/newspapers/DSC18630430.2.25>.

³⁴² B.J. Dalton, *War and Politics in New Zealand, 1855-1870*, Sydney: Syndey University Press, 1967, p.167.

³⁴³ *Daily Southern Cross*, 6 May 1863, <https://paperspast.natlib.govt.nz/newspapers/DSC18630506.2.17>.

The subsequent Ōakura ambush on 4 May 1863, during which nine British soldiers were killed, provided the pretext for extending the military settlement to adjacent Maori-held land and this was done with remarkable alacrity. Following the ambush in the morning, the confiscation proposals noted above were adopted that same evening. Just days later, on 10 May 1863, Domett wrote to the Superintendent of Otago Province, where thousands of gold miners had followed the rushes, to solicit support for the recruitment of volunteers for the new military settlement. Domett explained that the intention was to grant each settler 50 acres, with a one-acre section to be allocated them within the villages, on condition that they hold the land on a system of military tenure.³⁴⁴

The transition from a scheme of military settlements on Crown or European land to one premised on the confiscation of Maori territory was therefore a swift one, which merely required Ōakura to trigger an almost immediate adoption and development of confiscation proposals. And given that a showdown with the Kingitanga was widely assumed to be almost inevitable in the wake of the Ōakura attack, license was now given to more broad-ranging confiscation schemes that might be applied to the Waikato district. If previously these might have been seen as rather too revealing of possible Crown motives for an invasion of the district (or at least, likely to confirm Maori suspicions on this point), following Ōakura these could be framed in terms of prudent planning under the circumstances. On 6 July 1863 conditions for granting lands to military settlers between Ōmata and Tataraimaka were published in the *New Zealand Gazette*. Men under the age of 45 were eligible to apply and would receive title to a town allotment and farm section upon three years service.³⁴⁵

Grey and his ministers engaged in a long-running dispute over the extent of land to be confiscated at Taranaki and Waikato. But on 26 October 1864 a further proclamation was finally published. It declared that the governor, having been ‘authorised to extend, upon certain conditions, Her Majesty’s clemency to those tribes who have engaged in the present unhappy rebellion’ hereby notified that he would:

³⁴⁴ *Otago Witness*, 23 May 1863, <https://paperspast.natlib.govt.nz/newspapers/OW18630523.2.35>.

³⁴⁵ *New Zealand Gazette*, 6 July 1863, no. 27, p.265.

grant a Pardon to all such persons implicated in the Rebellion, as may come in on or before the Tenth day of December next, take the Oath of Allegiance, and make the cession of such Territory as may in each instance be fixed by the Governor and the Lieutenant General Commanding Her Majesty's Forces in New Zealand.³⁴⁶

Following the expiry of the deadline on 10 December 1864, a week later a further proclamation was issued. This declared that:

The land of those Natives who have adhered to the Queen shall be adhered to them; and to those who have rebelled, but who shall at once submit to the Queen's authority, portions of the land taken will be given back for themselves and their families.

The Government will make no further attack on those who remain quiet.

Those guilty of further violence the Governor will punish as he has punished the Waikato Tribes.

The Governor will also take possession of and retain, in the country between Wanganui and New Plymouth, and in the Province of Taranaki, such land belonging to the Rebels as he may think fit.

The Governor will cause roads to be made not only at Taranaki and in the Waikato, but throughout the Island, from time to time as he may think fit, as well through lands of Europeans as of Natives.³⁴⁷

It is doubtful whether this proclamation had any legal status since it was not made pursuant to the New Zealand Settlements Act and did not follow its steps for proclaiming areas as confiscated.³⁴⁸

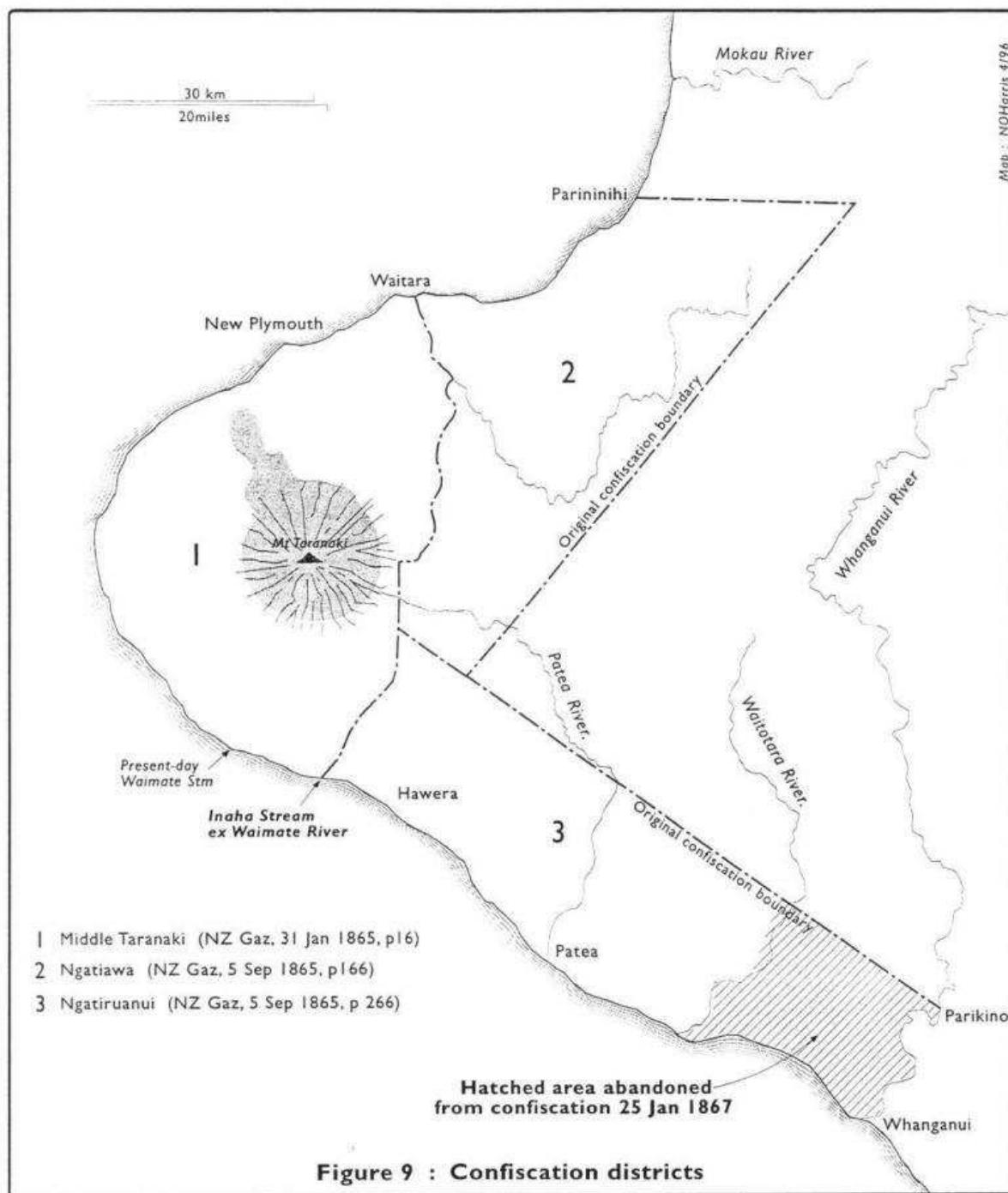
³⁴⁶ *New Zealand Gazette*, 26 October 1864, no.41, p.399.

³⁴⁷ *New Zealand Gazette*, 17 December 1864, no. 49, p.461.

³⁴⁸ Vincent O'Malley, *The Great War for New Zealand: Waikato 1800-2000*, Wellington: Bridget Williams Books, 2016, p.440.

The first proclamations in respect of Taranaki, issued in January 1865, applied solely over northern Taranaki. An area stretching from Waitara south as far as the Waimate Stream was proclaimed as the Middle Taranaki confiscation district and two sites (Waitara South and Oakura) declared as eligible sites for settlement within this district.³⁴⁹

³⁴⁹ *New Zealand Gazette*, 31 January 1865, no. 3, pp.16-17.



Map 3 Taranaki Confiscation Districts (*The Taranaki Report: Kaupapa Tuatahi*)

The December 1864 proclamation had signalled the Crown's intention to select and confiscate lands as far south as Whanganui. In September 1865 that became a reality when the Ngatiruanui district was proclaimed as subject to the Settlements Act. The proclamation encompassed a vast district extending from the Waimate River south as far as Whanganui. Despite the misleading name, the proclamation encompassed the lands of multiple iwi besides

just Ngāti Ruanui and the same applied with the Ngatiawa district proclaimed at the same time that stretched north as far as Parininihi. Nevertheless, the proclamation did encompass the entirety of Ngāti Ruanui's coastal lands. The lands described as taken under the proclamation within the Ngatiruanui district as eligible sites for settlement and colonisation were described on the coastal side as encompassing 'on the south-west by the sea from the mouth of the...River Wanganui to the mouth of the...River Hangatahua; excepting all lands within the said boundaries held by or under the Crown prior to the date of this Proclamation.'³⁵⁰

On paper, at least, the entire coastal lands between the Hangatahua and Whanganui rivers had been entirely confiscated (though, as noted previously, confiscation south of the Waitōtara River was abandoned in January 1867). However, the December 1864 proclamation had promised Māori who remained 'loyal' that their lands would remain untouched, while those who were deemed to have rebelled but had since laid down their arms had also been promised that provision would be made for them. But without survey and occupation the confiscation remained nominal for the time being, while the process of returning lands would be a drawn-out and contentious one.

³⁵⁰ *New Zealand Gazette*, 5 September 1865, no.35, pp.266-67.

13. The Compensation Court

At various points during the New Zealand Wars promises were made that the land rights of Māori who remained ‘loyal’ to the Crown would be untouched and their lands guaranteed to them in full. In the December 1864 proclamation, for example, it was stated that ‘The lands of those Natives who have adhered to the Queen shall be secured to them’.³⁵¹ However, as confiscation plans proceeded this promise was watered down, and officials began to emphasise that lands jointly owned by ‘loyalists’ and ‘rebels’ would sometimes have to be included. Given the nature of customary rights, this meant that many of the lands owned by Māori who had not fought against the Crown would be taken. In practice confiscation was often applied indiscriminately, and even rangatira and their hapū who had fought for the Crown sometimes found their own lands confiscated.³⁵²

A process for compensating ‘loyal’ Māori – initially solely by way of money but later including lands – was set out in the New Zealand Settlements Act and subsequent amendments. However, the Compensation Court returned only a fraction of the lands taken and often in a different location to where the claimants customarily lived. Moreover, as part of a policy aimed at eliminating communal and customary land tenure, blocks awarded via the Compensation Court were issued to individuals or small groups by means of a Crown title. All of this left such lands vulnerable to alienation and many blocks that went through the Compensation Court were sold soon after.³⁵³

The Compensation Court was formally established in January 1865 with Francis Dart Fenton, who was appointed Chief Judge of the Native Land Court at the same time, installed as Senior Judge.³⁵⁴ In April 1865 a notice published in the *Gazette* gave applicants wishing to claim

³⁵¹ *New Zealand Gazette*, no.49, 17 December 1864, p.461.

³⁵² Alan Ward, *An Unsettled History: Treaty Claims in New Zealand Today*, Wellington: Bridget Williams Books, 1999, pp.131-132.

³⁵³ Richard Boast and Richard S. Hill (eds), *Raupatu: The Confiscation of Maori Land*, Wellington: Victoria University Press, 2009, pp.163-164.

³⁵⁴ *New Zealand Gazette*, 14 January 1864, no. 3, p.13.

compensation in respect of the Middle Taranaki confiscation district a deadline of six months to do so in writing (or eight months for those living outside New Zealand).³⁵⁵

A different process was followed with respect to the Ngatiruanui confiscation district. There, the September 1865 proclamation by which the district was declared subject to the New Zealand Settlements Act also stipulated that ‘no land of any loyal inhabitants within the said districts, whether held by Native custom or under Crown Grant, will be taken except so much as may be absolutely necessary for the security of the country, compensation being given for all land so taken’.³⁵⁶

Since it was the Crown that decided what land it was ‘absolutely necessary’ for it to keep, that reassurance was a rather empty one. Moreover, unlike the earlier Middle Taranaki notice, it did not explain how those seeking compensation were expected to go about applying for it.³⁵⁷ In April 1866 notice of the first sittings of the Compensation Court scheduled to take place from 1 June 1866 were published. The first sittings concerned the Oakura and Waitara South blocks. By September the court had moved on to consider the Ngatiawa Coast district. By the following month it had begun hearing claims with respect to the Ngatiruanui Coast block. However, this was done in stages, with the first hearings in October 1866 solely concerned with the land between the Hangatahua and Kaupokonui rivers.³⁵⁸

The hearings in respect of the area south of Kaupokonui in which Ngāti Ruanui were interested in was originally advertised to take place at Whanganui in October but subsequently rescheduled for December. After the court sat on 12 December 1866, it was adjourned until 14 January 1867.³⁵⁹ Judgment in respect of applications over this area from T.H. Smith was published in the *Gazette* in April 1867. The judgment stated that 68 claims containing 630 names had been filed with the Compensation Court in respect of the area between the

³⁵⁵ Heather Bauchop, ‘The Aftermath of Confiscation: Crown Allocation of Land to Iwi, Taranaki, 1865-80 – A Case Study in Confusion’, report commissioned by the Waitangi Tribunal, Wai 143, I18, pp.56-57.

³⁵⁶ *New Zealand Gazette*, 5 September 1865, no.35, p.266.

³⁵⁷ Heather Bauchop, ‘The Aftermath of Confiscation: Crown Allocation of Land to Iwi, Taranaki, 1865-80 – A Case Study in Confusion’, report commissioned by the Waitangi Tribunal, Wai 143, I18, p.58.

³⁵⁸ Janine Ford, ‘The Decisions and Awards of the Compensation Court in Taranaki, 1866-1874’, report commissioned by the Waitangi Tribunal, July 1991, Wai 143, E6, pp.29-30.

³⁵⁹ Heather Bauchop, ‘The Aftermath of Confiscation: Crown Allocation of Land to Iwi, Taranaki, 1865-80 – A Case Study in Confusion’, report commissioned by the Waitangi Tribunal, Wai 143, I18, p.78.

Kaupokonui and Waitōtara rivers. Smith noted that ‘In the course of the investigation a large proportion of these names have been shown to be duplicates. Some of the claimants have failed to appear before the Court either personally or by agent, and their claims have not been heard.’³⁶⁰

Given active military operations directed against the iwi of South Taranaki had ended only in November, there were obvious reasons why claimants may have been unable to attend the court. In any case, eliminating duplicate claims and those who failed to make an appearance reduced the initial list of 630 names to just 265.³⁶¹ Of these, the court admitted the claims of 119 persons and rejected 146. Of those rejected, 51 were on the basis of section 5 of the New Zealand Settlements Act – that is, they were found by the court to be ineligible to receive compensation on the basis that they had engaged in, aided or abetted acts of ‘rebellion’ against the Crown.³⁶² While the judgment did not make clear the basis upon which the remaining 95 claims had been rejected, it was likely on the basis that the claimants did not have valid customary claims within the district considered.

Smith proceeded to divide the successful claimants into two categories. The first was claims established by proof of actual residence and cultivation to a recent period. The second category was claims of persons ‘long absent and settled elsewhere, but who themselves, or whose parents, or near relatives, were in the year 1840 actual owners and possessors of the land the subject of claim’.³⁶³ The court found there were 79 people in this category, meaning just 40 individuals had been found by the court to be entitled to compensation on the basis of ongoing occupation of the lands. The judgment went on to note that:

The evidence before the Court shows that the land comprised within the boundaries of this portion of the Ngatiruanui Coast Block belonged to the Ngaruahine, Tangahoe, Pakakohi, and Ngarauru tribes, and to other smaller tribes more or less connected with these. The boundaries of the land claimed by these tribes respectively, can be fixed on

³⁶⁰ *New Zealand Gazette*, 20 April 1867, no. 25, p.189.

³⁶¹ Janine Ford, ‘The Decisions and Awards of the Compensation Court in Taranaki, 1866-1874’, report commissioned by the Waitangi Tribunal, July 1991, Wai 143, E6, p.67.

³⁶² *New Zealand Gazette*, 20 April 1867, no. 25, p.189.

³⁶³ *New Zealand Gazette*, 20 April 1867, no. 25, p.189.

or near the sea coast, but there is no evidence as to the inland boundaries, nor any data upon which the extent of territory belonging to each tribe can be determined upon evidence before the Court. Such evidence as would be required to determine these points it would be difficult, if not impossible to procure, while the expense and delay involved in attempting to procure it would be greatly disproportionate to any advantage likely to result therefrom, either to the claimants or to the Government. It has appeared to the Court that substantial justice will be done to the admitted claimants by basing a decision as to the value of their claims, and the principle of assuming that the whole extent of the land belonged to the whole number of resident owners in equal proportions subject to the interest of non-residents.³⁶⁴

For these purposes, Smith ruled that each ‘loyal resident’ would be entitled to a single share in the land, while:

The interest of absentee members of the tribe is admitted by the residents, but the tribal estate must be regarded as held by the actual residents, whose dispossession by whatever means effected will be a dispossession of the whole tribe. The interest of absentees who have abandoned the tribal lands, and acquired possessions and a settlement elsewhere cannot be regarded as existing independently of the tribe as represented by the residents or otherwise than as subject to contingencies which may affect the position of the latter as owners and possessors of the common tribal estate. The absentee claim depending solely on the maintenance of possession by the residents, must be held as subject to diminution proportion to the extent to which the residents became dispossessed of or forfeit their right in the land. The interest of a loyal absentee claimant will thus bear that proportion to the interest of a loyal resident which the number of loyal residents bears to the number of resident rebels.³⁶⁵

Whereas the Crown had previously issued an unambiguous promise that the lands of ‘loyal’ Māori would remain untouched, the mechanism it put in place to deal with the claims of such persons was instead constructing and applying convoluted formula to determine that only a

³⁶⁴ *New Zealand Gazette*, 20 April 1867, no. 25, p.189.

³⁶⁵ *New Zealand Gazette*, 20 April 1867, no. 25, pp.189-90.

small fraction of their lands should be returned. It calculated that the area between the Kaupokonui and Waitōtara rivers contained 428,000 acres and that:

The open land and available bush extending five miles and a half inland from the coast line is estimated at 131,720 acres, leaving as bush land unavailable 296,280 acres. The persons interested in this land as residents number 997. Of these 957 have been engaged in rebellion since January, 1863, and 40 are residents, whose claims to compensation are admitted, the Crown having elected to give the claimants land in lieu of money as compensation for their claims.³⁶⁶

Remarkably, then, the court had ruled, on the basis of little or no actual detailed investigation that 96% of the resident owners were ‘rebels’ ineligible for compensation. It ruled that the 40 resident claimants deemed eligible for compensation should each receive 400 acres, consisting of 120 acres of open land and 280 acres of bush land. That equated to 4800 acres of the former and 11,200 acres of the latter.

When it came to the absentee owners, Smith had ruled that their entitlement was to be fixed proportional to the total number of ‘rebel’ owners. That meant they would receive just 16 acres each – five acres of open land and 11 acres of bush land, or a total of 1264 acres spread over 79 owners.³⁶⁷ In 1880 the West Coast Commission was highly critical of the Compensation Court’s decision, commenting that:

What a loyal Native’s right under the statute had to do with the number of rebels, is hard to see: the effect, however, of this queer equation was that as there were only 40 loyal residents to 957 rebels, the loyal resident got 400 acres, while the absentee got 16. No wonder that the way this operated upon the chiefs failed to elicit their assent.³⁶⁸

At a time of great suffering and hardship, and faced with Crown and private offers of money for their interests, the individuals awarded these lands sold much of it soon after. Since legal titles

³⁶⁶ *New Zealand Gazette*, 20 April 1867, no. 25, p.190.

³⁶⁷ *New Zealand Gazette*, 20 April 1867, no. 25, p.190.

³⁶⁸ AJHR, 1880, G-2, p.xxxv, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

had yet to be issued, and the lands in question had not been surveyed, this resulted in considerable confusion.³⁶⁹ Eventually an area of 17,264 acres was surveyed pursuant to the Compensation Court's judgment. The court sat again at Whanganui in 1874 to confirm its earlier awards. One additional absentee owners was added to the title, bringing the total area to 17,280 acres.³⁷⁰

Crown agent W.S. Atkinson was tasked with allocating these lands and selected them in three locations. The first was a block of 8352 acres on the north-western bank of the Waitōtara River for 42 awardees, consisting of 20 resident owners entitled to 400 acres each and 22 non-residents at 16 acres each. The second was a block of 912 acres north-west of the Whenuakura River for two resident owners and seven non-residents. And the third consisted of a block of 600 acres near to Kākārāmea township for five resident awardees, consisting of 120 acres each. That left a balance of 7400 acres in bush land that was to be allocated inland from Kākārāmea.³⁷¹ When G.B. Worgan took over from Atkinson he instead allocated the 7400 acres at lower Waitōtara, closer to the coast. By 1873 C.A. Wray had taken over from Worgan. He later told the West Coast Commission that he had been instructed to complete all unfinished purchases on behalf of the Crown and wind up the whole matter in the best way possible, adding that 'As the awardees were in many cases willing to sell, the difficulties of improper allocation were in most cases got over by buying the interest of the Native in the award, wherever it might be'.³⁷²

Wray was alluding to the fact that the awards were often made in locations where those receiving them did not have customary rights, making them more likely to agree to sell their interests. By 1880 a total of 9032 acres, or over half the total area, had been acquired by the Crown, while many of the other lands had been purchased by private parties, even though

³⁶⁹ Janine Ford, 'The Decisions and Awards of the Compensation Court in Taranaki, 1866-1874', report commissioned by the Waitangi Tribunal, July 1991, Wai 143, E6, p.71.

³⁷⁰ Janine Ford, 'The Decisions and Awards of the Compensation Court in Taranaki, 1866-1874', report commissioned by the Waitangi Tribunal, July 1991, Wai 143, E6, p.74.

³⁷¹ AJHR, 1880, G-2, p.79, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

³⁷² AJHR, 1880, G-2, p.80, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

grants for these lands had yet to be issued.³⁷³ It appears the total area alienated by 1880 was 14,192 acres, or around 82% of the overall awards.³⁷⁴

A tiny proportion of customary owners had been promised lands through the Compensation Court process that in reality largely proved illusory. Most opted to get what they could for them instead, selling to the Crown or private parties, while the few who had not were confronted with a lengthy wait before they could even receive legal titles to the lands.

³⁷³ AJHR, 1880, G-2, p.80; AJHR, 1880, G-2, Appendix B, p.22,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

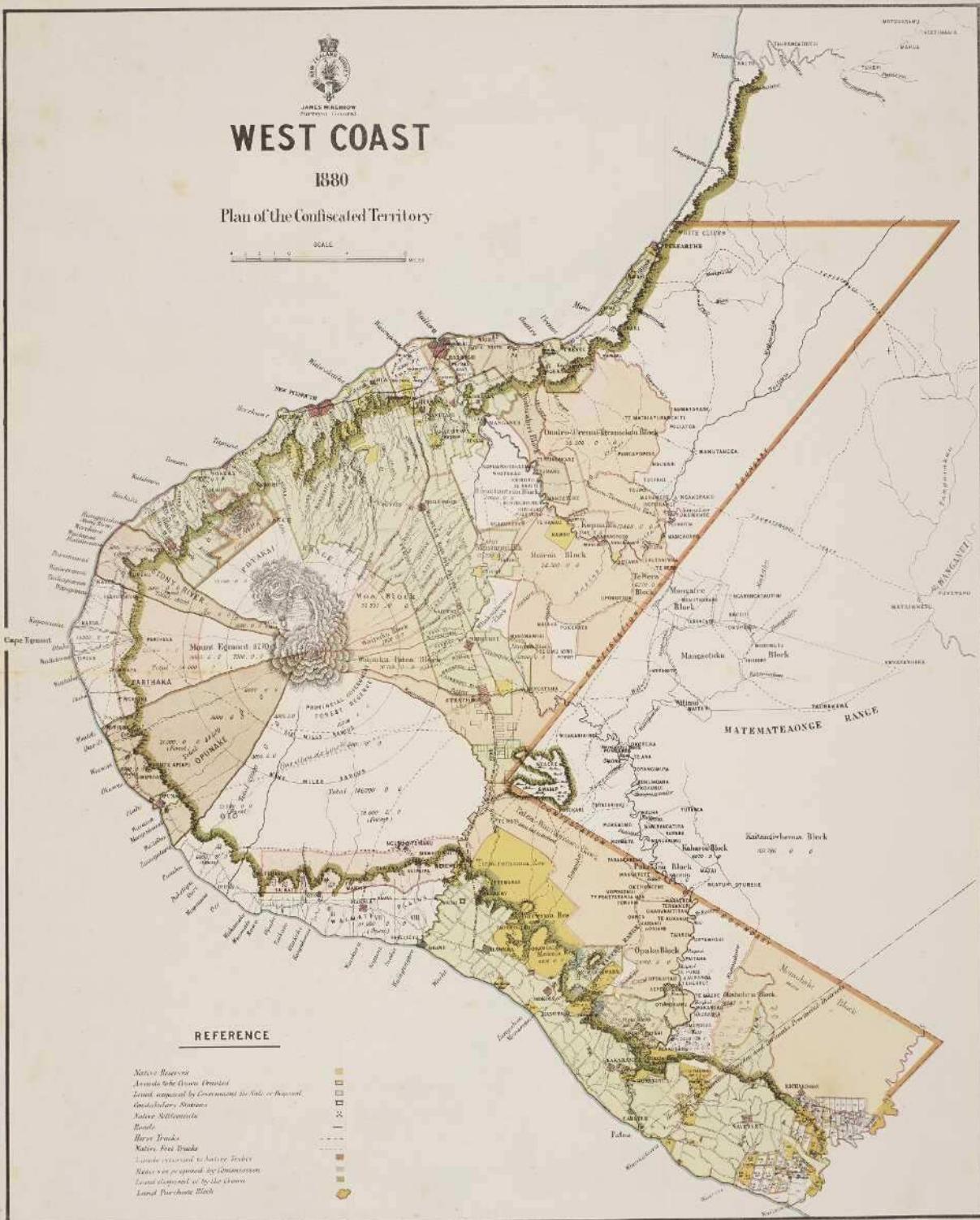
³⁷⁴ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.159.

14. Further Awards

Besides the small area of land awarded to the 4% of customary owners deemed not to have rebelled, the Crown also gave itself discretion to make other kinds of awards. It could grant lands to friendly Māori in return for military services, regardless of whether they had customary interests in the area. And with the passage of the Confiscated Lands Act of 1867 it was also legally able to allocate lands for ‘surrendered rebels’. Both kinds of awards were evident in the South Taranaki district. An 1873 return of confiscated lands between the Waingongoro and Waitōtara rivers indicated that the total area was 295,000 acres. Of this, 38,391 acres had been allocated to military settlers and just over 172,000 acres remained available for disposal by the government. Besides some additional railway reserve lands of 10,350 acres, 7311 acres had been ‘granted to Natives for military service’ and 750 acres for ‘special services’.³⁷⁵ These were lands awarded mostly to Whanganui ‘loyalists’ and their leader Te Keepa Te Rangihiwini (otherwise known as Major Kemp). They had been among those who unsuccessfully claimed lands in the Compensation Court. A commission of inquiry had been appointed to investigate Te Keepa’s grievances over their exclusion but the rangatira eventually agreed to accept the lands offered them by the Crown instead. In 1872 Native Minister Donald McLean had instructed that as they did ‘not require the land for their own use’, these should be purchased from them.³⁷⁶

³⁷⁵ AJHR, 1873, C-4A, pp.5-6, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1873-I.2.2.2.7>.

³⁷⁶ Aroha Harris, ‘Crown Acquisition of Confiscated and Maori Land in Taranaki, 1872-1881’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, H-3, p.6.



Map 4 West Coast 1880 Plan of Confiscated Territory (ARC2004-325, Puke Ariki)

That left one further category of lands in the 1873 return. These were ‘Native Reserves’, consisting of 30,965 acres.³⁷⁷ In all, 23 reserves had been surveyed and marked on the ground between the Waitōtara and Waingongoro rivers by the end of 1867, encompassing a total area of 22,364 acres.³⁷⁸ These included several large blocks, including Whareroa (10,500 acres), Mokoia (4800 acres), Taumata (2800 acres), and Otoia (1200 acres), along with a number of smaller blocks. In many cases the small blocks included specific wāhi tapu sites such as urupā.³⁷⁹

The resumption of warfare in 1868 complicated matters but by 1871 many Māori had returned to their former homes and the Pakakohi prisoners were released and allowed to return the following year.³⁸⁰ In January 1873 Native Minister Donald McLean wrote a memorandum on land arrangements to be made south of the Waingongoro River. It was, he wrote, ‘most desirable that all doubts should be cleared away with respect to the lands between the Waitotara and Waingongoro rivers, and that the owners of the soil in that locality, whether Europeans or Maoris, should occupy their respective positions without the fear of future misunderstandings’.³⁸¹ For these purposes, McLean ordered an additional 7320 acres of land to be reserved in 22 localities. This included 2000 acres of new reserves for the now freed Pakakohi people, along with a number of previously identified reserves, including 6000 acres at Mokoia, 2800 acres at Tamahere, 127 acres at Taumaha, 250 acres at Tāngahoe, 10 acres at Turi’s Spring, and 5 acres at the site of Turi’s whare. All other reserves previously set apart for Pakakohi between the Waitōtara and Tāngahoe rivers was to be at the disposal of the Crown.³⁸²

McLean had previously, in January 1872, issued orders for Compensation Court awards south of the Waingongoro River to be surveyed, with the interests of those willing to sell being purchased. North of the Waingongoro River, it was a different matter. McLean had stated at the same time that the land between there and Stoney River, ‘although nominally confiscated’ was,

³⁷⁷ AJHR, 1873, C-4A, p.5, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1873-I.2.2.2.7>.

³⁷⁸ AJHR, 1880, G-2, Appendix B, p.28, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>; Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.167.

³⁷⁹ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.167.

³⁸⁰ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.168.

³⁸¹ McLean, memorandum, 31 January 1873, AJHR, 1880, G-2, Appendix A, p.3,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

³⁸² McLean, memorandum, 30 January 1871, R25675971, Archives NZ.

with the exception of 1400 acres at Opunake, ‘quite unavailable for settlement until arrangements are made with the Natives for lands sufficient for their own requirements’.³⁸³

The failure to reach that agreement sowed the seeds for future conflict. But as the Waitangi Tribunal noted, the Waingongoro River became an important ‘northern limit to settler expansion’.³⁸⁴ South of the Waingongoro River, the Tribunal notes that the provision of reserves for Māori ‘was part of a larger plan of relocation; the reserves were provided in order to keep the peace, but they also caused Maori to move inland, away from the main settlement areas’.³⁸⁵

Following the lands awarded by McLean in 1873, a number of further reserves for Māori were allocated south of the Waingongoro River. These totalled 13,213 acres and included the 10,000-acre Tirotiromoana reserves (which itself incorporated 3500 acres of reserves previously awarded by McLean).³⁸⁶ The Tirotiromoana reserve, located behind Ketemarae (Normanby) and Hāwera, was found to contain 16,000 acres on survey but then reduced to the 10,000 acres that had been awarded.³⁸⁷

Ngāwaka Taurua of Pakakohi maintained that further lands had been promised his people. At a meeting with Native Minister J.C. Richmond in October 1867 Richmond had informed him that:

The survey of the land between Whenuakura and Patea, if it has been done, was against my instructions. I told you before that, if you remained quiet and trusted the Government, more land would be given on this side Patea. It is the intention of the Government to keep back the whole of the land between Patea and Whenuakura, excepting a small piece along the coast for a town and suburbs, for the Natives of part of the country who have been in rebellion, and who have come back to loyalty...You had

³⁸³ McLean to Parris, 20 January 1872, AJHR, 1880, G-2, Appendix A, p.3, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

³⁸⁴ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.168.

³⁸⁵ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.168.

³⁸⁶ AJHR, 1880, G-2, Appendix B, p.29, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

³⁸⁷ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.169.

better go back to your place. I make you a distinct promise of this land between Patea and Whenuakura, excepting the portion of it I have told you of.³⁸⁸

Richmond's promise was on the face of it unambiguous. With the exception of land for the township of Carlyle (renamed Pātea in 1881) all of the lands between the Whenuakura and Pātea rivers was to be restored to Māori.

However, the promise remained unfulfilled and in 1880 Taurua raised the matter before the West Coast Commission. He told the commissioners that he had raised the matter with multiple officials and ministers since Richmond's original undertaking, but all to no avail. The commissioners told the rangatira that Richmond's promises had been 'swept away altogether' by the 'second insurrection' (Titokowaru's War).³⁸⁹ Nevertheless, on account of the good conduct of Taurua and Pakakohi since their return from Dunedin, the commissioners told Taurua that they would recommend some additional portion of land between the Pātea and Whenuakura rivers be reserved for them.³⁹⁰ The West Coast Commission concluded that there was no evidence that Native Minister John Sheehan, with whom Taurua had spoken, had made a specific promise to the rangatira. However, they did find that he had intended to make a grant of land to Taurua between the Pātea and Whenuakura rivers.³⁹¹ The commissioners declined to make a formal recommendation on the grievance pending further inquiry into payments made to Taurua. As is discussed further in a later chapter, Taurua was eventually promised additional lands conditional upon removing all eel-weirs from the Pātea River.

³⁸⁸ Notes of a Meeting, 27 September 1867, AJHR, 1880, G-2, Appendix C, p.3, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

³⁸⁹ AJHR, 1880, G-2, p.38, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

³⁹⁰ AJHR, 1880, G-2, p.38, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

³⁹¹ AJHR, 1880, G-2, p.lvi, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

15. Later Purchases and Takoha Payments

Ngāti Ruanui land interests after 1865 consisted of the lands awarded members of the iwi through the Compensation Court process or granted directly by the Crown, along with whatever customary lands they retained beyond the inland boundary of the Taranaki confiscation district. Yet even as the full extent of the reserves within the confiscation zone remained to be finally determined, the Crown had determined to acquire as much of this land as possible, while also pursuing purchases of territory further inland.

With the government under pressure to resolve the uncertain state of land titles in Taranaki, the option of purchasing Māori interests was adopted as a means of ending this uncertainty and placing settlers on the lands. In January 1872 Native Minister Donald McLean summarised the state of land matters south of the Waingongoro River:

The lands south of the Waingongoro comprise 34,897 acres 2 roods 9 perches, allotted to military settlers; lands disposed of by auction, 2,984 acres 1 rood 3 perches; awards to Natives by the Compensation Court, 17,264 acres; special reserves made to different tribes, 21,361 acres 2 roods 31 perches; and lands allotted to Natives for services during the rebellion, 6,980 acres.

This latter class have been allotted chiefly to Whanganui Natives, who do not require the land for their own use; and it should be purchased from them at a fair price, say £1 per acre.

To satisfy outstanding claims of military settlers and others, about 5,000 acres are still required; leaving land available for subdivision and sale, 34,499 acres.

The awards of the Compensation Court to the Natives have not yet been defined; it is important that this should be done, and the claims of those who are willing to sell should be bought out at a price not exceeding £1 per acre.³⁹²

Pursuant to these instructions, George Worgan was employed by the Crown to settle land matters south of the Waingongoro River, including conducting purchases. Where Māori would not sell to the Crown, Worgan was to ensure each award or reserve for Māori was individualised, ‘to enable the Native owners to dispose of their property by sale to persons desirous of purchase for settlement’.³⁹³

Worgan had previously been dismissed by the Native Department for dishonesty and the huge powers and discretion afforded him in his latest role proved too tempting to resist.³⁹⁴ One witness told the West Coast Commission that Worgan:

Was authorized by the Government to purchase the interests of the awardees where they were willing to sell the same; and here began all the difficulties which have since occurred in relation to these lands. Mr. Worgan did not confine himself to purchasing for the Government, he negotiated purchases for private individuals; and, in allocating the awards, instead of following strictly the previous arrangements of Mr. Atkinson, the Crown Agent, he appears in some instances to have been guided in his individual allotment of the sections by the willingness or otherwise of the awardee to sell his interest. The consequence was that some of the awardees were placed on land to which they had no claim by former associations, which caused dissatisfaction amongst the tribes, as well as the awardees claiming such spots.³⁹⁵

In the instance which resulted in Worgan’s dismissal from government service, followed by criminal prosecution and conviction, a Compensation Court award was purchased from its two

³⁹² McLean to Parris, 20 January 1872, AJHR, 1880, G-2, Appendix A, p.3,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

³⁹³ McLean to Secretary of Crown Lands, 12 February 1872, AJHR, 1872, C-4, pp.29-30,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1872-I.2.1.4.5>.

³⁹⁴ Alan Ward, *A Show of Justice: Racial ‘Amalgamation’ in Nineteenth Century New Zealand*, Auckland: Auckland University Press/Oxford University Press, 1973, p.259.

³⁹⁵ AJHR, 1880, G-2, p.80, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

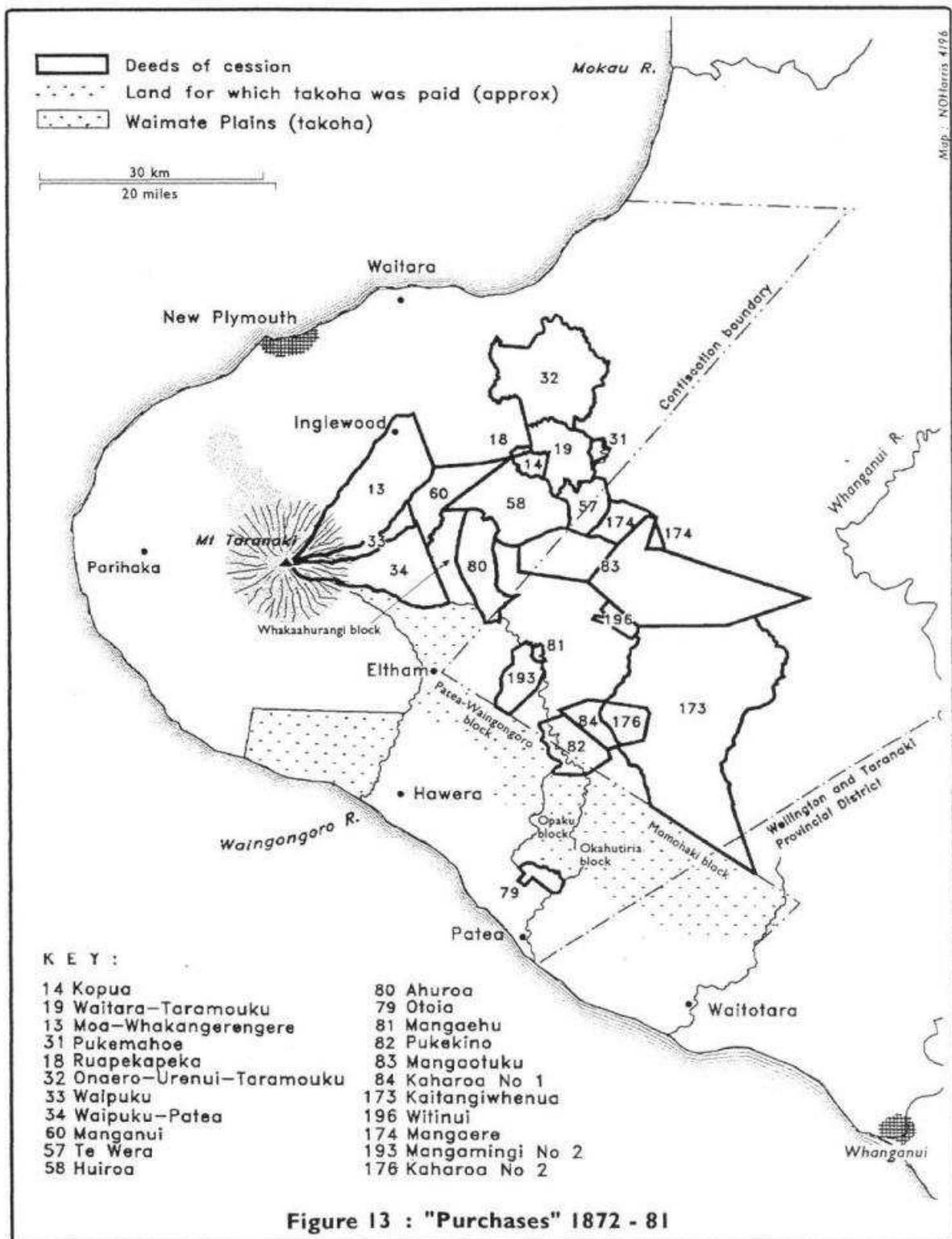
Māori owners for £400 and onsold for £1000, Worgan pocketing the difference.³⁹⁶ However, the Waitangi Tribunal noted multiple Māori complaints concerning 'Worgan's nefarious activities' when these were aired before the West Coast Commission.³⁹⁷

By 1873 Worgan had been replaced by Charles Wray. As noted previously, by 1880 more than 80% of the total area awarded by the Compensation Court south of the Waingongoro river had been alienated, much of it to the Crown. Besides Compensation Court awards, most of the Crown purchases completed south of Waingongoro were inland from the confiscation line. The one exception to this was the 2660-acre Otoia block, inland from Pātea, purchased by Robert Parris from 45 Ngāti Ruanui owners in March 1875 for £332.³⁹⁸

³⁹⁶ Heather Bauchop, 'The Aftermath of Confiscation: Crown Allocation of Land to Iwi, Taranaki, 1865-80 – A Case Study in Confusion', report commissioned by the Waitangi Tribunal, Wai 143, I18, p.147.

³⁹⁷ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.179.

³⁹⁸ Aroha Harris, 'Crown Acquisition of Confiscated and Maori Land in Taranaki, 1872-1881', report commissioned by the Waitangi Tribunal, 1993, Wai-143, #H3, p.22.



Map 5 Purchases and Takoha Payments, 1872-1881 (The Taranaki Report: Kaupapa Tuatahi)

Inland of the confiscation line the Crown purchase five smaller blocks totalling 36,680 acres and one large one of 92,186 acres.³⁹⁹ The smaller blocks included Mangaehu (560 acres), acquired from ‘natives of Taiporohenui’ for £70 in November 1875; the 8200-acre Mangimangi No. 2 block from 20 ‘natives of Patea district’ in August 1881; the 7300-acre Kaharoa No. 2 block from 11 Ngā Rauru owners in September 1881; Pukekino (11,870 acres) purchased in December 1875; and Kaharoa No. 1 (8750 acres) purchased in December 1875.⁴⁰⁰

The largest Crown purchase in the area south of the Waingongoro River was the Kaitangiwhenua block (92,186 acres) purchased by the Crown for £11,523 in December 1880. This differed from other purchases not only in the sheer size of the block, but also because this began as a private purchase that was then taken over by the Crown.⁴⁰¹ In May or June 1878 William Williams, a Pātea blacksmith and licensed interpreter, entered into an agreement to purchase the land known as Kaitangiwhenua, estimated to contain 200,000 acres located between the Waitōtara and Pātea rivers, for 2 shillings 6 pence per acre, with £200 to be paid in cash and the balance once the land had passed through the Native Land Court. Because the land was outside the confiscation area, it was still under customary title at this time and under section 87 of the Native Land Act of 1873 all dealings in such lands by private parties were ‘absolutely void’.⁴⁰²

Although a deed was signed that stated that the £200 had been paid on 10 June 1878, and one of the vendors made a statutory acknowledgement that the money had been paid, it had not. Williams later claimed that he had made payments of £150 and £300 on 13 June, but a later inquiry found that ‘the evidence of payment is not altogether satisfactory or conclusive’.⁴⁰³ Because Williams had acted as interpreter for the deed, a different purchaser, William Cowern, was named in the deed and ‘promised half-interest in the speculation’.⁴⁰⁴

³⁹⁹ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, pp.182, 185.

⁴⁰⁰ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, pp.175, 182.

⁴⁰¹ Aroha Harris, ‘Crown Acquisition of Confiscated and Maori Land in Taranaki, 1872–1881’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #H3, p.67.

⁴⁰² AJHR, 1894, G-4, p.2, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1894-I.2.2.5.3>.

⁴⁰³ AJHR, 1894, G-4, p.4, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1894-I.2.2.5.3>.

⁴⁰⁴ AJHR, 1894, G-4, p.4, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1894-I.2.2.5.3>.

In any case, Williams soon after offered to sell the land to the government and a deed was entered into in November 1878 and the sum of £1000 paid. Williams was employed as ‘Land Purchase Officer’ for the Crown in order to pay further advances on the land and for these purposes £5600 passed through his hands before July 1880.⁴⁰⁵ In the same month the Native Land Court sat to determine title to Kaitangiwhenua, with the case eventually dismissed on the basis that the boundaries were incorrectly described in the application for investigation of title.⁴⁰⁶

The Native Land Court reheard Kaitangiwhenua in September 1880. Ngāti Ruanui, along with other iwi, claimed interests in the large block. On the second day of the hearing Crown official Charles Brown wired the Native Under Secretary in Wellington stating that ‘counter claimants of Ngatiruanui have a good claim to a portion of Kaitangiwhenua but one deficient in witnesses through effects of Parihaka’.⁴⁰⁷ As the Waitangi Tribunal explains:

Ngati Ruanui...were adherents of Te Whiti, a noted resistance leader at Parihaka. Te Whiti supporters generally eschewed agents’ meetings and court hearings, not recognising the rightness of either. In any event, those Te Whiti supporters who had attended meetings or hearings were simply disregarded, Te Whiti and his adherents being seen as affected by a peculiar lunacy, which allowed any of their opinions to be dismissed. On this occasion, many of Ngati Ruanui were in fact at Parihaka, well away from the locality.⁴⁰⁸

Ngāti Ruanui’s counter-claim was dismissed, the court awarding title to the vast block to six Ngā Rauru individuals who had previously agreed to sell the land. One day after the court’s decision the owners signed a deed of cession to the Crown.⁴⁰⁹ Although the deed stated that payment was made at the same time, it appears likely that no money was exchanged on the day. A total of just over £6112 had previously been paid in advances and the balance of £5411

⁴⁰⁵ AJHR, 1880, G-4, p.4, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.7>.

⁴⁰⁶ Aroha Harris, ‘Crown Acquisition of Confiscated and Maori Land in Taranaki, 1872-1881’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #H3, p.71.

⁴⁰⁷ Quoted in Aroha Harris, ‘Crown Acquisition of Confiscated and Maori Land in Taranaki, 1872-1881’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #H3, p.74.

⁴⁰⁸ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.185.

⁴⁰⁹ Kaitangiwhenua Deed of Cession, 18 September 1880, R23558718, Archives NZ.

was paid on 28 December 1880, shortly after the statutory three month deadline for applications for rehearing had expired.⁴¹⁰ Raumati Puru and others had written to Chief Judge Fenton on 30 September seeking a rehearing.⁴¹¹ Fenton recommended that the application be refused and the government not surprisingly endorsed this recommendation.⁴¹² Whanganui Māori also claimed an interest in the block and later protested that they had received no notice of the sale.⁴¹³

Williams had been released from government service in October 1880 and the final payment had been made by Richard Gill. After a cheque for £5411 was handed over to the legal owners, a conversation ensued and the cheque was handed to Williams to cash and distribute the sum among the six owners. Those owners soon protested that they never saw the money and an official inquiry concluded in 1894 that ‘Mr. Williams...obtained the cheque for the balance of the purchase-money...from them by treachery, deceit, and trickery, and...having cashed it, he...fraudulently appropriated the proceeds’.⁴¹⁴ Officials agreed that the owners had been ‘robbed’ and ‘abominably treated’.⁴¹⁵ However, as the money had been passed to the owners before being handed to Williams, the resultant appropriation of those funds was not considered the responsibility of the Crown. In 1896 the government agreed to pay £300 as a gratuity towards the considerable expenses incurred by the Kaitangiwhenua block owners in presenting their claims before the commission of inquiry.⁴¹⁶

By 1876 the government have moved to a system of payment by gratuities, commonly known as takoha. The Tribunal commented that:

In practice, takoha was payment in cash to those Maori who, in the agents’ opinions, had an interest in the land or could most influence the delivery of quiet possession. As

⁴¹⁰ Aroha Harris, ‘Crown Acquisition of Confiscated and Maori Land in Taranaki, 1872-1881’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #H3, pp.74-75.

⁴¹¹ Puru and others to Fenton, 30 September 1880, R24386592, Archives NZ.

⁴¹² Fenton to Minister of Justice, 22 October 1880, R24386592, Archives NZ.

⁴¹³ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.185.

⁴¹⁴ AJHR, 1894, G-4, p.16, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1894-I.2.2.5.3>.

⁴¹⁵ AJHR, 1894, G-4, p.16, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1894-I.2.2.5.3>.

⁴¹⁶ F. Waldegrave, minute, 31 July 1896, R22404491, Archives NZ.

the word ‘gratuity’ implies, it was a method of purchasing land rights without admitting that the vendor had any.⁴¹⁷

Because specific boundaries were not defined when takoha payments were made, the precise area over which they were understood to apply is at best vague. However, takoha payments were made in respect of lands between the Waingongoro and Waitōtara rivers straddling and inside the inland confiscation boundary. These consisted of four blocks, Pātea-Waingongoro, Opaku, Okautiria and Momohaki. While these were often poorly defined, Brown, who made the payments, defined Pātea-Waingongoro as including ‘the lands comprised between the boundary of the lands granted to Military Settlers, the Native Reserves, the rivers Patea and Waingongoro, and the confiscation lines in [the Taranaki] Province’.⁴¹⁸ In all, the four blocks were estimated to include 177,752 acres, for which a total of £16,652 had been given to Māori as takoha.⁴¹⁹

Brown had reported, soon after completing the Opaku and Okahutiria purchases in April 1877 that ‘The Natives are gradually but steadily improving in their feeling of submission to the state of things resulting from their defeat by us: so much so, that they have accepted the carrying out of the confiscation of the balance of the land between the Patea and Waingongoro rivers without any serious demur’.⁴²⁰ Framed in this way, Brown was implicitly acknowledging that the transactions conducted at this time could not be regarded as genuine land purchases but merely an extension of confiscation by other means. The West Coast Commission was scathing as to the takoha system, describing it as ‘simply make-believe’ and ‘nothing but secret bribery’.⁴²¹ Brown had told the commissioners that part of the money was paid in private to selected chiefs.⁴²² The Waitangi Tribunal concluded that no valid purchases were completed and that ‘The payment of takoha was thoroughly bad and meaningless in law’.⁴²³

⁴¹⁷ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.193.

⁴¹⁸ Quoted in Aroha Harris, ‘Crown Acquisition of Confiscated and Maori Land in Taranaki, 1872-1881’, report commissioned by the Waitangi Tribunal, 1993, Wai-143, #H3, p.54.

⁴¹⁹ AJHR, 1880. G-2, Appendix B, p.31, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴²⁰ Browne to Native Under Secretary, 31 May 1877, AJHR, 1877, G-2, p.13,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1877-I.2.2.2.3>.

⁴²¹ AJHR, 1880, G-2, p.xli, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴²² AJHR, 1880, G-2, p.xli, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴²³ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.198.

16. Parihaka and the West Coast Commission

‘Creeping’ confiscation north of the Waingongoro River, including the area between Waingongoro and Ōeo River that Ngāti Ruanui claimed as their own, continued well into the 1870s and was met with strong resistance from those dispossessed.⁴²⁴ The Te Ātiawa and Taranaki iwi prophets Te Whiti-o-Rongomai and Tohu Kakahi became the focus for a strategy of non-violent resistance and many supporters were drawn to the settlement they founded at Parihaka from the late 1860s. It offered refuge to the survivors of the wars and drew supporters from throughout Taranaki and beyond.⁴²⁵ In 1874 Robert Parris reported that:

...the Natives are still under the baneful influence of the Parihaka Councils, where monthly meetings are still kept up with as much devotion and adoration of Te Whiti as ever; and besides the Natives of the Taranaki district, there is a large number from other districts who regularly attend the meetings, and implicitly believe in Te Whiti, and the effect it has upon them is to render them very impracticable in matters relating to public works and the acquirement of territory for the extension of the settlement of the country.⁴²⁶

As was seen in the last chapter, supporters of the Parihaka movement generally sought to avoid the Native Land Court and the blandishments of Crown land purchase officers like Parris and that made the work of acquiring more land for European settlement difficult.

But the government had not given up on outright confiscation as a strategy. North of the Waingongoro River, though the land had been confiscated on paper in 1865, in practice it remained in the hands of its customary Māori owners.⁴²⁷ That all changed in 1878, a decade after fighting had ended in the region, when surveyors were sent onto the Waimate Plains. Ngāruahine and Ngāti Ruanui had reoccupied this area in the early 1870s, considering the land

⁴²⁴ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.376.

⁴²⁵ Rachel Buchanan, *The Parihaka Album*, Wellington: Huia Publishers, 2009, pp.23-24.

⁴²⁶ Parris to Native Under Secretary, 26 May 1874, AJHR, 1874, G-2, p.12,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1874-I.2.2.3.3>.

⁴²⁷ Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Wellington: Allen & Unwin/Port Nicholson Press, 1989, p.31.

was theirs since the Crown had taken no steps to confiscate the plains – and, in fact, Native Minister Donald McLean had in 1872 famously declared the district ‘quite unavailable’ for settlement.⁴²⁸

Ngāti Ruanui and other iwi, along with Te Whiti and Tohu, did not want trouble and for many months after the surveyors first arrived on 29 July 1878 they were permitted to go about their business without interference or obstruction. But a desire for peace did not equate with accepting the belated confiscation of their lands, particularly in the absence of long promised reserves for Māori. In December 1878 the surveyors were prevented from entering cultivations at Titokowaru’s own pā at Taikatu. Local Māori began calling the surveyors robbers and thieves and by March 1879 survey pegs were being pulled from the ground and used for kindling.⁴²⁹

Te Whiti met with Native Minister John Sheehan that same month but with no resolution reached, days later the surveyors’ gear was packed up by Māori parties and carted south of the Waingongoro River. However, the government remained undeterred by this clear evidence of opposition to the survey of the lands, and days later began advertising the sections for sale.⁴³⁰

With the government and officials rebuffing further efforts to try and resolve the matter through dialogue, on 25 May 1879 the people of Parihaka turned to a new tactic. On that date a party of 20 unarmed men began ploughing confiscated lands at Ōakura. Settlers in the area were outraged, demanding a firm and unequivocal response. The ploughing stopped when a Crown party visited the area to investigate the situation but resumed again when the Native Minister and his officials left again without speaking with Te Whiti.⁴³¹

On 29 June the Armed Constabulary began arresting the ploughmen. But those taken into custody were immediately replaced by others. By August around 200 men had been arrested. That same month, the Maori Prisoners’ Trials Act was passed into law, giving the Crown

⁴²⁸ McLean to Parris, 20 January 1872, AJHR, 1880, G-2, Appendix A, p.3, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴²⁹ Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Wellington: Allen & Unwin/Port Nicholson Press, 1989, pp.52-53.

⁴³⁰ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, pp.221-22.

⁴³¹ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.225.

discretion to defer or delay the trial of those arrested as it saw fit. Of the 420 ploughmen arrested just 40 received a trial. The remaining men were sent to Dunedin in batches and imprisoned there without trial, further legislation being introduced to suspend their legal rights.⁴³²

A new Native Minister, John Bryce, was quick to defend these moves, claiming the suspension of habeas corpus and the Magna Charta were ‘mere legal technicalities’.⁴³³ Although a West Coast Commission was appointed in January 1880 to investigate allegations of unfilled promises of reserves, its sole Māori member, Hone Mohi Tawhai, resigned before any hearings had been held, complaining that his fellow commissioners (politicians William Fox and Francis Dillon Bell) were the ‘root of all evil’ in Taranaki and not impartial observers.⁴³⁴ The remaining commissioners made recommendations for various reserves, subject to ultimate acceptance by the people of Parihaka as to the finality of confiscation over the remainder.⁴³⁵

The commissioners had rejected a request to come to Parihaka to hear what Māori there wanted, instead branding Te Whiti and Tohu as fanatics and deciding the allocation of lands without any input from supporters of the Parihaka movement. That was never going to be acceptable to the people of Parihaka and in June 1880 a further campaign of direct, but non-violent, action got underway when the ploughmen were replaced by fencers. They too were swiftly arrested and despatched for imprisonment without trial in the South Island. This time there were too many to send to Dunedin alone. While some were taken south to Otago, around 40 were imprisoned at Hokitika. And in September 1880 around 160 of the prisoners were taken to Whakaraupō (Lyttelton Harbour) and imprisoned on the small island of Ripapa.⁴³⁶ Many Ngāti Ruanui men were among the ploughmen and fencers held without trial in South Island jails.⁴³⁷

⁴³² Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996, p.228.

⁴³³ Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Wellington: Allen & Unwin/Port Nicholson Press, 1989, p.88.

⁴³⁴ Hazel Riseborough, *Days of Darkness: Taranaki, 1878-1884*, Wellington: Allen & Unwin, 1989, p.92.

⁴³⁵ Hazel Riseborough, *Days of Darkness: Taranaki, 1878-1884*, Wellington: Allen & Unwin, 1989, p.98.

⁴³⁶ Vincent O’Malley, ‘Christchurch and the New Zealand Wars’, *Bulletin*, no. 210, Christchurch Art Gallery, Summer 2022/23, pp. 6-15, <https://christchurchartgallery.org.nz/bulletin/210/christchurch-and-the-new-zealand-wars>

⁴³⁷ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.379-83.

John Bryce's hardline stance towards the issue put him offside with other government ministers and in January 1881 he had resigned from office. But with the people of Parihaka showing no signs of buckling to the government's demands, Bryce was brought back into the fold. On 19 October 1881 the Parihaka community was given 14 days to submit to law or lose any lands they still held.⁴³⁸ Bryce was immediately sworn in as Native Minister to make preparations for the forthcoming confrontation. All of this took place as the Governor, Sir Arthur Gordon, raced back from a visit to Fiji, landing just two and a quarter hours after the signing of the proclamation.⁴³⁹ He believed that Te Whiti's cause was a just one and was furious that the government had taken advantage of his absence to rush through the ultimatum.⁴⁴⁰

With Bryce given a free hand to confront the people of Parihaka, preparations were quickly put in place. Te Whiti and Tohu continued to urge their followers to act peacefully, even as speculation as to the forthcoming invasion of their community reached frenzied levels.⁴⁴¹ A force consisting of nearly 1600 Armed Constabulary and volunteers was hastily assembled, commanded by Colonel J.M. Roberts but under the personal direction of Bryce.⁴⁴² Despite determined efforts by Bryce to prevent detailed press descriptions of what unfolded at Parihaka, two journalists managed to sneak into the settlement, witnessing and subsequently reporting on all that unfolded.⁴⁴³

Bryce, riding a white charger, advanced on Parihaka on the morning of 5 November 1881 at the head of the force. They were greeted by a large party of skipping, singing and dancing children (in some accounts including boys performing haka).⁴⁴⁴ Within the settlement itself a crowd of up to 2500 people had assembled to witness proceedings, with Te Whiti and Tohu continuing to urge calm. Samuel Crombie-Brown, one of the journalists to defy Bryce's media blackout,

⁴³⁸ Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Wellington: Allen & Unwin/Port Nicholson Press, 1989, pp.154-55.

⁴³⁹ Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Wellington: Allen & Unwin/Port Nicholson Press, 1989, p.156.

⁴⁴⁰ Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Wellington: Allen & Unwin/Port Nicholson Press, 1989, p.157.

⁴⁴¹ Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Wellington: Allen & Unwin/Port Nicholson Press, 1989, p.161.

⁴⁴² Hazel Riseborough. 'Bryce, John', *Dictionary of New Zealand Biography*, first published in 1993. Te Ara - the Encyclopedia of New Zealand, <https://teara.govt.nz/en/biographies/2b44/bryce-john>

⁴⁴³ Star, 7 November 1881, <https://paperspast.natlib.govt.nz/newspapers/TS18811107.2.20>

⁴⁴⁴ Rachel Buchanan, *The Parihaka Album*, Wellington: Huia Publishers, 2009, p.48.

observed that ‘The whole spectacle was saddening in the extreme; it was an industrious, law-abiding, moral and hospitable community calmly awaiting the approach of the men sent to rob them of everything dear to them.’⁴⁴⁵

The Riot Act was read and demands issued for Te Whiti, Tohu and others to hand themselves over for arrest. Te Whiti urged Bryce to come and talk to him instead. But Bryce refused to dismount from his horse and told Te Whiti that the time for talking was over.⁴⁴⁶ As constables stepped forward to arrest Te Whiti and Tohu, both prophets continued to urge restraint among their followers as they were led away without resistance. Members of the expeditionary force subsequently looted and pillaged the settlement.⁴⁴⁷ The Parihaka community had attracted Māori supporters from all over the country, and Bryce issued orders for the non-resident population to be forcibly dispersed. As the people were removed, their houses were pulled down. Oral histories also record that multiple women were raped and survivors later told the Sim Commission that members of the Armed Constabulary had ‘assaulted and impregnated women’.⁴⁴⁸ Before leaving the scene, Bryce oversaw the destruction of all crops deemed to belong to outsiders.⁴⁴⁹

Following the invasion of Parihaka, Bryce helped to steer through further legislation, indemnifying Crown forces for their actions and providing for Te Whiti and Tohu to be imprisoned without trial.⁴⁵⁰ The pair were held for the next 16 months, much of the time in various South Island locations, before they were eventually allowed to return to Parihaka. Over the following years they rebuilt their community, continuing to peacefully resist the confiscation of their lands and facing further arrests.⁴⁵¹

Meanwhile, Fox and Bell had been appointed to a second West Coast Commission charged with finalising the reserves in December 1880. Among their other duties, the commissioners

⁴⁴⁵ Star, 7 November 1881, <https://paperspast.natlib.govt.nz/newspapers/TS18811107.2.20>

⁴⁴⁶ Star, 7 November 1881, <https://paperspast.natlib.govt.nz/newspapers/TS18811107.2.20>

⁴⁴⁷ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, p.206.

⁴⁴⁸ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, pp.237, 296.

⁴⁴⁹ Moyra Cooke, ‘John Bryce, 1834-1913: The White Charger’, MA thesis, Massey University, 2015, p.71.

⁴⁵⁰ Moyra Cooke, ‘John Bryce, 1834-1913: The White Charger’, MA thesis, Massey University, 2015, p.73.

⁴⁵¹ Vincent O’Malley, *The New Zealand Wars/Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2019, p.208.

also drafted the West Coast Settlement Reserves Act 1881, which specified that the reserves would be vested in the Public Trustee and (with the exception of some occupation reserves) mostly leased to Europeans. Additionally, the area to be reserved was reduced by way of punishment for the ongoing campaign of resistance led out of Parihaka.⁴⁵²

In all the second West Coast Commission awarded 201,395 acres to 5289 named individuals before issuing its final report in 1884. A further 13,280 acres was later added to this, making a total figure of 214,675 acres.⁴⁵³ Noting that approximately 44,000 acres had been allocated to Māori south of the Waingongoro river in an area estimated to be 295,000 acres, the commissioners concluded that a similar scale of reserves should be allocated north of the river. Estimating the area between the Waingongoro and Ōeo rivers to be 146,000 acres, the commissioners recommended one large ‘continuous reserve’ for Māori in this area, consisting of 25,000 acres.⁴⁵⁴ The Waitangi Tribunal notes that, as the commissioners became concerned that Māori might assume a right to manage such a large area of land on their own, steps were taken to intersperse pockets of Crown land in between the reserve allocations, effectively breaking this into a series of smaller and fragmented reserves. As part of this process, the reserves in this area were also reduced in extent by 5000 acres.⁴⁵⁵

⁴⁵² Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, p.254.

⁴⁵³ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, pp.250-252.

⁴⁵⁴ AJHR, 1880. G-2, pp.xlix-l, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-1.2.2.2.3>.

⁴⁵⁵ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, pp.254-56.

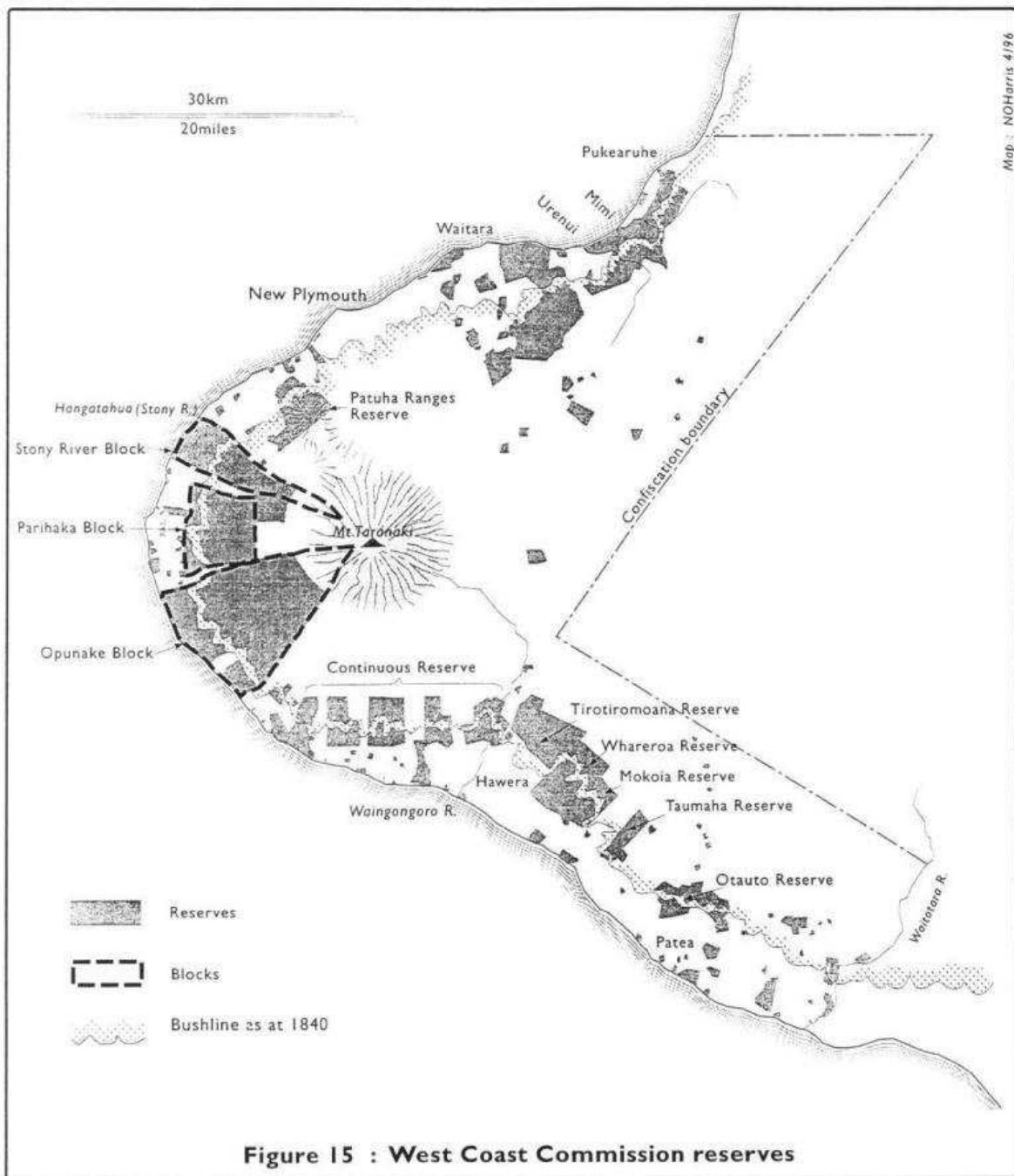


Figure 15 : West Coast Commission reserves

Map 6 West Coast Commission Reserves (*The Taranaki Report: Kaupapa Tuatahi*)

In all only 3725 acres had been declared ‘absolutely inalienable’ and by 1912 an area of 193,996 acres remained in Māori ownership. However, of this area 120,110 acres were held by Europeans under perpetual leases and another 18,400 acres held under 30-year leases.⁴⁵⁶ Under the West Coast Settlement Reserves Act 1892 rentals were to be calculated at five per

⁴⁵⁶ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, p.258.

cent of the unimproved value of the lands, subject to review every 21 years. Compensation was also payable in respect of improvements. In 1920 administration of the lands was transferred to the Native (later Maori) Trustee. Many of the lands were purchased by the Crown or lessees.⁴⁵⁷

The Maori Reserved Lands Act 1955 consolidated the existing legislation under which the reserves were administered. Then, in 1963, the Maori Trustee amalgamated the titles to the West Coast Settlement Reserves in a single body, the Parininihi ki Waitotara reserve, which included the remaining 71,969 acres under perpetual lease. Interests in particular lands with which the owners might have had ancestral connections to were replaced with shares in the new body. Although this simplified the work of the Maori Trustee, it created new sources of grievance for many of the owners.⁴⁵⁸

Following strong calls from Taranaki Māori for control over the lands to be restored to them, in 1976 the Parininihi-ki-Waitotara Incorporation was established and took control of 55,137 acres from the Maori Trustee. However, the new incorporation inherited the perpetual leasing regime. The Maori Reserved Lands Amendment Act 1997 maintained perpetual leasing but subject to market rentals that were reviewable every seven years.⁴⁵⁹

⁴⁵⁷ Richard Boast and Richard S. Hill (eds), *Raupatu: The Confiscation of Maori Land*, Wellington: Victoria University Press, 2009, p.236.

⁴⁵⁸ Richard Boast and Richard S. Hill (eds), *Raupatu: The Confiscation of Maori Land*, Wellington: Victoria University Press, 2009, p.237.

⁴⁵⁹ Richard Boast and Richard S. Hill (eds), *Raupatu: The Confiscation of Maori Land*, Wellington: Victoria University Press, 2009, p.240.

17. The Sim Commission and Redress Efforts

Wave after wave of invasion and attack, along with sweeping and indiscriminate land confiscations, had left Ngāti Ruanui and other Taranaki iwi with deep and lasting grievances. Although Taranaki Māori lodged multiple petitions respecting these matters from the 1860s onwards, it took until the 1920s before the Crown was willing to contemplate anything resembling a full inquiry into their grievances.⁴⁶⁰ But even that proved less than adequate.

In October 1926 a Royal Commission headed by Sir William Sim, a Supreme Court Judge, and also including Vernon Herbert Reed, a member of the Legislative Council, along with its only Māori member, William Cooper of Gisborne, was appointed to inquire into grievances related to the land confiscations of the nineteenth century.⁴⁶¹ Its eventual report was completed in June 1927, but not tabled in Parliament until nearly fifteen months later in September 1928.⁴⁶²

The appointment of such a commission reflected a number of factors, including the emergence of a new generation of western-educated Māori leaders who were able to successfully operate within the mainstream political system. In the wake of the First World War, Parliament had been flooded with petitions from a number of tribes who expected that their war service and sacrifice would be appropriately recognised through the investigation of their long-held grievances.

It was clear that the wound would continue to fester for so long as the raupatu grievance continued to be ignored. Politicians such as Maui Pomare and Sir Apirana Ngata found a ready ally in the form of Native Minister between 1921 and 1928 (and Prime Minister between 1925 and 1928) Gordon Coates. In 1925 he agreed to introduce legislation providing for the appointment of a commission of inquiry, explaining that many tribes harboured ‘a general sense

⁴⁶⁰ In total at least 262 petitions related to the Taranaki raupatu were filed between 1870 and 1930 – an average of four per annum. Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, p.292.

⁴⁶¹ AJHR, 1928, G-7, p.1, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1928-I.2.2.6.13>.

⁴⁶² Vincent O’Malley, Vincent, ‘The Aftermath of the Tauranga Raupatu, 1864-1981: An Overview Report’, report commissioned by the Crown Forestry Rental Trust, 1995, pp.110-11.

on their part of unjust treatment' as a result of the confiscation of their lands.⁴⁶³ While it was hoped that the inquiry would help to overcome such feelings, Coates warned that:

The failure to obtain consideration in the past has been due largely to the ill-advised attempts by the Natives' advisers to rely on the terms of the Treaty of Waitangi. The obvious answer to that claim is that such reliance is propounded on behalf of men who repudiated the Treaty, and with the Treaty the cession of sovereignty to the Crown, which was the basis of the Treaty.⁴⁶⁴

This set the tone for the commission which was to follow, which Coates explained would be based on 'benevolent consideration of the question whether the extent of the territorial confiscation was just and fair under the circumstances of the warfare and the action taken by Natives and by Europeans.'⁴⁶⁵

The Treaty was out, then, and the inquiry was to be premised on the assumption that confiscation was fundamentally justified, with the only question remaining to be considered one as to whether this had been excessive in extent. The basic assumptions of most European officials in the 1860s were therefore to form the starting point for the inquiry which followed and these were incorporated into the terms of the commission issued. These required the commissioners to determine whether the confiscations 'exceeded in quantity what was fair and just', but explicitly declared that:

(a) you shall not have regard to any contention that Natives who denied the sovereignty of Her then Majesty and repudiated Her authority could claim the benefit of the Treaty of Waitangi; (b) you shall not accept any contention that the said Acts or any of them were *ultra vires* of the Parliament of the Dominion.⁴⁶⁶

⁴⁶³ NZPD, 28 September 1925, pp.773-774.

⁴⁶⁴ NZPD, 28 September 1925, p.774.

⁴⁶⁵ NZPD, 28 September 1925, p.774.

⁴⁶⁶ AJHR, 1928, G-7, p.2, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1928-I.2.2.6.13>.

There were also more practical constraints on the commission's proceedings, including the fact that it had just eight months to inquire into and report on all of the major confiscations under the New Zealand Settlements Act, besides more than 50 separate petitions covering a myriad range of issues.

The Sim Commission held its first hearings in New Plymouth in February 1927, at which time the main counsel for the claimants, D.S. Smith, took advantage of a flaw in the wording of the terms of the inquiry to successfully argue that the commission should indeed inquire into the fundamental justice of the confiscations. He did not have the same success in urging that the Treaty of Waitangi should also be taken into consideration.⁴⁶⁷ Nevertheless, this opening allowed the commission to condemn the Taranaki War and subsequent confiscations in the strongest possible terms. Its report declared that:

When martial law was proclaimed in Taranaki, and the Natives informed that military operations were about to be undertaken against them, Wiremu Kingi and his people were not in rebellion against the Queen's sovereignty; and when they were driven from the land, their pas destroyed, their houses set fire to, and their cultivations laid waste they were not rebels, and they had not committed any crime.⁴⁶⁸

The finding that Wiremu Kingi and his people had not committed 'rebellion' was hugely significant. Instead, as the Sim Commission concluded:

The Natives were treated as rebels and war declared against them before they had engaged in rebellion of any kind, and in the circumstances they had no alternative but to fight in their own self-defence. In their eyes the fight was not against the Queen's sovereignty, but a struggle for house and home.⁴⁶⁹

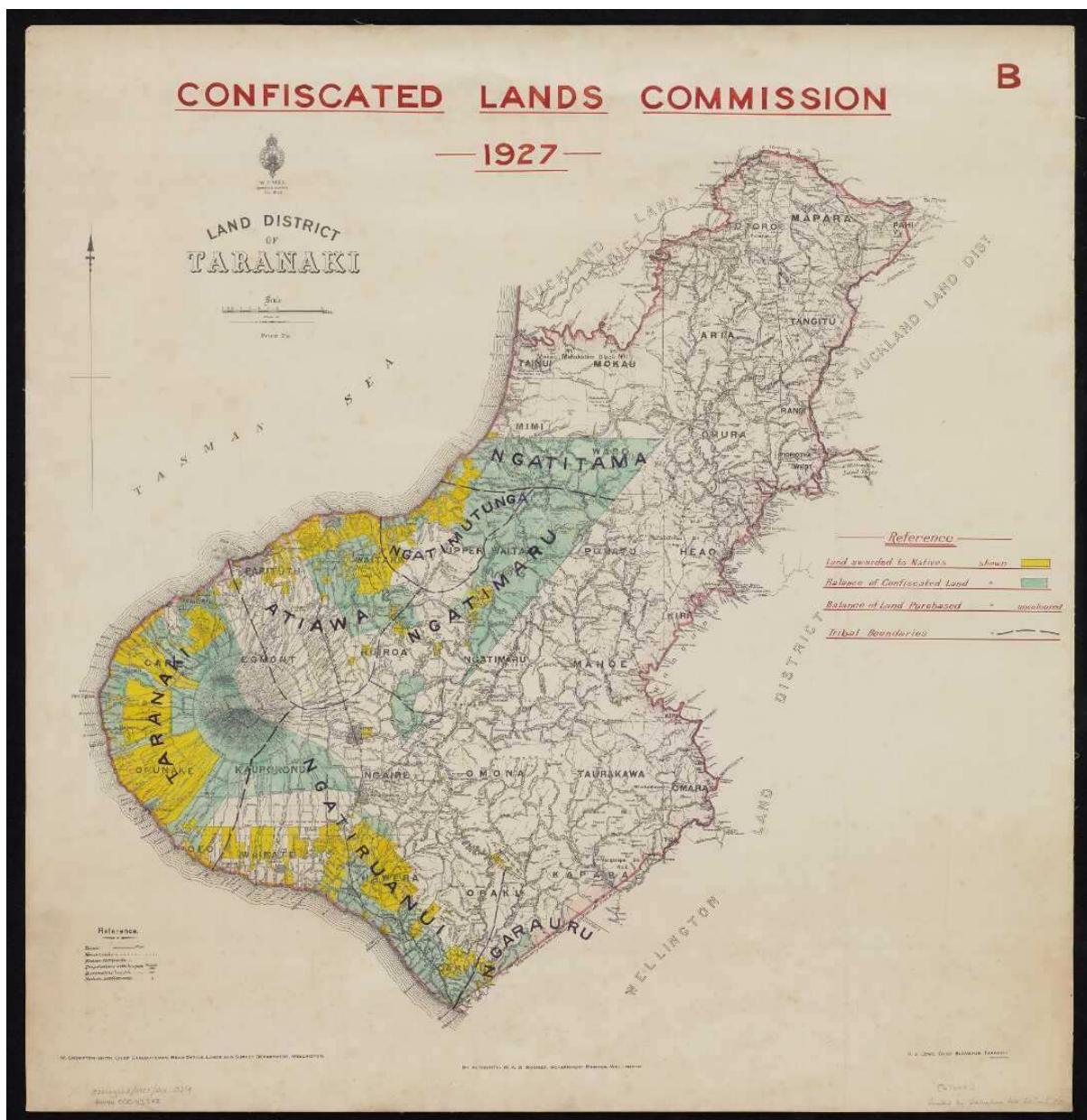
⁴⁶⁷ AJHR, 1928, G-7, p.6, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1928-I.2.2.6.13>.

⁴⁶⁸ AJHR, 1928, G-7, p.11, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1928-I.2.2.6.13>.

⁴⁶⁹ AJHR, 1928, G-7, p.11, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1928-I.2.2.6.13>.

The commissioner's concurred with the description of nineteenth century politician Isaac Featherston in describing the first Taranaki conflict as 'an unjust and unholy war' and believed that the later fighting was 'only a resumption of the original conflict'.⁴⁷⁰

Based on figures provided by the Lands and Survey Department, it concluded that the total area originally confiscated was 1,275,000 acres, of which 557,000 acres was purchased, leaving 462,000 acres as the total area finally confiscated.



Map 7 Confiscated Lands Commission 1927 (MapColl.832.2gbbd1927Acc.35354, ATL)

⁴⁷⁰ AJHR, 1928, G-7, p.11, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1928-I.2.2.6.13>.

A number of specific petitions were referred to the commission for inquiry and although it declined to report on many of the Taranaki ones on the basis that these were covered in its general report, the commission did report on a petition relating to the ‘continuous reserve’. Located between the Waingongoro and Ōeo rivers, this was found to contain 25,363 acres on survey, but only 20,348 acres was awarded to Māori by the West Coast Commission. The Ngāti Tū (Ngāruahine) petitioners sought a grant for the balance of just over 5000 acres. However, the Sim Commission rejected this, concluding that the government had decided to reduce the reserve in extent in 1882 and was entitled to do so ‘as the Natives had not acquired any legal or moral claim to have full effect given to the recommendation by the [West Coast] Commission’.⁴⁷¹

Although the Sim Commission was an honest and for its time in many ways admirable attempt to grapple with the Taranaki confiscations, it was also hampered by the lack of comprehensive research into that history. As the Waitangi Tribunal noted, the commissioners had accepted uncritically the Crown’s claim that 557,000 acres had been fairly and validly purchased, when closer inquiry (of the kind the Tribunal itself was able to undertake six decades later) would call that assumption into question.⁴⁷²

The Sim Commission declared it ‘difficult, if not impossible’ to arrive at any satisfactory conclusion as to the value of the lands at the date of confiscation, and instead simply suggested the sum of £5000 in annual payments ‘to be applied by a Board for the benefit of the Natives of the tribes whose lands were confiscated’ by way of compensation.⁴⁷³

Taranaki Māori ‘claimed that land, not money, should be returned and that, if it had to be money, it should be more’, while Treasury opposed the proposed settlement as overly generous.⁴⁷⁴ It would be many years before a settlement based on the Sim Commission recommendations was agreed. In 1944 the Taranaki Maori Claims Settlement Act was passed into law. It provided

⁴⁷¹ AJHR, 1928, G-7, p.31, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1928-I.2.2.6.13>.

⁴⁷² Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, p.295.

⁴⁷³ AJHR, 1928, G-7, p.11, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1928-I.2.2.6.13>.

⁴⁷⁴ Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington: GP Publications, 1996, p.297.

for the sum of £5000 to be paid annually to the Taranaki Maori Trust Board, with an additional one-off sum of £300 in respect of Parihaka. By the 1980s inflation had eroded much of the value of these annual payments and eventually the Crown conceded that there were valid grounds to consider broader Treaty-based claims, opening the way for fresh and more comprehensive settlements than had been possible half a century earlier.⁴⁷⁵

Following twelve weeks of Waitangi Tribunal hearings into the Taranaki raupatu claims between 1990 and 1995, and the release of the Tribunal's report in 1996, Ngāti Ruanui signed a deed of settlement with the Crown in 2001 in respect of their historical claims. Besides commercial redress of \$41 million, the settlement also included an apology from the Crown 'for its actions which have resulted in the loss of life during the Taranaki wars and the virtual landlessness of Ngaati Ruanui in Taranaki...[which] have caused suffering and hardship to Ngaati Ruanui over the generations to the present day'.⁴⁷⁶ The settlement also included cultural redress and restoration of access to traditional foods and food gathering areas. Aspects of the settlement relating specifically to the marine and coastal environment will be discussed in a later chapter.

⁴⁷⁵ Richard S. Hill, *Maori and the State: Crown-Maori Relations in New Zealand/Aotearoa, 1950-2000*, Wellington: Victoria University Press, 2009, p.259.

⁴⁷⁶ Section 7.11, Deed of Settlement, 12 May 2001, <https://www.govt.nz/assets/Documents/OTS/Ngati-Ruanui/Ngati-Ruanui-Deed-of-Settlement-12-May-2001.pdf>

18. Coastal Reserves

Raupatu reduced Ngāti Ruanui land holdings along the coastline severely, with most reserves further inland as part of a deliberate Crown strategy to secure the fertile coastal areas for European settlement. That made the few remaining coastal lands that had been reserved for them even more important since the resources of the marine and coastal environment assumed added importance in a context in which the land area available for growing wheat or other crops, or running livestock, had shrunk considerably.

Potakataka, a ten-acre reserve allocated by Donald McLean in January 1873 and located between the Pātea and Whenuakura rivers, is one of a handful of blocks abutting or close to the coast still held by Māori today within the application area.⁴⁷⁷ A title order for the block was issued in 1915. Whitikau and Rangatapu are the only two other coastal blocks within the same area. Immediately to the north of the Waingongoro River and south of the Whenuakura River (that is, outside the application area) are other Māori lands, Te Kawau and Section 370, Okotuku district, respectively.

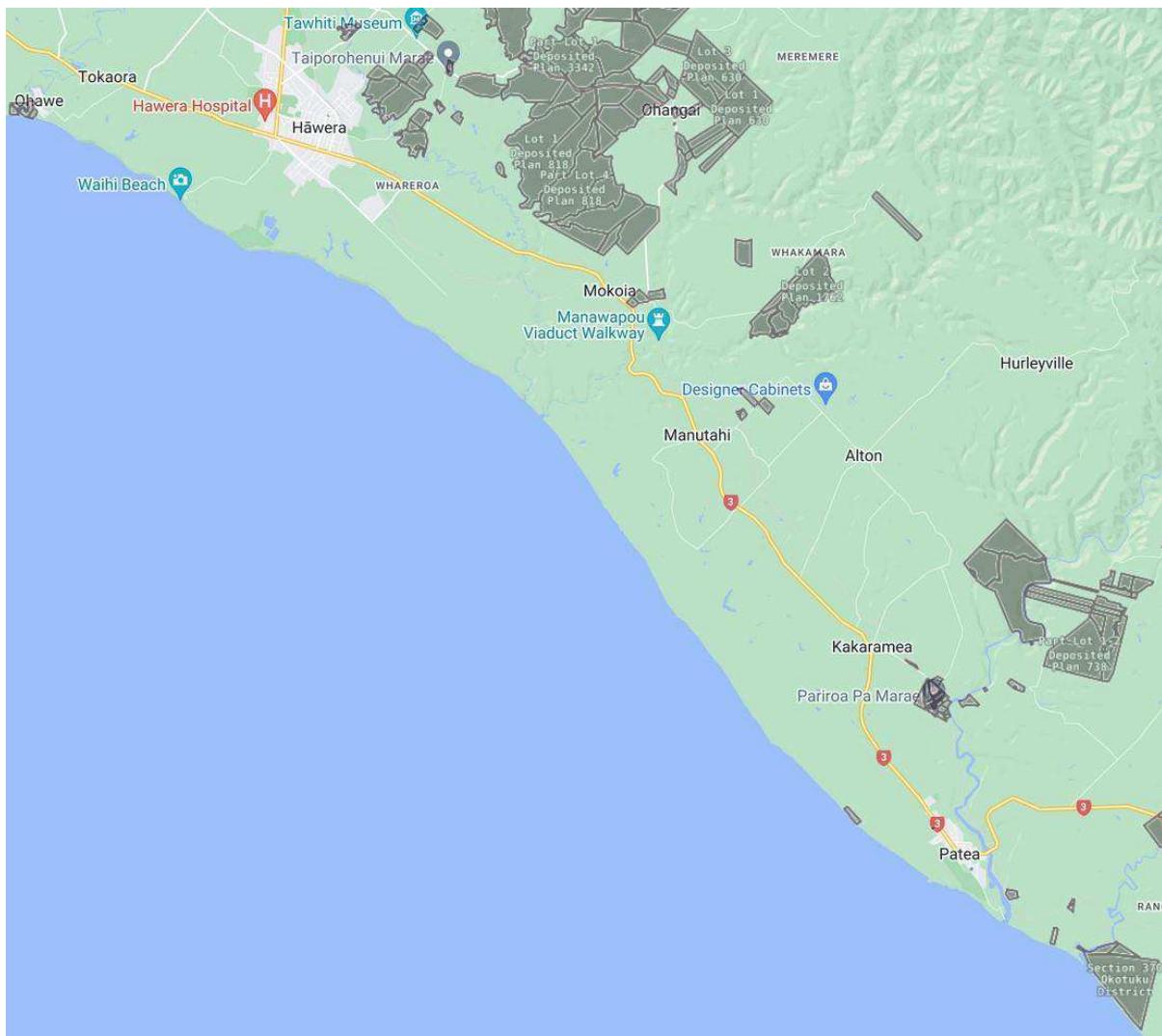
Whitikau fishing reserve, a 15-acre coastal reserve made at some point between 1873 and 1880,⁴⁷⁸ was located a few miles north of the Pātea River mouth, in an area of significant Māori settlement. A Crown grant for the block was registered in the name of 15 Māori grantees in 1883. The grant for the block described the seaward boundary of the block as ‘the sea coast’.⁴⁷⁹ In 1915 the Native Land Court heard a succession case in respect of the reserve, though it was not until 1924 that a survey was completed. Due to sea erosion, this revealed the block to now be 13 acres 3 roods 20 perches. The survey showed that all but a small portion of the coastal side of the block was covered in cliffs.⁴⁸⁰ Whitikau remains in Māori ownership today and is one of just a handful of coastal lands left to Ngāti Ruanui.

⁴⁷⁷ AJHR, 1880, G-2, Appendix B, p.29, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴⁷⁸ AJHR, 1880, G-2, Appendix B, p.29, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴⁷⁹ Crown grant, Wai-143, #M33, Appendix 3(a),

⁴⁸⁰ Michael Stevens, ‘Ngāti Ruanui and Pakakohe Lands’, report commissioned by the Waitangi Tribunal, 1996, Wai-143, #M33, pp.7-8.



Map 8 Māori Land 2023 (Pātaka Whenua portal)

Whitikau reserve was part of a much larger area claimed by Ngāti Ruanui in the area on the north bank of the Pātea River. Before the West Coast Commission in 1880 Tutange Waionui declared:

I wish to speak of land from Patea to Whitikau, Oroua, and Te Pipipi; these places are all seaward, and from thence to Opango along the line to Pukerata; and from there to Otoia and on to Patea. The land included in these boundaries is generally known as Kakaramea. The block is about five miles across, and extends back from the sea-coast twelve miles. It contains about 1,200 acres. This land has all been confiscated. My body may have offended against the Queen, but my land has not. I and my relatives sent a petition to Major Brown when he was in office, in 1877. We asked that the land which

the Government were holding in this block should be returned to us. I said that the Government should pay me half the price of the land that was in Government use at the Patea wharf and other such places. Major Brown informed us that it was a matter for other offices of the Government and Commissioners to settle. This is all I have to say to the Commissioners: that this land held by the Government should be returned to us.⁴⁸¹

The commissioners dismissed this request out of hand, telling Waionui ‘We have listened to what you have said, but your claim is one which we cannot entertain for a moment. We are not here to give back the confiscated land, nor to entertain any application of that kind.’⁴⁸²

However, Ngāti Ruanui also understood that Native Minister J.C. Richmond had promised their ‘sacred places and places that are greatly valued will be retained for the people who owned the land’ and in 1908 Tutange Waionui and 46 others petitioned Parliament asking ‘that certain burial places and a fishing ground in the Patea district be returned to them’. The petitioners stated that the lands in question had been reserved for them by Governor Grey and Richmond in 1867 and confirmed by Donald McLean in 1873.⁴⁸³ Among the ‘sacred places’ the petitions sought to secure was section 641, Pātea, containing 2 acres 2 roods and 20 perches at the mouth of the Pātea River. It was included in an area of 180 acres of Crown lands vested in the Patea Harbour Board in 1877. But to Ngāti Ruanui the site was known as Te Pou a Turi and was one of the most tapu of all places. It was adjacent to a much larger section, section 73, containing 148 acres, of which 43 acres was considered an urupā.⁴⁸⁴ Three other sites were also included in the claim. Kaikaapo, containing 240 acres, was another burial place, as was Te Ngaio (39 acres), while Omaha, consisting of 27 acres, was claimed as a fishing ground.⁴⁸⁵

While Te Pou a Turi and Omaha had been vested in the Patea Harbour Board, Te Ngaio had been declared a cemetery reserve and Kaikaapo had been declared an education reserve.⁴⁸⁶

⁴⁸¹ AJHR, 1880, G-2, p.34, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴⁸² AJHR, 1880, G-2, p.34, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴⁸³ Petition No. 2923/08, n.d. [1908], R22411501, Archives NZ.

⁴⁸⁴ Michael Stevens, ‘Ngati Ruanui and Pakakohe Lands’, report commissioned by the Waitangi Tribunal, 1996, Wai-143, #M33, p.13.

⁴⁸⁵ Native Under Secretary to Commissioner of Crown Lands, 20 October 1910, R22415809, Archives NZ.

⁴⁸⁶ Commissioner of Crown Lands to Under Secretary for Lands, 19 September 1908, R22415809, Archives NZ; Michael Stevens, ‘Ngati Ruanui and Pakakohe Lands’, report commissioned by the Waitangi Tribunal, 1996, Wai-143, #M33, pp.12-14.

However, official inquiries into the 1908 petition confirmed that unfulfilled promises had been made to Māori. In September 1908 the Chief Surveyor reported that:

Section 641 is of double importance in Maori sentiment; it is sacred in that there is buried here one of the ‘Mania’ [sic] or sacred symbols of property in, and protection of, the river and fishing rights; and it is the place where Karaka seeds from Hawaiki were planted by Ture who came thence, the last tree disappearing during the war. In this latter respect it is of significance and deep concern beyond local limits to Natives all along the West Coast and Manawatu.⁴⁸⁷

Referring to allegations of unfulfilled promises with respect to the lands named in the petition, the Chief Surveyor went on state that ‘The West Coast Commission Report...seems to leave little doubt that such promises were understood by the Natives to have been made to them’. In this connection, he cited a letter from Richmond to Taurua contained in the appendices of the West Coast Commission’s report. In it, Richmond informed Taurua that ‘The places that are highly valued and the sacred places will be retained for the people who formerly owned the land’.⁴⁸⁸ The Chief Surveyor noted that a list of such places ‘turned out on reference to the maps to have been nearly all of them actually reserved from the sales, but to have been afterwards set aside as reserves or endowments other than Native’.⁴⁸⁹ The Commissioner of Crown Lands also commented that ‘It is noticeable and significant in considering this matter, that all three lands now claimed, were actually reserved from sale by the then administration, but have simply been allotted by a later generation probably not conversant with the facts, to other than Native purposes.’⁴⁹⁰

Despite officials clearly concluding that the lands in question had been promised Māori, the Under Secretary of Lands informed the Native Affairs Committee that, as the areas in question had been allocated to others it was now ‘outside the power of the Government to restore these

⁴⁸⁷ Chief Surveyor to Under Secretary for Lands, 16 September 1908, R22415809, Archives NZ.

⁴⁸⁸ Richmond to Taurua, AJHR, 1880, G-2, Appendix E, p.8,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁴⁸⁹ Chief Surveyor to Under Secretary for Lands, 16 September 1908, R22415809, Archives NZ.

⁴⁹⁰ Commissioner of Crown Lands to Under Secretary for Lands, 19 September 1908, R22415809, Archives NZ.

areas to the Natives'.⁴⁹¹ When the petition was referred back to the government for inquiry, that left monetary compensation as the only option on the table. In October 1910 a deputation of around 20 members of Ngāti Tūpito explained their grievances to the Prime Minister, who promised to have the matter looked into (though cautioning that it would not be possible to turn the clock back).⁴⁹² In 1911 the Commissioner of Crown Lands estimated the value of the lands in question at £6455. Tutange Waionui indicated that Māori were prepared to accept monetary compensation for most of the lands. But they wanted Te Pou a Turi and the adjacent 43 acres containing the highly tapu lands returned to them.⁴⁹³

The Commissioner of Crown Lands had travelled to Pātea in January 1911 to meet with Waionui and inspect the lands in question. He learned more about the various sites and was supplied with information about them by T.G. Hammond, a Wesleyan priest who had taken a keen interest in Māori history in the region and was in support of Waionui's claim. At Te Pou a Turi, the karaka tree planted by Turi using seeds brought from Hawaiki had flourished up until the time of the wars and European settlement, when it had been destroyed by cattle. Omahu was described as 'a well-known fishing station for kahawai which at certain times of the year come up the Patea River in numbers. Being denied access to this station, the Maories have no place where they can fish with lines on the north side of the river.'⁴⁹⁴ The Commissioner of Crown Lands concluded after his visit that it was 'very probable that at one time in the past it was the intention either to return these reserves to the Natives or to hold them back from disposal for further consideration' but that this had been 'lost sight of and the lands dedicated for other purposes'.⁴⁹⁵

In September 1911 the Under Secretary for Lands advised Sir James Carroll that, while Māori had 'no legal claim the land in question...evidently some promises have been made which seem to give them a moral right to compensation'. At the same time he gave a drastically reduced

⁴⁹¹ Under Secretary to Clerk, Native Affairs Committee, 7 October 1908, Chief Surveyor to Under Secretary for Lands, 16 September 1908, R22415809, Archives NZ.

⁴⁹² Deputation to the Prime Minister, 24 October 1910, R22411501, Archives NZ.

⁴⁹³ Commissioner of Crown Lands to Under Secretary for Lands, 27 February 1911, R22415809, Archives NZ.

⁴⁹⁴ Commissioner of Crown Lands to Under Secretary for Lands, 27 February 1911, R22415809, Archives NZ.

⁴⁹⁵ Commissioner of Crown Lands to Under Secretary for Lands, 27 February 1911, R22415809, Archives NZ.

estimate of the value of the lands in question, based on a seemingly arbitrary land value of £2 per acre, which equated to £614 for 307 acres.⁴⁹⁶

No amount of money could ever compensate for the loss of a site as sacred as Te Pou a Turi. But the government proceeded to place the sum of £614 on the supplementary estimates and in December 1911 referred the question of who this sum should be paid to in compensation to the Native Land Court for inquiry.⁴⁹⁷ A hearing for these purposes was duly held in Pātea in March 1912. After a four-day hearing, judgment was issued at the end of the month in favour of Ngāti Tūpito and affirmed on appeal in October of that year. Later inquiries raised doubts as to whether all those named in the judgment had been paid, with a sum of £37 outstanding in 1936.⁴⁹⁸

Meanwhile, Tutange Waionui and others were under the impression that Native Minister James Carroll had agreed in 1912 that those sites which were urupā should be permanently reserved as burial grounds. In April of that year they wrote to Carroll:

Friend, Mr. Carroll, we mutually agreed at Wellington there about Te Pou-a-Turi, the graveyard of Tutange, Kaiaha and other places that these should be permanently reserved as being burial-places according to the Act for such. We now therefore apply to you to definitely fix the same by proclamation in the New Zealand Kahiti. The acreage of that part...is 43 (acres). Proclaim this as soon as possible in the Kahiti.⁴⁹⁹

Although the Commissioner of Crown Lands had suggested that the best course would be for interested Māori to point out the exact spots in question so that these ‘sacred spots’ could be ‘if possible, transferred to themselves’, no such steps were taken.⁵⁰⁰ Tutange Waionui and others lodged a further petition in 1913 ‘For return to them of land known as Pou-a-Turi’ but,

⁴⁹⁶ Under Secretary of Lands to Carroll, 22 September 1911, Commissioner of Crown Lands to Under Secretary for Lands, 27 February 1911, R22415809, Archives NZ.

⁴⁹⁷ *New Zealand Gazette*, 11 January 1912, Commissioner of Crown Lands to Under Secretary for Lands, 27 February 1911, R22415809, Archives NZ.

⁴⁹⁸ Michael Stevens, ‘Ngati Ruanui and Pakakohe Lands’, report commissioned by the Waitangi Tribunal, 1996, Wai-143, #M33, p.20.

⁴⁹⁹ Waionui and others to Carroll, 1 April 1912, R22415809, Archives NZ.

⁵⁰⁰ Commissioner of Crown Lands to Under Secretary for Lands, 30 April 1912, R22415809, Archives NZ.

although this was referred to the government for inquiry, no further steps were taken to reserve these lands.⁵⁰¹

When the issue of Te Pou-a-Turi was raised again in 1939 officials noted that the earliest plan to show section 641 included the words ‘N.R.’ (Native Reserve) but with a line through it in red. The plan had been lodged by the Patea Harbour Board in 1894.⁵⁰² Further inquiries in 1939 also confirmed that the £614 in compensation that had been awarded had not included either the smaller Te Pou-a-Turi section (641) or the adjacent 43-acre section 73 but had been assessed solely in respect to the remaining three land areas (Omahi, Kaikaapo and te Ngaio).⁵⁰³ As such, no compensation was ever paid in respect of Te Pou-a-Turi.

A draughtsman from the Lands and Survey Department, H.J. Moverley, travelled to Pātea in 1939 to talk with Maui Onekura Rangihaeata, who had recently raised this issue again. The record of their discussion highlighted that fishing rights were a particular concern at this time:

H.J. Moverley.	What is the correct or the right name of the land that we have seen to-day?
Maui Onekura.	At the mouth of the river the land is called “Papawhero” being land all around the mouth and is a general name; originally named because of the red papa at locality of the old Maori Kainga. This red papa is now covered by sand. “Te Pou-a-turi” is the top point on the west of River where Turi planted the Karaka seeds and where trees flourished and the old people have particularly mentioned this aspect to the younger generation. When speaking of “Te Pou-a-

⁵⁰¹ Michael Stevens, ‘Ngati Ruanui and Pakakohe Lands’, report commissioned by the Waitangi Tribunal, 1996, Wai-143, #M33, p.23.

⁵⁰² Chief Surveyor to Under Secretary for Lands, 16 June 1939, R22415809, Archives NZ.

⁵⁰³ Memorandum re Reserve Near Patea River, 29 June 1939, R22415809, Archives NZ.

turi", it is sometimes referred to as "Te Karaka-a-turi" – the same place. The Karaka seed was called Te Pou-a-turi. "Kurawhae" is the burial ground of 13 perches over 50 chains to the North-west of Te Pou-a-turi. We claim that the fishing rights still exist and also claim that the land (Section 641) has been wrongfully taken. He gave evidence at Wanganui in the Wanganui River case and pointed out that seaside cottages were built on the land. These old cottages are now removed and baths are being erected. We saw the last old house being removed to-day. You understand that the promises of Richmond were never entertained by Parliament or by the Government owing to the second insurrection made in 1867.

H.J. Moverley.

Yes, but we have had a canoe landing and our fishing place there all these years.

H.J. Moverley.

Has anyone attempted to stop you from fishing there?

Maui Onekura.

No, no one has ever attempted to stop us, but with the present camp improvements and extensions our rights may be taken away and destroyed and that is our present dissatisfaction. We cannot erect any whares there now unless we fall foul of the Harbour Board. To maintain our rights we have forwarded a Petition to Parliament.

H.J. Moverley.

You are aware that the Government have already paid a sum of money as

Maui Onekura.

compensation in full satisfaction for all claims and that the Native Land Court decided as to who was to receive the money.

Yes, but we understand that “Te Pou-a-turi” was not included.⁵⁰⁴

For its part, the Native Department declared that ‘The Native title has long since been extinguished and there is no way in which the land could be returned to the Natives even if they are entitled to it which is doubtful’.⁵⁰⁵ In 1948 Maui Onekura wrote to officials again, this time to ask if he could rent five acres of railway land at the mouth of the Pātea River for a fishing station.⁵⁰⁶ This caused officials to inspect a map of the area. But since the lands in question at the mouth of the river were owned by the Patea Harbour Board rather than the Railways Department his request was simply filed away.⁵⁰⁷

On the south bank of the Pātea River, a short distance in from its mouth, is the Waioture block, consisting of just over 14 acres. It was also highly prized as the location of Turi’s famous spring. It was among the lands in the area promised Taurua and a Crown grant was issued to this effect, with the block declared inalienable except with the consent of the governor. In 1915 a freehold order was made for the block and successors appointed. However, others interested in the block later petitioned that the land had been granted to Taurua as trustee for the Pakakohi tribe and not simply as outright owner. The matter was referred back to the Native Land Court in 1937 and the original freehold order cancelled in favour of 771 named owners.⁵⁰⁸ The block remains in Māori ownership today.

Much further north, at Ōhawe, the Rangatapu reserve (otherwise known as Part Ohawe Town Belt) constitutes the only other coastal parcel of Māori-owned land within the Ngāti Ruanui takutai moana application area today. Robert Parris was asked about Rangatapu before the West Coast Commission in 1880, and commented that:

⁵⁰⁴ Chief Surveyor to Under Secretary for Lands, 1 August 1939, R22415809, Archives NZ.

⁵⁰⁵ Native Under Secretary to Secretary for Lands, 29 September 1939, R22415809, Archives NZ.

⁵⁰⁶ M. Onekura to J. Prendeville, Crown Solicitor, 19 January 1948, R22415809, Archives NZ.

⁵⁰⁷ Commissioner of Crown Lands to Under Secretary for Lands, 17 March 1948, R22415809, Archives NZ.

⁵⁰⁸ Taranaki MB 48, pp.379-82, Wai-143, #G1.

With reference to Rangatapu, the Natives asked for a place on the sea-coast for their canoes, and Mr. Richmond said at the time that there should be some place given to them. On looking into the matter afterwards, it was discovered that a military-settlers' township had been laid out at Ohawe, at the mouth of the Waingongoro, the site of the proposed reserve; and consequently nothing was done in the matter.⁵⁰⁹

No reserve was laid off as a result but Major Brown provided additional explanation, stating that:

When I paid some of the *takoha*, or compensation, to these Natives, Hone Pihama, with the consent of those present, agreed that £500 should be reserved to purchase fishing-stations. I went into the question of what land there was at Rangatapu that could be made use of, and I found that there were some ten or fifteen acres surrounding the town and extending down to the beach which could be obtained from the Government.⁵¹⁰

Brown added that the 15 acres was still available but, since it had been leased out by the school board, he had found it impossible to make any exchange. Two other potential fishing stations, Pukioha and Wairaki, had been investigated but it had not been possible to acquire them. Native Minister John Sheehan was known to be in favour of Māori having the land at Rangatapu and the Commissioners stated during the hearing 'That seems clear about Rangatapu; there is a piece of land left at the river-side which has not been granted away; and our word to the Governor will be that the grant shall issue, to carry out Mr. Richmond's promise.'⁵¹¹

In January 1883 West Coast Commissioner William Fox recommended that the governor award the land in question, found to contain 24 acres to the Kanihi and Ahitahi hapū of Ngāti Ruanui as an absolutely inalienable reserve. In reporting on this recommendation, Fox commented that the 24-acre reserve was:

⁵⁰⁹ AJHR, 1880, G-2, p.8, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁵¹⁰ AJHR, 1880, G-2, p.9, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

⁵¹¹ AJHR, 1880, G-2, p.9, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1880-I.2.2.2.3>.

intended for a fishing station for the Ahitapu [sic] hapu of the Ngatiruanui tribe whose principal residence and cultivations are on the Tiritirimoana [sic] Reserve inland of Hawera, at a distance of 5 or 6 miles, from which place they make constant excursions in considerable parties to the Coast for the purpose of fishing. The proposed reserve also covers the remains of an old pa and burial place which they regard with feelings of strong veneration.⁵¹²

Although the land in question formed part of the town belt of Ōhawe, Fox added that ‘the existence of this town of Ohawe is simply mythical’, since the township had never been occupied. If there was any legal impediment to the creation of the reserve, Fox added that ‘the importance of the fishing station to the Natives is so great, and the land is of so little value to the Patea Education Board, that I think it would be advisable that it should be exchanged by Act of the Legislature, and other land of equal value (if it has any) be given to the Board in lieu of it’.⁵¹³

The reserve was duly created and a Crown grant issued in August 1883.⁵¹⁴ In 1915 the Native Land Court issued a partition order for the block, vesting it in 525 named owners.⁵¹⁵ During the court hearing in Hāwera, witnesses for Ahitahi claimed that the six trustees named in 1883 were all Ahitahi, that the land was intended to be reserved solely for Ahitahi and that Kanihi already had a reserve on the opposite bank of the river at Te Kawau. In support of this argument, they pointed to Fox’s statement that the reserve was intended for the Ahitahi people of Tirotiromoana, and argued that Kanihi must have been included in the grant in error.⁵¹⁶ Kanihi witnesses rejected this assertion and advanced evidence in support of their customary claims on the left bank of the Waingongoro River which the court accepted. The court ruled that ‘Kanihi had an undoubted right by occupation & ancestry to Rangatapu, that Ahitahi’s right judged by those standards were shadowy, & that Ahitahi formerly had a sea coast pa at Ohawe, about a

⁵¹² Report of the West Coast Commissioner on his recommendation of a Crown Grant at Rangatapu at the mouth of the Waingongoro River, 16 January 1883, R22408195, Archives NZ.

⁵¹³ Report of the West Coast Commissioner on his recommendation of a Crown Grant at Rangatapu at the mouth of the Waingongoro River, 16 January 1883, R22408195, Archives NZ.

⁵¹⁴ Native Under Secretary to Chairman, Native Affairs Committee, 15 July 1920, R22408195, Archives NZ.

⁵¹⁵ Memorandum for the Registrar, Aotea Native Land Court, 26 July 1922, R22408195, Archives NZ.

⁵¹⁶ Taranaki MB 21, p.333.

mile east of this land'.⁵¹⁷ The court reached these conclusions without conducting a formal investigation into customary rights to the reserve, since it could not go behind the Crown grant. It further pointed to evidence before the West Coast Commission in 1880 which in its view indicated that Kanihi had applied for the reserve and suggested Ahitahi had only been included in the Rangatapu reserve because their coastal pā nearby at Ōhawe had been included in the township and was unavailable. The latter point does not appear to be borne out in the available documentary evidence. While Robert Parris did, indeed, tell the West Coast Commission that a township was formed at Ōhawe at the site of the proposed reserve, as outlined above there is no evidence that Rangatapu had been selected as a substitute for another site originally selected. But in any event, the court ultimately decided that, given all the circumstances, an equal area of the land should be awarded to both hapū, Ahitahi and Kanihi, with a partition to follow if requested.⁵¹⁸

It appears the partition order, which was for the whole block, was never registered, as a result of which the 1883 grant vesting the land in six named owners in trust for the Kanihi and Ahitahi hapū remained in place.⁵¹⁹ In 1919 a petition lodged with Parliament by members of the Okahu hapū claimed that Rangatapu was a fishing station that belonged to them and had been wrongly vested in the Ahitahi and Kanihi hapū.⁵²⁰ The Okahu–Inuawai hapū is listed in the Ngāruahine Claims Settlement Act 2016 as a constituent hapū of the iwi, along with Kanihi–Umutahi, while Ahitahi are included in the Ngati Ruanui Claims Settlement Act 2003 (along with Araukūku, to whom they appear to be closely related). Angela Ballara notes that it was not uncommon for hapū to trace their descent lines from more than one iwi as a result of the ongoing process of intermarriage and that this was especially the case ‘in border areas between the core groups of major hapū’.⁵²¹

In 1920 the owners applied to the Native Land Court for Rangatapu reserve to be set apart and reserved by order in council ‘for the common use of the owners thereof as a place of historical

⁵¹⁷ Taranaki MB 21, pp.333-34.

⁵¹⁸ Taranaki MB 21, p.334.

⁵¹⁹ W.E. Brown, Deeds Office, New Plymouth, to Judge Jones, 8 August 1922, R22408195, Archives NZ.

⁵²⁰ Petition No. 264/19, 16 September 1919, R22408195, Archives NZ.

⁵²¹ Angela Ballara, *Iwi: The Dynamics of Māori Tribal Organisation from c. 1769 to c. 1945*. Wellington: Victoria University Press, 1998, p.169.

interest and a common fishing ground'.⁵²² At a sitting of the Native Land Court held at Hāwera on 30 June 1921 the application was approved and a recommendation made under section 232 of the Native Land Act 1909 for Rangatapu reserve, consisting of 24 acres, to be set apart as a reserve for the common use of the owners as a place of historical interest, a burial ground and a fishing station.⁵²³ An order in council to this effect was gazetted in September 1922.⁵²⁴ In 1925 a general meeting of the beneficial owners of the reserve summoned by the Aotea District Maori Land Board appointed a committee of management for the reserve.⁵²⁵

Following the creation of the reserve, Europeans seeking access to Ōhawea beach came to view the existence of the reserve as an obstacle. Prior to the freehold order in 1915 the land had been vested in the Public Trustee and in 1914 Hawera Borough Council wrote to him, prompting the following response:

You have been in correspondence with this Office at Hawera with respect to this reserve, the Borough Council being desirous of acquiring it as a recreation ground.

The Natives object to part with it as it is reserve for their use for fishing and other purposes. If the Borough Council would be content with a portion of the land and sufficient were left for the fishing and other purposes of the Natives, it may perhaps be that their objection would be removed.⁵²⁶

Hawera Borough Council did not relent in their efforts to acquire the reserve. But the owners made it clear they were not willing to give up the land. In 1918 they wrote to their local MP, Maui Pomare:

This is to advise you that the Hawera Borough Council are again agitating to obtain control of our fishing station at Te Rangatapu; with the object of erecting bathing sheds, and so on, on the place.

⁵²² Native Land Court application, 1 October 1920, R21997986, Archives NZ.

⁵²³ Native Land Court order, 30 June 1921, R22408195, Archives NZ.

⁵²⁴ *New Zealand Gazette*, 7 September 1922, R22408195, Archives NZ.

⁵²⁵ Aotea District Maori Land Board order, 10 March 1925, R22408195, Archives NZ.

⁵²⁶ Public Trustee to Clerk, Hawera Borough Council, 25 March 1914, R24559897, Archives NZ.

We, representatives of the owning hapus, will not agree to that. What we want is to have that land left in its native state, and not that it will be placed under Pakeha Mana, or, have Pakeha houses and such-like built upon it.

Our object in thus writing to you is to make that quite clear.⁵²⁷

Speculation that Hawera Borough Council might be contemplating taking the land under the Public Works Act prompted it to deny that it was considering such a measure. The mayor wrote that they had ‘no wish to interfere with the fishing rights of the Natives at Te Rangatapu’ and simply sought ‘the freehold or leasehold or a small portion of the basin’, estimated at approximately six acres, so that bathing sheds could be erected.⁵²⁸

When visiting Hāwera in 1921 the Minister of Lands was approached by a deputation led by the mayor and members of the Ohawe Domain Board. The mayor stated that ‘the Board had been endeavouring for twenty years to negotiate with the natives for the purchase of an area on the beach’, but to no avail. As many as 1000 picnickers at a time descended on the area over the summer and the board had only two acres of grassed land for domain purposes. If they were able to secure part of the reserve then bathing sheds and other facilities could be erected. The minister promised to look into the issue.⁵²⁹ The Commissioner of Crown Lands, to whom the matter was referred for investigation, suggested that the Māori owners of the reserve should be left with an area of around ten acres if the remainder of the land was developed as a ‘bathing resort’.⁵³⁰

Other interested local parties also sought to apply pressure on the Crown to acquire the land. In 1925 the Hawera Chamber of Commerce wrote to the Native Minister that:

⁵²⁷ Manaia Matu and others to Maui Pomare, 26 March 1918, R8578311, Archives NZ.

⁵²⁸ Mayor to Under Secretary, Public Works Department, 18 April 1918, R8578311, Archives NZ.

⁵²⁹ D.H. Guthrie to Under Secretary for Lands, 22 February 1921, R22968238, Archives NZ.

⁵³⁰ Commissioner of Crown Lands to Under Secretary for Lands, 9 March 1921, R22968238, Archives NZ.

For some years this Chamber has been requesting from time to time the consideration of the possibility of making over to the Ohawe Domain Board of a portion at least of the Native reserve, which covers the only accessible portion of the coast at Ohawe township. The Natives interested have made statements that they are prepared to do certain things, but these statements cannot be considered as anyway definite. What is desired by the citizens of Hawera is a portion of the reserve on which bathing accommodation, etc. can be erected, as the only place where this can be done at present is the roadway. My Chamber requests that you will be good enough to go into the matter and see whether some arrangement could not be made to vest a portion of the Reserve in the Domain Board for the use of the Hawera people. The Ohawe township is now becoming a fixed seaside resort for Hawera and adjacent country, and it is hoped that some action can be taken by your Department in the direction indicated.⁵³¹

Native Minister J.G. Coates informed the Chamber of Commerce that, as the reserve was legally owned by Māori as a reservation, there was no way in which the Crown could vest any part of it in the Domain Board. He suggested a more realistic option might be to come to some arrangement with the committee of management for the reserve.⁵³²

In 1926 a proposal to exchange part of the land for adjoining European land met with strong opposition.⁵³³ Europeans interested in the area considered that the existence of the Māori reserve restricted public access to the beach at Ōhawe and an exchange was considered one way around this obstacle. This was made clear when members of the Ohawe Domain Board met with the Minister of Agriculture in 1928. The minister was informed that:

The public of the Hawera district had not got access to the beach except on a chain wide frontage. It was a fishing reserve. The Board understood that the Maoris could not sell

⁵³¹ Secretary, Hawera Chamber of Commerce, to Native Minister, 9 November 1925, R23909912, Archives NZ.

⁵³² Coates to Secretary, Hawera Chamber of Commerce, 18 November 1925, R23909912, Archives NZ.

⁵³³ Native Under Secretary to Registrar, Aotea Native Land Court, 21 May 1926, R22408195, Archives NZ.

any of their fishing rights. Legislation was wanted to enable the natives to exchange [a] portion of the land over which they had fishing rights, or to sell it to the Board.⁵³⁴

The minister promised to look into the matter. The Native Minister subsequently advised that the site was of great significance to the owners, who should demonstrate ‘some strong desire’ for an exchange before legislation was considered.⁵³⁵ A meeting of the owners in September 1928 was ‘unanimously opposed to any proposal that any portion of the Reserve should be in any way handed over, sold or leased to the Ohawe Domain Board’ or be exchanged for any other land.⁵³⁶ A newspaper account of the meeting at which this decision had been made recorded Europeans asking the owners to hand over the land for a camping place and bathing, giving up their lands for the public interest just as other iwi had done. The owners in turn sought to explain to those Pākehā present the deep cultural and historical significance of the site to them and why they could never agree to part with it.⁵³⁷ No exchange took place.

In 1944 new trustees were appointed for the reserve.⁵³⁸ Following World War Two a sealed road down to Ōhawe beach was laid down, making the area more accessible for recreational visitors from Hāwera and elsewhere.⁵³⁹ However, the road passed through Rangatapu reserve and a dispute arose over a charge of one shilling levied on each car that crossed through the reserve. The trustees of Rangatapu reserve indicated that they were very willing to come to some agreement to ensure members of the public ongoing access to the beach.⁵⁴⁰ It is unclear what, if any, agreement was reached at this time in respect of the access dispute.

In 1977 the owners of Rangatapu reserve drew up ambitious proposals to develop the site, including a cafe, a shop, an information centre and ‘historic interpretation centre’, an aquarium, restaurant and tavern. Planning provision was also made for caravan sites, picnic areas, a concert area and grassed seating.⁵⁴¹ However, access to funding appeared a major obstacle to

⁵³⁴ Report of an interview, 27 June 1928, R22408195, Archives NZ.

⁵³⁵ Native Minister to Minister of Agriculture, 6 August 1928, R22408195, Archives NZ.

⁵³⁶ Deputy Native Trustee to Native Minister, 8 September 1928, R23909912, Archives NZ.

⁵³⁷ ‘Ohawe Beach Reserve’, *Taranaki Daily News*, 5 September 1928, R23909912, Archives NZ.

⁵³⁸ Minister of Maori Affairs to W.A. Sheat, M.P., 12 May 1948, R22408195, Archives NZ.

⁵³⁹ P. Fraser to Under Secretary, Department of Maori Affairs, 27 February 1948, R22408195, Archives NZ.

⁵⁴⁰ Minister of Maori Affairs to W.A. Sheat, M.P., 17 May 1948, R22408195, Archives NZ.

⁵⁴¹ ‘Ohawe Beach Proposals’, *Taranaki Daily News*, 27 April 1977, R22968239, Archives NZ.

any development of the site. In 1982 it was reported that trustees of the Rangatapu reserve had padlocked gates and fences providing access to the beach through the reserve in response to a recent spate of vandalism.⁵⁴²

Ōhawe beach also happened to be one of the few locations in South Taranaki where shingle and gravel could be obtained. Payment of royalties for gravel extraction at Ōhawe, and precisely who such money should be paid to, was an ongoing issue over many decades. Prior to 1913, the Marine Department issued licenses to extract gravel, before Hawera County Council was granted the right to do so in 1913.⁵⁴³ In 1917 it was pointed out that the license prevented shingle from being taken from in front of Rangatapu reserve, and that ‘this prohibition practically extends over the whole shingle bearing area’.⁵⁴⁴

In 1927 Maui Rangihaeata and Tupito Maruera wrote to Maui Pomare seeking his assistance in preventing Hawera County Council from removing gravel and rocks from their fishing reserve located between the Waingongoro and Tāngahoe rivers.⁵⁴⁵ Pomare initially wrote to the Patea County Council, who passed the correspondence on to the Hāwera authorities. Pomare informed them that ‘Representations have been made to me by the Natives concerned in regard to the removal of gravel by your Council from a fishing reserve located between the Tongahoe [sic] and Waingongoro streams, which action they state deprive the shell fish of their marine beds.’⁵⁴⁶ Hawera County Council, when it eventually received the letter, denied the allegations.⁵⁴⁷ Maui Rangihaeata asked that it be prosecuted, but Hawera County Council denied that it was acting illegally in taking gravel or that this had damaged the marine beds.⁵⁴⁸

A Native Department official from Whanganui was asked to make inquiries on the ground. He reported that about seven years earlier Hawera County Council had erected a hauling and stone crushing plant on the road through the Waukino block and had been removing gravel and

⁵⁴² ‘Reserve Closed Off’, *Taranaki Daily News*, 3 August 1982, R22968239, Archives NZ.

⁵⁴³ Marine Engineer to Resident Engineer, 1 August 1917, R19080681, Archives NZ.

⁵⁴⁴ Resident Engineer to Marine Engineer, 11 August 1917, R19980681, Archives NZ.

⁵⁴⁵ Rangihaeata and Maruera to Pomare, 24 May 1927, R22410379, Archives NZ.

⁵⁴⁶ Pomare to County Clerk, Patea County Council, 7 June 1927, R22410379, Archives NZ.

⁵⁴⁷ County Clerk, Hawera County Council, 3 August 1927, R22410379, Archives NZ.

⁵⁴⁸ Pomare to Rangihaeata, 9 August 1927, 12 October 1927, R22410379, Archives NZ.

boulders from the beach at Tāngahoe River mouth below high tide mark. At Waingongoro, including Rangatapu and Kawau, the council was only removing gravel. The official added that:

The County Clerk states that permission was given by the Marine Department for the County to remove gravel and boulders from the beach below high water mark between Waingongoro and Tangahoe Streams.

I made a close inspection of the boulders that were stacked and ready to be crushed and found very little evidence of any shell fish being attached. Several of the men working on the works stated that now and again they found very small mussels [sic] attached to the boulders but not in any quantity.

The Engineer of the County states that the shell fish beds are on a reef beyond where they are working and that they have not disturbed them in aby way and, in fact, that part is unworkable for their purpose.⁵⁴⁹

No further action was taken at the time. But in 1935 an agent for the owners of the Rangatapu reserve complained that the removal of boulders and shingle from the beach at the foot of the cliff near the reserve was causing its base to be gradually washed away.⁵⁵⁰ That prompted an official from the Marine Department to visit the location. An unnamed ‘Maori Chief’ from the reserve stated that many parties had threatened to take their reserve away from them. Consulted for the first time over the issue of gravel extraction, ‘The Natives wished for protection of their reserve from erosion, but at the same time were agreeable to permit removal of sand and shingle from the beach in front of the reserve, and considered they should get some of the royalty’.⁵⁵¹

It was recommended that four trustees (representing Hawera County Council, Hawera Borough Council, Ohawe Beach Improvement Committee and the Rangatapu reserve owners)

⁵⁴⁹ J. Thomson, Native Land Purchase Officer, to Native Under Secretary, 24 November 1927, R22410379, Archives NZ.

⁵⁵⁰ M.A. Rowlands to Marine Secretary, 5 July 1935, R19980681, Archives NZ.

⁵⁵¹ Chief Clerk and Inspector to Marine Secretary, 14 August 1935, R19980681, Archives NZ.

be appointed to prevent future unauthorised extraction at Ōhawe. While the Marine Department would continue to issue some licenses for gravel extraction, a portion of the royalties would be allocated to the trustees to expend on future improvements to the beach and its facilities.⁵⁵² Four trustees were duly appointed in October 1935.⁵⁵³ The trustees were granted control over part of the Ōhawe foreshore.⁵⁵⁴

In 1939 lawyers acting for the Rangatapu reserve trustees complained to the Native Minister that a contractor was removing boulders from in front of the reserve, contrary to his license.⁵⁵⁵ The contractor was instructed to cease removals in this location.⁵⁵⁶ In 1945 a lawyer acting for the reserve trustees wrote to the Marine Department stating that he had advised his client that ‘the title of the reserve runs down to the Tasman sea to that point reached by ordinary tides, the mean between spring and neap tides’. He added that the Hawera County Clerk had informed him that the Marine Department ‘claims that the foreshore up to the point where land ends and foreshore begins is Crown land’ and that it claimed the right to collect royalties in respect of this area. He noted that his clients ‘are determined, if the law allows them, to collect a part of the royalties’.⁵⁵⁷ A 1932 investigation into the situation commented that there had been for the past 30 years ‘considerable difficulty’ in controlling the removal of shingle from Ōhawe beach.

The same report noted that:

It appears that the requirement of the Department for a royalty to be paid caused those engaged in the removal of shingle to cease paying royalty to Natives living at the Beach; and, as has been the experience in other parts of the Dominion, the Natives made representations to the Department that the removal of shingle was likely to result in damage to their Reserve.⁵⁵⁸

Despite the concerted efforts of local authorities and others, Rangatapu reserve remains in Māori ownership today.

⁵⁵² Marine Secretary, to Hawera Mayor, 14 August 1935, R19980681, Archives NZ.

⁵⁵³ *New Zealand Gazette*, 17 October 1935, R19980681, Archives NZ.

⁵⁵⁴ *New Zealand Gazette*, 24 October 1935, R19980681, Archives NZ.

⁵⁵⁵ Welsh, McCarthy, Houston and Coleman to Native Minister, 9 December 1939, R19980682, Archives NZ.

⁵⁵⁶ Ohawe Beach Trustees to Marine Secretary, 10 January 1940, R19980682, Archives NZ.

⁵⁵⁷ L.A. Taylor to Minister of Marine, 27 September 1945, R19980682, Archives NZ.

⁵⁵⁸ Chief Clerk to Marine Secretary, 25 February 1932, R199980681, Archives NZ.

19. Pātea River

The Pātea River mouth was one of the few suitable locations in South Taranaki for a port. But Pākehā desires to improve navigability up the river clashed repeatedly over many decades with the reality that the river also happened to be a vital source of food for local Māori. In an 1876 report on Pātea Harbour the Engineer-in-Chief noted that the Pātea River had a ‘considerable tidal basin’, which might be extended at a ‘trifling cost’, therefore improving navigability up the river. There was, it was noted, one significant obstacle to such an outcome. About seven miles up from the mouth of the river a large eel-weir ‘quite stops the tidal flow’ and it was noted that if it and other similar obstructions could be removed then ‘the influence of the tide would probably extend to fifteen or sixteen miles up the river’.⁵⁵⁹

In 1879 Sir John Coode prepared a detailed report on the necessary improvements required at Pātea Harbour. He wrote that:

There can be no question as to the desirability of removing the obstructions which now exist to the free flow and ebb of the River currents, more particularly at the eel-weirs...The removal of these weirs will undoubtedly increase the capacity of the tidal compartment by lowering the low water and raising the high water in the upper reaches of the River.⁵⁶⁰

Quite how to achieve such an outcome was the question. In his 1882 report, West Coast Commissioner William Fox recommended a special grant of land consisting of 1062 acres to Ngāwaka Taurua of Pakakohi. The land in question was not, he explained, recommended to be handed over ‘without receiving a concession of considerable value in return’. Fox went on to explain that:

Numerous eel-weirs have been erected and maintained, probably for centuries, by the natives, across the Patea River, rendering it unnavigable except by the very smallest

⁵⁵⁹ ‘Report on Patea Harbour’, *Patea Mail*, 26 February 1876,
<https://paperspast.natlib.govt.nz/newspapers/PATM18760226.2.7>.

⁵⁶⁰ John Coode to Marine Secretary, June 1879, R19981271, Archives NZ.

canoes and...diminishing the scour of the current to an extent which may affect the water on the bar by a depth of one or two feet and otherwise injuring the channel of the river. Taurua and others of the tribe asserted most positively that at the time of their being restored to their country Sir D. McLean expressly promised that they should retain the use of their eelweirs – a statement which the Commissioner has no reason to doubt. The Commissioner, while adjusting these cases, received a requisition on the subject from a large number of settlers residing at Patea and the neighbourhood, some of whom own land up the river, which is seriously affected by the obstruction of the weirs. In his negotiations with Taurua he therefore made it a condition of the proposed extension that the whole of these weirs should be removed. The great value which the natives invariably attach to their eel fisheries and the important character of those in question rendered it a difficult task to persuade Taurua to come to terms, and it was not till after several months delay and the exercise of much tact by Major Parris, that he was at last to do so, yielding, however, finally with good grace. There is no doubt that from a pecuniary aspect – to say nothing of the feelings of attachment which natives always display towards this species of property – the sacrifice, on his part, was a very considerable one, as the removal of the weirs was a considerable advantage to the Government.⁵⁶¹

On the face of it, Taurua had agreed to sacrifice a crucial source of food for Māori along the Pātea River in return for the land in question. In an unpublished postscript to his report, Fox made this even clearer, writing that:

Since the above was written I have referred to my notes of a lengthy interview which I had with Taurua and his people at Hukatere on the subject of the abolition of Eelweirs on the Patea river, a matter which very seriously obstructs the navigation of the River and its tidal scour. I see that I expressly stated that if the Eel weirs were given up I would recommend that section 94 should be granted to Taurua. This promise he no doubt construed to mean that what I recommended would be done. The eelweirs were given

⁵⁶¹ AJHR, 1882, G-5, p.17, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1882-I.2.2.3.7>.

up – a very great sacrifice on the part of the Natives, to which I have no doubt my promise materially contributed.⁵⁶²

Whatever Taurua may have understood by this arrangement, which came about after a request from the Patea Harbour Board to Fox for his assistance in the matter, it could hardly be considered binding on other Māori with customary rights to construct eel-weirs on the Pātea River.⁵⁶³ Taurua, for his part, had been deeply reluctant to agree. At a meeting with Fox in May 1881, the commissioner stated that he would have to give up the weirs 'and open up the river for ever' before receiving title to the lands promised him. Fox stated that 'The river belongs to the Queen under the confiscation and wherever the tide goes the Queen has a right to go & you must not put hindrances in the way'. But Taurua complained that new conditions were now being placed on the promise of lands and that Sir Donald McLean had assured them they would retain the eel-weirs. Although he eventually agreed to the offer of additional land, Taurua was far from happy with the arrangement.⁵⁶⁴

In 1890 reports that Māori were planning to construct a further eel-weir within the tidal waters of the Pātea River prompted officials to investigate their legal right to block such a step. They concluded that under sections 154 and 156 of the Harbours Act 1878 any eel-weir within tidal waters would need the consent of the governor in council. If, on the other hand, the waters were not tidal then the legal position would depend on ownership of the adjoining lands.⁵⁶⁵

In 1891 Tutange Waionui was informed that the government would not oppose construction of an eel-weir about five miles up the Pātea River provided it did not obstruct navigation.⁵⁶⁶ Further correspondence in 1900 revealed that the planned eel-weir, at Taurakawau, had never been constructed. Ngarangi Katitia (also known as George Broughton) had sought renewed permission to proceed with its construction.⁵⁶⁷ But officials were by this point not only unwilling

⁵⁶² Fox to Native Minister, 15 April 1884, R24600911, Archives NZ.

⁵⁶³ Chairman, Patea Harbour Board, to Fox, 19 November 1881, R12726205, Archives NZ.

⁵⁶⁴ Notes of a meeting at Hukatere, 5-6 May 1881, R12726205, Archives NZ.

⁵⁶⁵ Native Under Secretary, draft letter to G.A. Marchant, 16 July 1890, R22402166, Archives NZ.

⁵⁶⁶ Native Under Secretary, draft letter to Tutange Waionui, 22 June 1891, R22402166, Archives NZ.

⁵⁶⁷ Katitia to F. Waldegrave, 16 August 1900, R22402166, Archives NZ.

to consent to its construction but also of the view that all existing weirs on the river would have to be removed since they were considered an obstacle to navigation of the river.⁵⁶⁸

By 1902 officials had concluded that, since the existing weirs were located within the tidal stretch of the river, Māori could not legally object to their removal.⁵⁶⁹ In June 1902 the Patea Harbour Board informed the Marine minister that it had ‘received an urgent application to have the Native Eel weirs removed from the river as they are preventing those who are anxious to utilise it for trade purposes from doing so’ and that it intended taking steps to remove them after giving notice to Māori.⁵⁷⁰ An official asked to visit the weirs and report on the situation reported that the Patea Harbour Board intended to undertake snagging operations as far as 18 miles up the river.⁵⁷¹ He reported that the weir was a ‘complete obstruction’ to navigation of the river but that Māori he had spoken to completely opposed its removal, with one citing the Treaty of Waitangi as a basis of their right.⁵⁷²

A more detailed report the following year noted that there had originally been four weirs on the lower part of the river, some of which were now out of use. The official in question had arranged with Ngarangi Katitia not to disturb the weir for the remainder of the eeling season provided it was not re-erected the following year. He noted that in making this arrangement he was aware of an ‘implied promise’ made in about 1891 that their weir should be protected. Challenged about the land promised Taurua in exchange for giving up the weirs, Māori in the area had responded that the land had been granted to him as an individual whereas eel-weirs belonged to the hapū or tribe. They had also, it was noted ‘quote[d] the “Treaty of Waitangi” as a right’.⁵⁷³

Ngarangi Katitia subsequently complained that their agreement had been breached and the eel-weir broken down ahead of the agreed deadline.⁵⁷⁴ By August 1903 the Patea Harbour Board had removed two weirs and had one to go.⁵⁷⁵ Katitia also complained that timber from the weir

⁵⁶⁸ Minute, 15 August 1900, R22402166, Archives NZ.

⁵⁶⁹ Under Secretary, Department of Lands and Survey, to Justice Under Secretary, 19 July 1902, R22402166, Archives NZ.

⁵⁷⁰ Secretary, Patea Harbour Board, to Minister of Marine, 11 June 1902, R19979909, Archives NZ.

⁵⁷¹ J.W. Glenny, Customs Officer, minute, September 1902, R19979909, Archives NZ.

⁵⁷² J.W. Glenny, Customs Officer, minute, 1 November 1902, R19979909, Archives NZ.

⁵⁷³ T.W. Fisher to Native Minister, 18 April 1903, R22402166, Archives NZ.

⁵⁷⁴ Katitia to Carroll, September 1903, R22402166, Archives NZ.

⁵⁷⁵ J.W. Glenny, Customs Officer, to Marine Secretary, 19 August 1903, R19979909, Archives NZ.

at Taurakawau had been removed by the Harbour Board for its own use.⁵⁷⁶ The government had granted the Patea Harbour Board the sum of £200 to remove all obstructions in the Pātea River.⁵⁷⁷ It had originally provided for £50 compensation to be paid in addition to allowing the eel-weir to remain temporarily but now agreed with Katitia's suggestion that an additional £100 be paid in compensation for its destruction. However, in 1905 Tutange Waionui and 35 others wrote to the Native Minister declaring that they would never agree to accept the money since they believed doing so would 'for ever debar us from building eel or lamprey weirs in the Patea River'. They further declared themselves 'very sorrowful that we should be deprived of the food of our ancestors', naming multiple fish species caught in the Pātea River.⁵⁷⁸ However, three years later Waionui and his followers agreed to accept half the compensation, with the balance of £50 paid to Katitia's party.⁵⁷⁹

Although officials were of the view that the matter had been settled once and for all, given Māori considered they had a right to catch eels in the Pātea River under the Treaty of Waitangi, that was always unlikely. The issue arose again in 1915 when the Marine Department reported that:

When Sir John Coode reported upon Patea Harbour in 1878 he recommended that the Native eel weirs in the river should be removed so as not to interfere with navigation and to give a clear flow of the water in connection with the river improvements. These weirs were afterwards removed and the Natives were compensated.

Four Natives recently called upon the Marine Engineer and asked permission to construct an eel weir in the river at a place about 9 miles up within the tidal flow, and the matter has been looked into with the result that the Marine Engineer states that he strongly recommends that no eel weir should be allowed to be erected, under any conditions whatever, at any point below where spring tides reach.⁵⁸⁰

⁵⁷⁶ Katitia to Carroll, 17 August 1903, R19979909, Archives NZ.

⁵⁷⁷ McKenna to Broughton, 17 November 1903, R22402166, Archives NZ.

⁵⁷⁸ Waionui and others to Native Minister, 30 June 1905, R22402166, Archives NZ.

⁵⁷⁹ Under Secretary to T.G. Hammond, 7 March 1908, R22402166, Archives NZ.

⁵⁸⁰ George Allport to Marine Minister, 15 September 1915. R19979909, Archives NZ.

The issue arose again in a more general way in 1924 when Sir Maui Pomare wrote to the Marine Minister, stating that:

I am informed that some restriction has been placed by your Department upon the laying down of eel weirs in certain rivers and lakes.

This is a long established custom of the Maoris and as such a restriction would seriously interfere with one of their sources of food supply, I hope that you will give this matter your careful consideration.⁵⁸¹

Pomare was informed that the only place at which such restrictions had been imposed was the Pātea River, where no weirs were permitted at any point below the highest reach of the spring tides.⁵⁸²

Questions also arose with respect to the area of just over 1000 acres granted to Ngawaka Taurua in 1883 on the understanding that he would agree to the removal of the existing eel-weirs. At issue was the question of precisely who these lands had been promised to: were they a personal gift to Taurua or was he trustee for a wider group? When Taurua died in 1888 the lands were succeeded to by his personal heirs.⁵⁸³ In 1902 Te Awhe Taukotahi and Wiremu Tupito petitioned Parliament seeking an adjustment in the ownership of these lands. The Native Affairs Committee made no recommendation on their petition.⁵⁸⁴ However, in 1913 Wiremu Tupito lodged a further petition to Parliament stating that Taurua was supposed to be one of two trustees for the land (the other being Tautokai) on behalf of their respective hapū.⁵⁸⁵

In 1930 Wiremu Tupito Maruera and others lodged a further petition on the same topic. They noted that the land had been granted in consequence of the taking of fishing grounds in the Pātea River and claimed that the absence of Tautokai's name from the Crown grant was a

⁵⁸¹ Pomare to Marine Minister, 24 June 1924, R19979909, Archives NZ.

⁵⁸² Marine Minister to Pomare, 1 July 1924, R19979909, Archives NZ.

⁵⁸³ Registrar to Native Under Secretary, 12 June 1913, R22420307, Archives NZ.

⁵⁸⁴ AJHR, 1903, I-3, p.11, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1903-I.2.3.3.7>.

⁵⁸⁵ Petition No. 107/13, 21 July 1913, R22420307, Archives NZ.

hardship on his people, who had owned one of the fishing grounds.⁵⁸⁶ The Native Department maintained, just as it had in 1913, that there was no doubt the original grant to Taurua alone was intentional and he was not considered a trustee for others.⁵⁸⁷

A further petition in 1931 asked that the matter be referred to the Native Land Court for inquiry.⁵⁸⁸ In 1934 the court was empowered to consider the issue.⁵⁸⁹ At a Native Land Court hearing held at Hāwera in May 1934 evidence was heard on the matter. Witnesses testified as to the ownership of the eel-weirs that had once been on the Pātea River.⁵⁹⁰ In a report to the Chief Judge, Judge James Browne, who had conducted the inquiry, concluded that, while the claim that the land was intended to be held in trust for the respective hapū of Taurua and Tautokai might be true, it was ‘very improbable’ based on the evidence contained in the report of the West Coast Commission.⁵⁹¹ Chief Judge Robert Jones endorsed these findings.⁵⁹²

⁵⁸⁶ Petition No. 203/30, n.d. [1930], R22420307, Archives NZ.

⁵⁸⁷ Native Under Secretary to Chairman, Native Affairs Committee, 7 October 1930, R22420307, Archives NZ.

⁵⁸⁸ Petition No. 122/1931, n.d. [1931], R22420307, Archives NZ.

⁵⁸⁹ Chief Judge to Registrar, Native Land Court, 17 January 1934, R22420307, Archives NZ.

⁵⁹⁰ Extracts from Taranaki MB 46, 7 May 1934, R22420307, Archives NZ.

⁵⁹¹ Memorandum for Chief Judge, 2 August 1934, R22420307, Archives NZ.

⁵⁹² Chief Judge to Native Minister, 10 September 1934, R22420307, Archives NZ.

20. Fishing and Other Marine and Coastal Usage

The resources of the marine and coastal environment were vitally important to Ngāti Ruanui. In his 1855 book, *Te Ika a Maui*, which drew extensively on his knowledge of Te Tai Hauāuru iwi, including Ngāti Ruanui, Whanganui missionary Richard Taylor described some of the rituals associated with fishing. Expeditions to sea involved elaborate preparations, including karakia before, during and after, presided over by a tohunga with particular responsibility for fishing. Karakia would be recited throughout any expedition to sea. The first fish caught would be swiftly returned to sea as an offering and a karakia was performed asking that more might be caught.

Upon the return of the expedition a further karakia would be recited:

Te ika te ika i Waitotara,	The fish the fish of Waitotara,
Te ika te ika i Whenua Kura,	The fish the fish of Whenua Kura,
Te ika te ika i Patea,	The fish the fish of Patea,
Te ika te ika i Tangahoe,	The fish the fish of Tangahoe,
Te ika te ika i Waengongoro,	The fish the fish of Waengongoro,
Te ika te ika i Kawia,	The fish the fish of Kawia,
Te ika te ika i Taranaki,	The fish the fish of Taranaki,
Te takina mai hoki te ika,	The drawing to us the fish,
Ki tenei rua ki tenei one,	To this place, to this land,
Te ika ki tenei papa,	The fish to this spot,
Te ika ki tenei au tapu,	The fish to this abode,
Te ika ki te au tapu nui no Tane,	The fish to this abode of Tane, [*]
Ki te autapu o Tangaroa te ika,	To the abode of Tangaroa.
Teretere te ika,	The fish swim,
He ika waka mou kaha hai,	The first fish caught,
Tena te ika ka moe,	Behold the fish killed,
Ko te ika o te rua,	The fish of the bank,

Ko te ika o te one,	The fish of the land,
Te ika o te hohono,	The fish of the deep.
Tena te ika ka taki ki mua,	Behold the fish is drawn before,
Ka taki ki roto,	Behold the fish is drawn to the side,
Ka taki ki te turanga,	Is drawn to the landing,
Ka taki ki te kainga,	Is drawn to the village,
Ka taki ki te au tapu nui no Tane,	Is drawn to the abode of Tane ⁵⁹³

This incantation referenced several of the main rivers from which Ngāti Ruanui and neighbouring iwi might fish, either along their banks or from which to launch expeditions out to sea. Given the steep cliffs along much of the coastline, inshore fishing was important, as were the river mouths that provided access to the coast. Different fish species might be caught closer to the shoreline, including kahawai and tāmure, while the hāpuku fishing grounds were further out to sea. Along the coastline itself, kaimoana such as kuku, pipi and pāua were harvested.⁵⁹⁴

Because the coastal Waimate Plains had few suitable trees, building ocean-going waka was a major endeavour that involved these being constructed further inland and then being hauled to the sea or nearest river. Both Taylor and William Woon witnessed Ngāti Ruanui parties building waka in this way.⁵⁹⁵ Along the coastline and river banks, various tauranga waka, or landing places for canoes, were known by name. At Ōhawe, on the eastern bank of the Waingongoro River, a famous stone known as Pōtoke was greeted by returning fishers, who would give their leftover bait to the stone. The river abounded in tuna, piharu, kōkopu and other species, while further along the coast, on the Manawapou River, Richard Taylor described being given part of an eel as thick as a man's thigh.⁵⁹⁶

⁵⁹³ Richard Taylor, *Te Ika a Maui, or New Zealand and its Inhabitants*, London: Wertheim and Macintosh, 1855, p.86.

⁵⁹⁴ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.55-56.

⁵⁹⁵ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, pp.55-56.

⁵⁹⁶ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.56.

The Pātea River was another cherished fishing spot. As discussed in an earlier section, archaeological evidence of middens, pā and other sites, points to early and sustained occupation and use of coastal areas around the significant river mouths, and access to such locations was sometimes contested strongly between different hapū and iwi.

As outlined in the previous chapter, the right to construct eel-weirs in the Pātea River was defended on the basis that this had been secured to Māori in Te Tiriti o Waitangi. In 1929 that was expressed in another context when Maui Rangihaeata ‘On behalf of all the Maoris living at Patea’ wrote to the Marine Department stating:

Under the Treaty of Waitangi the Maoris were granted some acre of land for their fishing accommodation at the mouth of every river or stream. Please tell us where is the reserve for the Patea River.⁵⁹⁷

Rather than respond to the substance of this letter, the Marine Department simply suggested that he apply to the Crown Lands Department at New Plymouth.⁵⁹⁸

At various points the Crown had acknowledged Māori fishing rights under the Treaty. The Fish Protection Act of 1877 specified that ‘Nothing in this Act contained shall be deemed to repeal, alter, or affect any of the provisions of the Treaty of Waitangi or to take away, annul, or abridge any of the rights of the aboriginal natives to any fishery secured to them whatsoever’. In 1908 section 77(2) of the Fisheries Act declared that ‘Nothing in this Act shall affect any Maori fishing rights’. At the same time, starting with the Oyster Fisheries Act 1866 and the Salmon and Trout Act 1867, the Crown had begun legislating access to fisheries in ways that cut across those rights.

Section 33 of the Maori Social and Economic Advancement Act of 1945 enabled the Crown to declare any fishing ground or shell-fish area a reserve ‘for the exclusive use of Maoris of any tribe or section of a tribe of Maoris’. Such a reserve could be vested in a tribal executive or tribal committee established under the same Act, which would also be empowered to make such

⁵⁹⁷ M. Rangihaeata to Marine Secretary, 17 September 1929, R19979153, Archives NZ.

⁵⁹⁸ Marine Secretary to M. Rangihaeata, 18 October 1925, R19979153, Archives NZ.

by-laws as it saw fit for the management, control and preservation of such reserves. In a 1948 memorandum Maori Affairs Department official Rangi Royal commented that:

This section is considered by the Maori people as one of the most important provisions in the Act, indeed in some Districts it is hailed as *the* most important because it restores to them in part the right guaranteed by Article the Second of the Treaty of Waitangi. Any attempt to interfere with the rights granted and implied in this section will have most serious repercussions in regard to the Act and its administration, and the Government generally.⁵⁹⁹

However, in 1960 the Marine Minister noted that this provision had never been used anywhere in the country ‘since a concession would thereby be conferred on one section of the community, and the rest debarred from enjoying the same privilege’.⁶⁰⁰ Adherence to assimilationist ideology on the part of the Marine Department in effect rendered section 33 of the 1945 Act a dead letter. A Maori Affairs Department official noted in 1960 that the Marine Department’s stance was ‘Government policy. However, the Maori people seem just as determined to press their claims for fishing reserves – Section 33 in their eyes is recognition of Article 2 of the Treaty of Waitangi.’⁶⁰¹

In 1963 the government contemplated repeal of a provision in the Fisheries Act of 1908 that required the approval of the Minister of Maori Affairs before any Māori was prosecuted for illegally taking fish from the sea. It was noted that Māori were ‘frequent offenders under the Act particularly in the taking of shell fish’. Attempts had been made to repeal the provision since 1955, with officials concluding it had only been passed ‘to afford the Maori people some protection during the stage of transition from the customary law to European law’.⁶⁰² However, the recently-established New Zealand Maori Council, which was consulted on the proposal,

⁵⁹⁹ R. Royal to Maori Affairs Under Secretary, 25 May 1948, R18798628, Archives NZ.

⁶⁰⁰ Marine Minister to Secretary, Waitara Tribal Executive Committee, 7 March 1960, R11840360, Archives NZ.

⁶⁰¹ Memorandum, 22 January 1960, R11840360, Archives NZ.

⁶⁰² Acting Secretary, Department of Maori Affairs, to Minister of Maori Affairs, 30 May 1963, R11840360, Archives NZ.

recorded its opposition to such a change.⁶⁰³ The provision was finally repealed under section 9 of the Fisheries Amendment Act of 1967.

This change would soon have consequences for members of Ngāti Ruanui. In 1974 three owners of the Rangatapu reserve at Ōhawe were charged with taking an excessive quantity of mussels from a customary fishing ground adjacent to the reserve. Venn Young, the National MP for the seat of Egmont, wrote to Colin Moyle, the Minister of Agriculture and Fisheries, in September 1974. Young expressed the view that it was ‘indiscreet’ of Moyle’s Department to pursue charges in this instance given the individuals in question had long collected shellfish from the area. He suggested that the charges should be dropped.⁶⁰⁴

Young’s letter prompted the Department of Maori Affairs to seek further information on the background to the prosecution.⁶⁰⁵ In the meanwhile, the three people charged appeared in the Hāwera Magistrate’s Court on 5 November 1974. A fisheries inspector testified that he found two of those charged in possession of 503 mussels between them, while the third had 284. While this was vastly in excess of the limit of 50 mussels, counsel appearing for the defendants argued that the mussels had been taken from a traditional Māori fishing area, and quoted from the Order in Council under which Rangatapu reserve had been created as a fishing station for local Māori in support of their right to take the mussels. However, counsel appearing for the prosecution argued that as the mussels had not been gathered within the boundaries of the reserve, this did not constitute a valid defence. The magistrate reserved his decision until 27 November, stating that the issue ‘was not clearcut’.⁶⁰⁶

A few days after this adjournment, an Assistant District Officer from the Whanganui office of the Department of Maori Affairs reported on the background to the case. He noted that the judge had adjourned the case to consider the arguments and evidence and to inspect the title to the land. Summarising the main arguments, he noted that counsel for the defence had placed considerable weight on the fact that Rangatapu had been set aside as a fishing reserve, while

⁶⁰³ Extract, New Zealand Maori Council, 28 August 1963, R11840360, Archives NZ.

⁶⁰⁴ Young to Moyle, 25 September 1974, R11840362, Archives NZ.

⁶⁰⁵ J.M. McEwen, Secretary, to Minister of Maori Affairs, 18 October 1974, R11840362, Archives NZ.

⁶⁰⁶ Daily News, 6 November 1974, R11840362, Archives NZ.

the prosecution had referred to previous case law concerning the definition of fishing and fish (as opposed to shellfish). The official predicted that:

It is doubtful at this stage whether the defendants will be let off “scott free” [sic], as they have admitted to the facts of the charges, but it is likely that any penalty imposed would be merely nominal. However, it is a test case which has aroused the interest of the Maori folk of South Taranaki especially in the light of the controversies which have been the subject previously discussed at District Council meetings.⁶⁰⁷

This prediction of a nominal punishment proved accurate. When the case resumed on 27 November the three defendants were found guilty and each ordered to pay \$5 in Court costs, \$15 for solicitors’ fees and \$3.55 in witness fees. A newspaper report on the outcome noted that the defendants were owners of the Rangatapu reserve and that ‘Evidence was also called to show that traditional fishing areas extended a substantial distance along the coast and included the mussel reef from which the defendants obtained their mussels’. However, the magistrate concluded that the reef in question was approximately two-thirds of a mile further along the coast, as a result of which the defendants could not rely on the defence that they were exercising customary fishing rights.⁶⁰⁸

The very narrow understanding of customary fishing rights reflected in this judgment was hardly an outlier at the time. From the 1980s onwards courts and others would come to gain a deeper and more nuanced knowledge of matters such as these. In the case of the Ōhawe prosecution in 1974, mussels were clearly a customary food source. Where matters became slightly more complicated was when Māori were prosecuted for taking imported fish species without a license or in breach of some other rule. The defence in such instances was often that, since these had supplanted indigenous fish species, Māori had every right to claim them instead as part of customary fishing practices.

Hawera Acclimatisation Society, founded in 1879, promoted the introduction of exotic fish species such as brown and rainbow trout and salmon into the South Taranaki waterways.

⁶⁰⁷ C.H. Coldicutt, Assistant District Officer, to Head Office, 11 November 1974, R11840362, Archives NZ.

⁶⁰⁸ *Dominion*, 28 November 1974, R11840362, Archives NZ.

Although there is limited local evidence on the point, elsewhere in the country the introduction of exotic fisheries in this manner decimated native fish stocks that local Māori communities relied upon for their everyday sustenance. But access to the new species was now governed by a set of local by-laws framed by the Hawera Acclimatisation Society that took no account of particular Māori needs (fishing for tangi or hui, for example) and required payment of an annual license fee.⁶⁰⁹

One important resource was and remains whitebait. In 1981 a detailed study of the whitebait fishery in Taranaki was commissioned by the Taranaki Catchment Commission. The report noted some evidence that the whitebait catches were considerably lower than they had been historically, but at the same time noted that it was very difficult to assess the state of the then present whitebait fishery. What was apparent is that pressure on the fishery had increased greatly since the 1950s, with a substantial increase in the number of fishers.⁶¹⁰

While Mokau and Waitara in Northern Taranaki were popular and well-known whitebaiting locations, the report also noted significant whitebaiting in the Waingongoro River, which attracted fishers from outside the region and had holiday accommodation available for those who had travelled long distances.⁶¹¹ The Tāngahoe, Manawapou and Whenuakura rivers were also listed among those that drew whitebait fishers, though not to the same extent. It was noted that ‘Local Maori people fish the Whenuakura River outside the whitebait season and large catches (between 1 to 2 kg per day) have been taken from the river in early July.’⁶¹² By contrast, while the physical characteristics of the Pātea River meant it should have been a successful whitebait fishing location, in reality it drew only a handful of local residents and the catches were generally small. The authors of the report thought this might be a result of ‘aesthetic objections to industrial waste discharges’, with those who did go whitebaiting in the river favouring a location upstream from the discharges from the freezing works. The other factor, they noted, was that whitebait numbers in the river might not be as great as would be expected

⁶⁰⁹ *New Zealand Gazette*, 4 October 1900, R19978319, Archives NZ.

⁶¹⁰ *The Recreational Whitebait Fishery in Taranaki*, Stratford: Taranaki Catchment Commission, 1981, p.7, R24921085, Archives NZ.

⁶¹¹ *The Recreational Whitebait Fishery in Taranaki*, Stratford: Taranaki Catchment Commission, 1981, p.59, R24921085, Archives NZ.

⁶¹² *The Recreational Whitebait Fishery in Taranaki*, Stratford: Taranaki Catchment Commission, 1981, p.46, R24921085, Archives NZ

due to ‘unfavourable environmental factors’.⁶¹³ However, these were not mutually exclusive factors since high levels of industrial discharge into the river not only made it unpleasant to fish in but was also likely to have a detrimental impact on whitebait and other fish species.

In 1984 a more wide-ranging survey of recreational fishing in Taranaki was commissioned by the Ministry of Agriculture and Fisheries. Perhaps unsurprisingly, the middle reaches of the Pātea River were the most popular fishing spots, with survey respondents commenting on ‘the effects of increasing enrichment from the disposal of dairy factory effluent, a stock carrying company, and run-off from the surrounding farmlands’.⁶¹⁴ The Waingongoro River was a popular fishing spot as a result of its proximity to Hāwera, with both rivers regarded as recreation fishing locations of local significance.⁶¹⁵

In 1986 a hui of Māori from throughout Taranaki asserted wide-ranging rights over fisheries under the Treaty of Waitangi and custom. A copy of the statements agreed at the hui was sent to the Minister of Maori Affairs.⁶¹⁶ Minister of Maori Affairs Koro Wetere responded that ‘one of the aims of this Government is to honour the commitments made to the Maori people in the Treaty of Waitangi. This includes the protection of Maori fishing rights and Maori fisheries.’⁶¹⁷

The Ngāti Ruanui settlement of historical Treaty claims signed in 2001 included a number of cultural redress provisions related to fisheries and the marine and coastal environment more broadly. These include protocols with a number of agencies. A protocol with the Department of Conservation required it to consult with Ngāti Ruanui with respect to the conservation and management of non-commercial freshwater fisheries and made provision with respect to marine mammal strandings within the area between the Whenuakura and Waingongoro

⁶¹³ *The Recreational Whitebait Fishery in Taranaki*, Stratford: Taranaki Catchment Commission, 1981, pp.45-46, R24921085, Archives NZ

⁶¹⁴ L.D. Teirney, J. Richardson and M.J. Unwin, *The Relative Value of Rivers in the Taranaki Region to Taranaki, Hawera, and Stratford Anglers*, Wellington: Ministry of Agriculture and Fisheries, 1984, p.33, R23166771, Archives NZ.

⁶¹⁵ L.D. Teirney, J. Richardson and M.J. Unwin, *The Relative Value of Rivers in the Taranaki Region to Taranaki, Hawera, and Stratford Anglers*, Wellington: Ministry of Agriculture and Fisheries, 1984, p.36, R23166771, Archives NZ.

⁶¹⁶ P.R. Komene to Minister of Maori Affairs, 2 May 1986, R2156820, Archives NZ.

⁶¹⁷ K.T. Wetere to P.R. Komene, 3 June 1986, R22156821, Archives NZ.

rivers.⁶¹⁸ A protocol with the Ministry of Fisheries covering the same area stated that the Crown recognised Ngāti Ruanui as tangata whenua within this area ‘with a customary, non-commercial interest in, and a special relationship with, all species of fish, aquatic life and seaweed’ found within it. The protocol prohibited commercial catches of various named species within the protocol area and set out arrangements for the management of the tuna (eel) fishery, while also ensuring protection of a customary interest in pāua.⁶¹⁹

The deed of settlement also included statutory acknowledgements in respect of several sites of importance to Ngāti Ruanui. These included the Tāngahoe River, the Whenuakura River and the Pātea River. These each included statements concerning the cultural, spiritual, historic and traditional association of Ngāti Ruanui with each of these sites. That for the Tāngahoe River stated that:

Ngaati Ruanui history informs us that the people of the Kahui Maunga (mountain people of the highest rank) inhabited the South Taranaki area prior to the arrival of the Aotea Waka. They in turn were vanquished and enveloped through warfare and intermarriage into the Aotea, Ruanui-a Pookiwa history. One of the areas in which these people were renowned to have flourished is known as the Tangahoe River and valley.

The late Ueroa (Charlie) Ngarewa, an elder of both Tangaahoe and Ngaati Hine descent gave one version of the origin of the name Tangaahoe. He said the name Tangaahoe was given to the river because of an incident that occurred, whereby the steering oar was lost from a large deep sea fishing Waka as it attempted to return to the Tauranga Waka. The comment was made that, "if there were two steering oars like that of the Waka Tipua of Turi Ariki then the flight to its resting place would remain true." Turi-was the Ariki (Rangatira of highest rank) of the Aotea Waka.

⁶¹⁸ Deed of Settlement: Cultural Redress Schedule: Part 1: Protocols: DOC Protocol, 2001, pp.50-53, <https://www.govt.nz/assets/Documents/OTS/Ngati-Ruanui/Ngati-Ruanui-Deed-of-Settlement-Schedule-2-Cultural-redress-12-May-2001.pdf>.

⁶¹⁹ Deed of Settlement: Cultural Redress Schedule: Part 1: Protocols: Fisheries Protocol, pp.63-65, <https://www.govt.nz/assets/Documents/OTS/Ngati-Ruanui/Ngati-Ruanui-Deed-of-Settlement-Schedule-2-Cultural-redress-12-May-2001.pdf>.

Tangaahoe: *the steering oars of Turi Ariki.*

The Tangahoe River has been a major supply of food and water resources to its people both prior to and since the arrival of the Aotea Waka. The valley, like the rest of the southern lands, was a fertile paradise. Because of the mild temperatures it was without extremes, and promoted lush vegetation that was checked only by the occasional equinoctial weather patterns. Birds such as manunui (which made its nests amongst the koromiko bushes), kereru (the food of ngaa Ariki), pukeko (the treasured species brought on the Aotea Waka), tiwaiwaka (the guardian left by Kupe), kahu (the sentinel), kakapo, kiwi, korimako, miromiro (the custodians of the forest), and pipiwharauroa (the heralder of the new year) flourished in the berry filled trees, like the koromiko, kohia, hinau, piripiri, mamaku and rewarewa at the side of the eel, and koura filled creeks. Fish, such as the piharau, kokopu, tunaheke, patiki and shellfish, were abundant in the waters and on the reefs at the mouth of the river.

During the time of internal warfare, the valley through which the river runs was a trap for the unwary. The many re-entrants and secondary valleys provided natural hiding and attacking areas and, if necessary, places of refuge.

To the people of Ngaati Ruanui, all the rivers and their respective valleys are of the utmost importance because of their physical, spiritual and social significance in the past, present, and future.⁶²⁰

The statutory acknowledgement in respect of the Whenuakura River stated that:

The name of this river originated during the time that Turi Arikinui, Kaihautu of the Waka Tipua Aotea, and his Wife Rongorongo Tapaaieu, who lived with their families between the two rivers, Patea nui a Turi and Whenuakura. Turi was the Ariki (Rangatira of highest rank) of the Aotea Waka.

⁶²⁰ Deed of Settlement: Cultural Redress Schedule: Part 10: Statutory Acknowledgements: Tangahoe River, 2001, p.139, <https://www.govt.nz/assets/Documents/OTS/Ngati-Ruanui/Ngati-Ruanui-Deed-of-Settlement-Schedule-2-Cultural-redress-12-May-2001.pdf>.

Whenuakura: the land belonging to the people of high rank

Like the Tangahoe River, this river provided the people of the Aotea Waka, and later the people of Ngaati Hine and Ngaati Tupito, with all the resources of life they required to survive.

The valley through which the river flowed provided multiple bird life, animals, clothing, building, gardening, and warfare implements, as well as places where social activities, fishing and waka racing could take place. Sporting activities took place within and outside the surrounding forests. There were also places that Tohunga, Rangatira and other whanau/hapuu/iwi representatives used for burial, washing, baptising and special activities. It was a place where people would go to find peace within themselves.

This river, like the others within the rohe, will always be an integral part of the social, spiritual and physical lifestyle of the Ngaati Ruanui people.⁶²¹

The statutory acknowledgement made with respect to the Pātea River included the statement that:

The full name of this river is Patea nui a Turi. It was named by Turi on his arrival overland after leaving the Aotea Waka at Kawhia. The name Patea was given by Turi Ariki when upon seeing ngaa kaitiaki (the guardians) left by Kupe as guides for him and his family, he exclaimed “Ka Patea tatou” - we have arrived at Patea.

Since that arrival, the river has played an important part in the lifestyles of the Aotea people. The riverbanks have provided the soil for the gardens of Rongorongo Tapaaиру called Hekeheke l papa, the karaka grove called Papawhero, and the spring of life of Turi and Rongorongo called Parara-ki-te-Uru.

⁶²¹ Deed of Settlement: Cultural Redress Schedule: Part 10: Statutory Acknowledgements: Whenuakura River, 2001, p.142, <https://www.govt.nz/assets/Documents/OTS/Ngati-Ruanui/Ngati-Ruanui-Deed-of-Settlement-Schedule-2-Cultural-redress-12-May-2001.pdf>

The source of the Patea River is on the mountain Rua Taranaki, and is called Whakapou Karakia.

Whakapou Karakia can be found upon the mountain Rua Taranaki within the rohe of Ngaati Ruanui.

Upon the arrival of the Aotea people to south Taranaki from Kawhia, Turi Ariki at Te Pou a Turi, laid claim to the surrounding territory and the river, “which until then has been known as Te Awa o Taikehu”, as belonging to him and his descendants.

Upon completing the respective rituals, to protect the newly gained lands from unwanted entities, he then proceeded to spiritually purify the rest of the area.

The newly claimed river, because of its spiritual and life giving resources, was then traversed and spiritual Kaitiaki sown in every location that was to become significant to the people of the Aotea Waka along the total length of the river. These purifying rituals continued to the source of the river on the mountain. It was at this locality upon the mountain that the final Karakia of protection was done to unite all the Kaitiaki as one in the protection of the waters and resources pertaining to the river, hence:

Whaka: *to do*;

Pou: *Pillar of Strength; and*

Karakia: *Invocation.*⁶²²

A further statutory acknowledgement was made in respect of the entire coastal area subject to the deed of settlement. The acknowledgement stated that:

⁶²² Deed of Settlement: Cultural Redress Schedule: Part 10: Statutory Acknowledgements: Patea River, 2001, p.145, <https://www.govt.nz/assets/Documents/OTS/Ngati-Ruanui/Ngati-Ruanui-Deed-of-Settlement-Schedule-2-Cultural-redress-12-May-2001.pdf>

The resources found within Te Moananui A Kupe have, since time immemorial, provided the people of Ngaati Ruanui with a constant supply of food resources. The hidden reefs provided koura, paua, kina, pupu, papaka, pipi, tuatua and many other species of reef inhabitants. Hapuka, moki, kanae, mako and patiki swim freely between the many reefs that can be found stretching out into the spiritual waters of Te Moananui A Kupe and along the Ngaati Ruanui coastline.

Names such as Rangatapu, Ohawe Tokotoko, Waihi, Waukena, Tangaahoe, Manawapou, Taumaha, Manutahi, Pipiri, Kaikura, Whitikau, Kenepuru, Te Pou a Turi, Rangitawhi, and Whenuakura depict the whereabouts of either a fishing ground or fishing reef.

All along the shoreline from Rangatapu to Whenuakura food can be gathered depending on the tides, weather and time of year.⁶²³

The statutory acknowledgement required summaries of resource consent applications within the coastal area to be provided to Te Rūnanga o Ngāti Ruanui and provided legislative recognition of Ngāti Ruanui's association with this coastal area.

Deeds of recognition in respect of the Tāngahoe, Whenuakura and Pātea rivers also formed part of the cultural redress. The cultural redress also included a right of first refusal over shellfish quota with respect to the settlement area. It also included provision for Ngāti Ruanui to have a preferential right to buy a specified portion of any marine farming authorisations within a specified area should these be put up for tender.⁶²⁴ These multiple provisions within the deed of settlement relating to the marine environment, forming part of the cultural redress package, served to reinforce the significance of the marine and coastal environment for the people of Ngāti Ruanui from the time of Turi through to today.

⁶²³ Deed of Settlement: Cultural Redress Schedule: Part 10: Statutory Acknowledgements: Te Moanuinui a Kupe o Ngaati Ruanui (Coastal Area), 2001, p.136, <https://www.govt.nz/assets/Documents/OTS/Ngati-Ruanui/Ngati-Ruanui-Deed-of-Settlement-Schedule-2-Cultural-redress-12-May-2001.pdf>.

⁶²⁴ Deed of Settlement Summary, 2001, <https://www.govt.nz/assets/Documents/OTS/Ngati-Ruanui/Ngati-Ruanui-Deed-of-Settlement-summary-12-May-2001.pdf>.

21. Third-Party Usage

The most significant third-party usage of the marine and costal environment within the application area in historical terms has been the operations of the Patea Harbour Board. It was seen in an earlier chapter that the board was instrumental in the destruction of a number of Māori eel-weirs on the Pātea River. But it also had legal title to part of the foreshore vested in it in 1903.

The story of a port at Pātea goes back much earlier. Ngāti Ruanui associations with the area around the entrance to the Pātea River date back to the arrival of Turi in around the late thirteenth century. By 1840 various European trading vessels had called into Pātea and by the following year two rival trading boats from Whanganui had been wrecked trying to enter the river.⁶²⁵ After 1840 local Māori received a subsidy from the Crown to operate a ferry service across the river for travellers to the district.⁶²⁶ However, as relations with the Crown deteriorated in the late 1850s European visitors were often looked upon with suspicion.

With the arrival of British and colonial troops in the area after 1865, Pātea River was used to land supplies. A number of Crown vessels entered Pātea River for the first time on 16 February 1865. Cameron made it his headquarters and Governor Grey arrived there in March to discuss future military operations in the region. Various failed attempts to land supplies along other parts of the South Taranaki coastline soon confirmed Pātea as the obvious supply base.⁶²⁷

By 1867 Taranaki province had arranged to erect a flagstaff and beacon at the entrance to the river. Although British troops were withdrawn from the region, military settlers and civilians took their place. A private jetty was constructed and pilotage fees charged.⁶²⁸ The port of Pātea was officially proclaimed in February 1871. The first harbourmaster was appointed in April of the same year. But it was not until 1876 that the Patea Harbour Board was established under the Patea Harbour Board Act of that year. The same Act vested 3000 acres of land in the new

⁶²⁵ Ian Church, *Little Ships of Patea*, Palmerston North: Dunmore Press, 1977, p.3.

⁶²⁶ ‘Patea Shipping’, Pātea Historical Society, <https://www.pateahistoricalsociety.org.nz/shipping.html>

⁶²⁷ Ian Church, *Little Ships of Patea*, Palmerston North: Dunmore Press, 1977, pp.6-7.

⁶²⁸ Ian Church, *Little Ships of Patea*, Palmerston North: Dunmore Press, 1977, pp.15-16.

harbour board as an endowment. Development of the wharf followed the plans drawn up by eminent English engineer Sir John Coode in 1879 but took many years to complete. Breakwaters were constructed at the entrance to the river.⁶²⁹ A railway wharf opened in 1883.⁶³⁰

Under the Patea Foreshore Vesting Act of 1895 an area of 2 acres 2 roods and 20 perches, being mud-flats forming part of Pātea estuary on the south side of the township, was vested in the Patea Harbour Board for reclamation, with the board authorised to lease or sell portions of the land.

The Patea Harbour Board Foreshore Act of 1903 vested a much larger area of land in the Patea Harbour Board, being ‘All the foreshore of the sea below high-water mark lying between the mouth of the Kaikura Stream and the north bank of the Wairoa Stream’. The Kaikura Stream lies approximately six kilometres north of the mouth of the Pātea River, while the Wairoa Stream runs out to the coast south of Waverley. Besides the foreshore, the 1903 Act also vested the bed of all tidal reaches of the two named streams and every other waterway between them in the Patea Harbour Board. The board was authorised to lease any lands vested in it for terms of up to 21 years.

Following this legislation, Pātea Harbour Board leased the land vested in it. But the lease could not be registered and title issued until the whole of the foreshore, including rivers, was surveyed.⁶³¹ In May 1905 the Chief Surveyor was asked to travel to Pātea and compile the necessary plan. He reported in August that:

The coast line north of the Patea River consist of high cliffs rising sheer from the beach and the bases of which are always awash at high water, and many, if not all, of the promontories running out from the ordinary line of cliffs, are awash at their base at all times of the tide, so that it was impossible to traverse any great length along the beach

⁶²⁹ Margaret Leslie, Livingstone Baker and Ian Church, *Patea: A Centennial History*, Palmerston North: Dunmore for Patea Borough Council, 1981, p.76.

⁶³⁰ Ian Church, *Little Ships of Patea*, Palmerston North: Dunmore Press, 1977, pp.30-31.

⁶³¹ Secretary, Patea Harbour Board, to Surveyor General, 8 May 1905, R24011337, Archives NZ.

before being brought up standing by these promontories, at whose base the sea was always dashing.

The coastline south of the Patea River for some distance consists of a series of sand-dunes so there would be no difficulty in defining high water as well as low water mark here.⁶³²

The question of who might want to lease the foreshore and river beds had been answered in May 1904, when the Patea Harbour Board announced that these areas had been leased for ironsand mining purposes.⁶³³ The foreshore had been leased for 21 years, with a right of renewal, and it was reported that mining operations were expected to get underway soon.⁶³⁴

The development and growth of Pātea harbour was closely tied to the rapidly expanding dairy industry in Taranaki. In 1878 Pātea merchants had formed the Patea Steam Shipping Company, running passengers and freight to Wellington. Among the passengers were members of the Armed Constabulary brought to Taranaki in response to the Parihaka resistance movement.⁶³⁵ The company went into liquidation in 1886, during the height of the ‘long depression’. But a new Patea Shipping Company was formed in 1897 and in 1912 it was taken over by the West Coast (Dairy) Refrigeration Company, becoming the South Taranaki Shipping Company. Dairy produce was freighted to Wellington via a number of steamers owned by the company.⁶³⁶ Coolstores for butter and cheese were constructed downriver from the railway wharf in the early twentieth century. Land behind the wharf was later reclaimed to extend the site.⁶³⁷

Besides dairy produce and wool, another main cargo for the vessels that worked out of Pātea was meat. The West Coast Meat and Produce Export Company had been formed in 1883 with

⁶³² Chief Surveyor, New Plymouth, to Chief Surveyor, Wellington, 10 August 1905, R24011337, Archives NZ.

⁶³³ ‘The Ironsands Project’, *Hawera and Normanby Star*, 4 May 1904,
<https://paperspast.natlib.govt.nz/newspapers/HNS19040504.2.14.2>.

⁶³⁴ ‘Taranaki Iron Sand’, *Manawatu Times*, 5 May 1904,
<https://paperspast.natlib.govt.nz/newspapers/MT19040505.2.16>

⁶³⁵ Ian Church, *Little Ships of Patea*, Palmerston North: Dunmore Press, 1977, p.36.

⁶³⁶ Margaret Leslie, Livingstone Baker and Ian Church, *Patea: A Centennial History*, Palmerston North: Dunmore for Patea Borough Council, 1981, p.76; ‘Patea Shipping’, Pātea Historical Society,
<https://www.pateahistoricalsociety.org.nz/shipping.html>.

⁶³⁷ Ian Church, *Little Ships of Patea*, Palmerston North: Dunmore Press, 1977, p.47.

the intention of freezing meat, though initially only a canning factory was constructed. In 1904 a new company, Patea Freezing Company, established a freezing works on the eastern bank of the Pātea River that operated until finally closing in 1982.⁶³⁸

Between 1915 and 1921 the breakwaters at the entrance to Pātea harbour were lengthened and the Patea Harbour Board purchased a dredge to maintain depths at the railway and coolstore wharves and main channel. Dairy and other produce passing through the port received a boost during the First World War and continued to grow for a time thereafter. But following World War Two efforts were made to consolidate all Taranaki shipping out of a single port located at New Plymouth, marking an end for the Pātea harbour. The final produce out of Pātea was shipped in 1959 and in 1965 Pātea Harbour Board was absorbed into the Taranaki Harbour Board under the Taranaki Harbours Act 1965.⁶³⁹

Besides the operations of the Patea Harbour Board between 1876 and 1959, and recreational activities at sites such as Ōhawe discussed previously, another significant third-party usage involved ironsand mining. Ironsands are found along the west coast of the North Island, from Whangaehu north to Muriwai. Efforts to extract and smelt the iron ore resources contained in the sands began at an early date. In 1842 a Taranaki settler made one of the earliest attempts, followed in 1848 by a similar effort at Onehunga. These and other early attempts to utilise ironsands failed because of the limited technology available at the time that frequently resulted in the fine sands choking the furnaces.⁶⁴⁰

By the mid-twentieth century smelting techniques had advanced sufficiently to make a steel industry utilising New Zealand ironsands viable, and various proposals were floated concerning the ownership and location of a steel plant and the source of the ironsand and other resources

⁶³⁸ ‘Patea Freezing Works’, Pātea Historical Society, <https://www.pateahistoricalsociety.org.nz/freezing-works.html>.

⁶³⁹ Margaret Leslie, Livingstone Baker and Ian Church, *Patea: A Centennial History*, Palmerston North: Dunmore for Patea Borough Council, 1981, p.76; ‘Patea Shipping’, Pātea Historical Society, <https://www.pateahistoricalsociety.org.nz/shipping.html>.

⁶⁴⁰ D.A. Bold, ‘A Vision Unfulfilled: The Iron and Steel Industry in New Zealand, 1842 to 1975’, PhD thesis, University of Auckland, 2001, pp.11-12.

it would require. The Iron and Steel Industry Act passed by the first Labour government in 1937 signalled the Crown's interest in encouraging and facilitating a domestic steel industry.⁶⁴¹

Pursuant to this legislation, a number of sites along the North Island's west coast were investigated as suitable sources of ironsand. In 1939 detailed investigations that took five months to complete were undertaken at Pātea. That followed an initial reconnaissance survey that concluded that the extent and magnitude of the ironsand deposits in this region were of a high order. Tests focused on what was considered the most promising area, being the western Pātea beach and the estuary, with less intensive examinations extending further south to Whenuakura River. The investigation team concluded that an estimated 45,450,000 tons of ironsand was available in this area.⁶⁴²

The Iron and Steel Industry Act was repealed in 1954 by the National government. But the re-election of Labour in 1957 and a serious balance of payments crisis soon after prompted renewed interest in the feasibility of a local steel industry. The Iron and Steel Industry Act 1959 gave the Crown exclusive right to prospect or mine ironsands within areas deemed subject to the Act (defined in the Act's schedule). In the North Island, the schedule included a three-mile coastal strip, measured from inland to the mean high-water mark, on the west coast from South Head of Kaipara Harbour and running south to the Whangaehu River. Any land within this area not purchased or acquired by the Crown for the purposes of the Act by 1 January 1968 would be deemed to be no longer subject to the provisions of the Act.

In 1961 further investigations were undertaken in respect of the coastline between Whanganui and Pātea.⁶⁴³ However, the Crown ultimately selected a site at the north head of Waikato River as the source of ironsand, partly on the basis of its proximity to the steel mill nearby at Glenbrook, in the Waiuku district.

⁶⁴¹ D.A. Bold, 'A Vision Unfulfilled: The Iron and Steel Industry in New Zealand, 1842 to 1975', PhD thesis, University of Auckland, 2001, pp.11-12.

⁶⁴² Report for Secretary, State Iron and Steel Department, 24 April 1940, R16507394, Archives NZ.

⁶⁴³ D. Kearn, Whanganui-Pātea Ironsands Report, 6 November 1961, R16507397, Archives NZ.

Although the Pātea region was rejected as a source of ironsand for the local steel industry, in 1969 a license was granted to a US company to explore for ironsands between the Tongaporutu and Whangaehu rivers. Marcona Corporation, the company in question, subsequently identified Waipipi, south of Waverley, as the focal point for its operations. Waipipi Iron Sands Ltd was formed to mine ironsand in this area for export to Japanese steel mills. The company's operations were focused around the mouth of Wairoa Stream.⁶⁴⁴ Wairoa Stream was dammed to create a lake so that the water could be used in the process of mining. A 9000-foot pipeline was constructed out to sea to carry iron ore slurry to waiting ships. Mining operations at Waipipi ended in 1988. A condition of the mining license was that the land was to be rehabilitated afterwards. However, the pipelines out to sea remained on the sea bed.⁶⁴⁵ In more recent times, an application by Trans-Tasman Resources Ltd to mine ironsand offshore in South Taranaki has been the focus of significant litigation and opposition over a prolonged period. Members of Ngāti Ruanui and other local iwi have been active in successfully opposing the application, alongside conservation groups and other parties.

A number of other mining and prospecting operations have been conducted offshore in Southern Taranaki. In 1971 JBL Exploration (NZ) Ltd was granted a number of licenses to prospect for a range of minerals off the coast of Pātea. One official noted concern about the unknown effects that mining would have on the ecology and marine foreshore in this area. The prospecting licenses were issued subject to the condition that no explosives were to be used.⁶⁴⁶

Pātea Power Station, located north of Pātea township at the end of Powerhouse Road, is described as the oldest municipally-owned power plant in New Zealand. Water from the Kaikura Stream was dammed above the steep cliff face, and the fall drove a turbine located at the bottom of the cliff. Construction commenced in 1901 and by 1906 the station was powering approximately 100 electricity users. In 1952 it was reported that the hydro generator had

⁶⁴⁴ *Coastal Reserves Investigation and Proposals: Patea County, Wellington*: Department of Lands and Survey, 1976, Appendix I, R22968238, Archives NZ.

⁶⁴⁵ Laraine Sole, *Black Gold: The Story of Waipipi Iron Sands Ltd 1971-1988*, Pātea: Pātea Historical Society, 2019, pp.34, 79-80, 138-39, 150.

⁶⁴⁶ Secretary, Nature Conservation Council, to Commissioner of Crown Lands, 16 August 1971, R15902636, Archives NZ.

burned out and it was recommended that no repairs be undertaken. By 1959 the station had been stripped of most of its machinery and left deserted.⁶⁴⁷

In 1976 the Department of Lands and Survey undertook an investigation into coastal reserves within Pātea County with a view to providing public access and preserving any natural, historical, scenic and other special features, along with the waterfowl, wildlife and marine life of the coastal strip. The study built on an earlier report completed in 1968. The coastal boundaries of the county ran from the Waitōtara River mouth to the Manawapou River mouth. The study noted that although ironsand mining was confined to Waipipi, it might potentially expand to encompass up to half of the county's coastline and that this would involve extensive modifications of the coastal topography and threaten sites of significance in this area.⁶⁴⁸

In the northern part of the county, most of the coastal land was freehold, with a few kilometres of public land at Pātea (where a borough was still in existence) and 'one small piece of Maori land' (likely a reference to the Whitikau reserve).⁶⁴⁹ Road access to the coastline was described as 'extremely limited', consisting of paved roads to Waverley Beach and Pātea Beach, and one other road to the Manawapou River mouth. Several other unformed legal roads reached the coast but ended at high cliffs and so provided limited opportunities for recreational users. The authors of the study recommended that these should remain as legal roads, potentially opening up access to those who might want to walk along or picnic at the cliffs. However, they also noted that, just north of Pātea, a garbage tip dumped rubbish over the cliff face on to the beach, a practice described with considerable understatement as 'not conducive to recreation either passive or active'.⁶⁵⁰

⁶⁴⁷ 'Patea Power Station', Pātea Historical Society, <https://www.pateahistoricalsociety.org.nz/patea-power-station.html>

⁶⁴⁸ *Coastal Reserves Investigation and Proposals: Patea County*, Wellington: Department of Lands and Survey, 1976, pp.5-6, R22968238, Archives NZ.

⁶⁴⁹ *Coastal Reserves Investigation and Proposals: Patea County*, Wellington: Department of Lands and Survey, 1976, p.10, R22968238, Archives NZ.

⁶⁵⁰ *Coastal Reserves Investigation and Proposals: Patea County*, Wellington: Department of Lands and Survey, 1976, pp.11, 17, R22968238, Archives NZ.

South of Pātea the coastline was described as ‘a bold mixture of vertical cliffs and large black sand beaches while north of this river it is virtually continuous cliff formations’.⁶⁵¹ That increased the importance of those few locations that did provide access to the coast. Among the various recommendations advanced in the report was the proposal that local authorities should be encouraged to designate the land at Pātea River mouth and Manawapou River mouth as proposed recreation reserves. Pātea River mouth was used for recreational activities, including swimming, surfing and surf fishing, on a beach of about 300 metres length, by the residents of the town. The report’s authors considered it was also important that both sides of the river estuary be in public hands for environmental reasons.⁶⁵²

Manawapou River mouth was used for whitebaiting and surf fishing, and provided limited opportunities for fishing and picnicking. The report noted that:

Because the river has eroded the cliffs, access to the foreshore has been created. The river is small but has as many as a dozen whitebaiters or surf fishermen per day in season. The large numbers of people in such a small area implies the lack of access to the ocean along the general coastline of the region. A Maori pa on European historic site sits on a ridge above the river in Hawera County. The Mokoia public road in Hawera County also gives access to the northern river bank.⁶⁵³

Beyond these and other specific proposals, the report also included a more wide-ranging recommendation for all of the coastline from Wairoa Domain at Waverley Beach north to the Manawapou River to be designated a proposed coastal reserve or esplanade. This would encompass a stretch of coastline 33.5 kilometres in length, creating a 40-metre wide strip that would join up existing reserves and provide public access to the full length of the coast. The old power station at Kaikura Stream, various waterfalls over the cliff to the sea, small bush-encompassed lakes and estuaries close to the sea, bird life and ‘Maori pa’ would prove scenic

⁶⁵¹ *Coastal Reserves Investigation and Proposals: Patea County, Wellington*: Department of Lands and Survey, 1976, p.19, R22968238, Archives NZ.

⁶⁵² *Coastal Reserves Investigation and Proposals: Patea County, Wellington*: Department of Lands and Survey, 1976, p.24, R22968238, Archives NZ.

⁶⁵³ *Coastal Reserves Investigation and Proposals: Patea County, Wellington*: Department of Lands and Survey, 1976, p.25, R22968238, Archives NZ.

attractions to walk along the cliff tops in this area. However, the report noted that where walking access only was required, an easement or legal right of way might be an acceptable alternative to purchase or lease as a reserve.⁶⁵⁴

In 1978 the Patea County Council Town and County Planning Committee rejected the proposed 40-metre esplanade strip in the face of strong opposition from the land owners. But it did agree in principle to designate the river mouths of Waitōtara, Whenuakura, Pātea and Manawapou rivers as reserves.⁶⁵⁵ Designation as a reserve did not provide public access where the land remain privately owned and the Department of Lands and Survey issued a press release emphasising that owners who did not wish to sell would not be required to do so. Instead, in such instances ‘the proposal can usually be deferred indefinitely’.⁶⁵⁶

In 1981 the Department of Lands and Survey published a further coastal reserves investigation report, this time into Hāwera district and Waimate West county. An earlier report in 1977 had required various amendments. The new report was reviewed by the Coastal Reserves Review Committee in February 1982 and approved subject to some further recommended amendments.⁶⁵⁷ The report endorsed arrangements already agreed to by Hawera District Council for the creation of a recreation reserve at the Tāngahoe River mouth, along with legalising a private road that provided access to the site in exchange for an unformed portion of road.⁶⁵⁸ However, it appears the private land owner subsequently had a change of heart, refusing to sign the agreement and instead padlocking gates over his land that provided access to the river mouth.⁶⁵⁹ Another proposal addressed road access to Ōhawe Beach.⁶⁶⁰ The report

⁶⁵⁴ *Coastal Reserves Investigation and Proposals: Patea County*, Wellington: Department of Lands and Survey, 1976, p.26, R22968238, Archives NZ.

⁶⁵⁵ ‘Patea committee agrees to river reserves’, *Taranaki Daily News*, 19 September 1978, R22968343, Archives NZ.

⁶⁵⁶ ‘Press Release – Department of Lands and Survey: Major Study of Coastal Land’, n.d. [June 1978], R22968343, Archives NZ.

⁶⁵⁷ Coastal Reserves Working Party Coastal Reserves Review Committee, minutes, 12 February 1982, R229068342, Archives NZ.

⁶⁵⁸ Tangahoe Rivermouth, Proposal 5, 1981, R229068342, Archives NZ.

⁶⁵⁹ D. Stevenson, District Manager, Hawera District Council, to Commissioner of Crown Lands, 17 November 1982, R229068342, Archives NZ.

⁶⁶⁰ Commissioner of Crown Lands to Director General, 3 June 1982, R229068342, Archives NZ.

did not recommend the acquisition by the Crown of any lands in the study area for coastal reserve purposes.⁶⁶¹

A 2004 inventory of coastal areas of significance in Taranaki commissioned by the Taranaki Regional Council listed a number of sites within the current application area. Waingongoro River mouth and Ōhawe Beach was described as a popular recreational area with excellent public access and high cultural, historical and ecological values. The river, foreshore and marginal strip were listed as Crown land administered by the Department of Conservation.⁶⁶² Waihi Beach was described as Crown land, consisting of a marginal strip from Ōhawe to the Hawera Golf Club, also administered by the Department of Conservation.⁶⁶³ Manawapou and Tāngahoe river mouths were described as having high cultural and historical values and good public access. The foreshore and river mouths were listed as Crown land administered by the Department of Conservation.⁶⁶⁴ Kākārōmea Beach consisted of a mix of Crown foreshore and private land, with some recreational fishing taking place from the cliff tops.⁶⁶⁵ The estuary and foreshore of Pātea River mouth were also described as Crown land under the management of the Department of Conservation. Public access was considered excellent and the location's cultural, historical and ecological values considered high.⁶⁶⁶ Whenuakura Estuary, 3.5 kilometres south of Pātea, along with the foreshore and foreshore reserve, were also Crown land with high values but poor public access.⁶⁶⁷

⁶⁶¹ Chief Surveyor to R.H.B. Gilberd, 4 October 1983, R229068342, Archives NZ.

⁶⁶² *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region*, Stratford: Taranaki Regional Council, 2004, p.124.

⁶⁶³ *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region*, Stratford: Taranaki Regional Council, 2004, p.126.

⁶⁶⁴ *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region*, Stratford: Taranaki Regional Council, 2004, p.130.

⁶⁶⁵ *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region*, Stratford: Taranaki Regional Council, 2004, p.136.

⁶⁶⁶ *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region*, Stratford: Taranaki Regional Council, 2004, p.138.

⁶⁶⁷ *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region*, Stratford: Taranaki Regional Council, 2004, p.142.

22. Population Patterns

Although official returns are incomplete and often inaccurate, it is clear that Ngāti Ruanui and other Taranaki iwi suffered significant population losses in the nineteenth century. The introduction of introduced diseases to which Māori had no acquired immunity was a significant contributing factor to this decline. In the pre-1840 period the Musket Wars and the dispersal of populations that saw significant numbers migrate to the Wellington region were also factors. However, for the post-1840 period, the demographer Ian Pool has demonstrated that the repeated invasions and subsequent land confiscations after 1860 were also significant. This worked in two ways, direct and indirect. Firstly, there were those directly killed in these conflicts. While we do not have precise figures for Māori losses in Taranaki, much less specific figures for Ngāti Ruanui, Pool estimated those killed at something in the order of 8-10% of the total population, significantly higher than the 1.7% of the total New Zealand population killed during the First World War.⁶⁶⁸ But war also destroyed the local economy, rendered large numbers of people landless and essentially homeless and caused severe socio-economic disruption. In this way, it contributed to further population losses. One of the examples highlighted by Professor Pool is child-women ratios, which provides a basic measure of fertility. He notes that Taranaki's 'dismal history' of warfare and raupatu 'is reflected in both the regional and the iwi (Atiawa, Ngati Ruanui, Taranaki) child-woman ratios', with regional levels the lowest of every nineteenth century census other than the first official one in 1857.⁶⁶⁹

The 1857 census recorded the Māori population from Cape Egmont to the Pātea River was 1335, with a further 370 in the Waitōtara district.⁶⁷⁰ Although this was the first official census, earlier missionary and other estimates are available. Fluctuations in population due to movements to and from the Wellington region make detailed comparisons difficult. But even allowing for such fluctuations, it is apparent that the population had declined since 1840. One missionary estimate from 1840 gave the total Māori population of Taranaki at 8000, including

⁶⁶⁸ Ian Pool, *Colonization and Development in New Zealand between 1769 and 1900: The Seeds of Rangiatea*, Cham: Springer, 2015, p.233.

⁶⁶⁹ Ian Pool, *Te Iwi Maori: A New Zealand Population Past, Present and Projected*, Auckland: Auckland University Press, 1991, pp.98-99.

⁶⁷⁰ *Observations on the State of the Aboriginal Inhabitants of New Zealand, 1859*, https://www3.stats.govt.nz/historic_publications/fenton-observations-aboriginal-inhabitants-nz/fenton-observations-aboriginal-inhabitants-nz.html.

3600 Ngāti Ruanui. Perhaps more accurately, Skevington estimated the Ngāti Ruanui population at 1700 in 1845, while Woon put it at between 1400-1500 the following year. Woon did a further count in 1849, this time estimating the number at 1345.⁶⁷¹

Following the 1857 census no further official count took place until 1874. This recorded a Ngāti Ruanui population of 993.⁶⁷² In 1878 that had increased slightly to 1073.⁶⁷³ Charles Browne, who undertook the survey, attributed this apparent increase to an undercount four years earlier, partly due to the difficulties encountered in enumerating the population at places such as Parihaka.⁶⁷⁴ Census return officers often commented on the reluctance of Māori in Taranaki to take part in such counts, their suspicions of Crown intentions based on bitter experience.

In 1881 the Ngāti Ruanui population had dropped significantly to 754.⁶⁷⁵ Of that nearly half were listed as living at Parihaka. But 310 men from Taranaki were being held without trial in South Island prisons and a not inconsiderable proportion belonged to Ngāti Ruanui.⁶⁷⁶ Even allowing for this and what seems like an undercount in this census, it was apparent that the population was still declining.⁶⁷⁷

The 1886 census recorded 1026 Ngāti Ruanui. But since Ngā Rauru were listed separately only in the 1878 and 1881 census returns, it appears that many were probably included in that figure (Ngāruahine were not listed separately in any of these counts).⁶⁷⁸ The return coincided with a renewed period of heightened tensions with the Parihaka community and the census officer described great difficulties in arriving at anything more than an approximate estimate as a result. He also noted that more than 1000 people were travelling at the time of the census,

⁶⁷¹ Tony Sole, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005, p.192.

⁶⁷² AJHR, 1874, G-7, p.16, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1874-I.2.2.3.16>.

⁶⁷³ AJHR, 1878, G-2, p.18, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1878-I.2.2.2.3>.

⁶⁷⁴ Browne to Native Under Secretary, 6 June 1878, G-2, p.7,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1878-I.2.2.2.3>.

⁶⁷⁵ AJHR, 1881, G-3, <https://paperspast.natlib.govt.nz/parliamentary/AJHR1881-I.2.2.3.5..>

⁶⁷⁶ Parris to Native Under Secretary, 18 April 1881, AJHR, 1881, G-3, pp.7-8,

<https://paperspast.natlib.govt.nz/parliamentary/AJHR1881-I.2.2.3.5>.

⁶⁷⁷ Nancy G. Pearce, 'The Size and Location of the Maori Population, 1857-96: A Statistical Study', MA thesis, Victoria University College, 1952, pp.130-31.

⁶⁷⁸ Nancy G. Pearce, 'The Size and Location of the Maori Population, 1857-96: A Statistical Study', MA thesis, Victoria University College, 1952, p.132.

indicating ongoing high levels of mobility in the wake of confiscations that had rendered large numbers of Māori in the province landless.⁶⁷⁹

In 1891 another significant drop was recorded, this time to 801 Ngāti Ruanui. However, it appears that Ngā Rauru were now recorded as Whanganui iwi, since a large number were listed as living in Pātea county for the first time.⁶⁸⁰ The census officer recorded his belief that Māori numbers in Taranaki were continuing to decrease steadily as a result of a combination of excessive mortality and low birth rates.⁶⁸¹

The 1896 census recorded a further drop in numbers, this time to 682 Ngāti Ruanui. However, an even higher number of Whanganui iwi (280) were listed as living at Pātea.⁶⁸² Demographer Nancy Pearce noted in her 1952 thesis that fluctuations in Ngāti Ruanui numbers through this sequence of census returns likely reflected changing official tribal definitions (since the returns were not based on self-selection), and also high mobility.⁶⁸³

In 1901 the census recorded 853 Ngāti Ruanui, pointing to evidence of the beginning of a recovery in numbers that would increase dramatically in places over the course of the twentieth century.⁶⁸⁴ Following World War Two especially that was also accompanied by significant movement to urban centres such as New Plymouth, Wellington and elsewhere. Census returns between 1901 and 1991 did not record iwi or tribal membership. When this question returned in the 1990s individuals were able to select the iwi themselves. In 1991 a total of 3303 respondents listed Ngāti Ruanui as their iwi. This jumped significantly to 5286 by 2001, 7035 in 2006 and 7260 in 2013.⁶⁸⁵

⁶⁷⁹ W. Rennell to Native Under Secretary, 29 March 1886, AJHR, 1886, G-12, p.13,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1886-I.2.3.2.14>.

⁶⁸⁰ Nancy G. Pearce, 'The Size and Location of the Maori Population, 1857-96: A Statistical Study', MA thesis, Victoria University College, 1952, p.132.

⁶⁸¹ Rennell to Native Under Secretary, 11 April 1891, AJHR, 1891, Sess II, G-2, pp.6-7,
<https://paperspast.natlib.govt.nz/parliamentary/AJHR1891-II.2.2.5.5>.

⁶⁸² Nancy G. Pearce, 'The Size and Location of the Maori Population, 1857-96: A Statistical Study', MA thesis, Victoria University College, 1952, pp.130-32.

⁶⁸³ Nancy G. Pearce, 'The Size and Location of the Maori Population, 1857-96: A Statistical Study', MA thesis, Victoria University College, 1952, p.135.

⁶⁸⁴ Tony Sole, 'Ngāti Ruanui - Facts and figures', Te Ara - the Encyclopedia of New Zealand,
<http://www.TeAra.govt.nz/en/ngati-ruanui/page-5> (accessed 30 October 2023).

⁶⁸⁵ Tony Sole, 'Ngāti Ruanui - Facts and figures', Te Ara - the Encyclopedia of New Zealand,
<http://www.TeAra.govt.nz/en/ngati-ruanui/page-5> (accessed 30 October 2023).

The vast majority of these people lived outside the customary rohe of Ngāti Ruanui. In the 2013 census a total of 61.4% lived in urban centres with a population of 30,000 people or more. Just 25% lived in Taranaki region, with 15.8% in Auckland and 15% in Wellington.⁶⁸⁶ The estimated Ngāti Ruanui population from the botched 2018 census, when adjusted for missing returns, was 9606, a significant increase from 2013.⁶⁸⁷ In the 2023 census, 12,576 people affiliated with Ngāti Ruanui, another significant increase.⁶⁸⁸

⁶⁸⁶ Stats NZ, ‘2013 Census: Individual Iwi Profile: Ngāti Ruanui’, <https://www.stats.govt.nz/assets/Uploads/2013-Census-iwi-individual-profiles/70-iwi-profiles-Ngati-Ruanui.pdf>.

⁶⁸⁷ Iwi affiliation (estimated counts): 2018 data sources and quality by iwi, Stats NZ, 22 June 2021, <https://www.stats.govt.nz/reports/iwi-affiliation-estimated-counts-2018-data-sources-and-quality-by-iwi>.

⁶⁸⁸ ‘Ngāti Ruanui’, Te Whata, <https://tewhata.io/ngati-ruanui/> (accessed 26 September 2024).

Bibliography

Primary Sources

Archives New Zealand, Head Office, Wellington

[West Coast Settlement Reserve] From: W Williams, Patea Date: 19 June 1886 Subject: Regarding native objections to mode of individualising their claims in Tirotiromoana and Whareroa Reserves

Item type: Item

ID: R24718622

Years: 1886 - 1886

Box number: 39

Former archives reference: MA-MT1

Record number: WCSR 1886/285

[Settlement Reserves] From: Nakora te Makukarioa, Hawera Date: 16 May 1889 Subject: Objecting to Public Trustee's management of Tirotiromoana Block

Item type: Item

ID: R24719188

Years: 1889 - 1889

Box number: 45

Former archives reference: MA-MT1

Record number: SR 1889/429

[Maori Councils and Committees] Northern Ngati Ruanui TD [Tribal District] Tribal Executive and Committees and Areas

Item type: Item

ID: R15055091

Years: 1947 - 1964

Box number: 53

Record number: 35/73/1

Southern Ngati Ruanui Tribal District - Tribal Executives and Committees - Tribal Committee

Areas

Item type: Item

ID: R18799369

Years: 1950 - 1950

Box number: 68

Former archives reference: MA1W2490

Record number: 35/74/1

[Native & Defence file] From: Nakora and others, Whenuakura (4 August 1878) Date: 17

September 1878 Subject: Application to have land situated at Whenuakura returned to them

Item type: Item

ID: R24621225

Years: 1878 - 1878

Box number: 741

Former archives reference: J1

Position reference: as

Record number: N&D1878/3354

Additional description: With 1905/1563

From: Native Affairs Committee, Wellington Date: 11 July 1894 Subject: For report on petition

of Ropiha Taurua and others regarding reserve between Patea and Whenuakura Rivers

Item type: Item

ID: R24600913

Years: 1894 - 1894

Box number: 682

Former archives reference: J1

Position reference: au

Record number: 1894/965

Additional description: With: 1902/1094

Received: 13th December 1928 - From: Tupito Maruera, Kakaramea - Subject: Part Section 565
Patea District as to how the Patea Harbour Board became owner

Item type: Item

ID: R22411501

Years: 1928 - 1928

Box number: 1480

Former archives reference: MA1

Record number: 1929/155

Received: 13th August 1920. - From: Clerk , Native Affairs Committee (House of Representatives), Wellington. - Subject: For report on petition No. [Number] 126/20 of Reweti Wehiwehi and others that the relative interests of the owners in certain West Coast Settlement Reserve lands lying between the Waitotara and Tangahoe Stream be defined.

Item type: Item

ID: R22407543

Years: 1920 - 1920

Box number: 1243

Former archives reference: MA1

Record number: 1920/315

Received: 4th September 1906. - From: Native affairs Committee, H of R [House of Representatives]. - Subject: Petition No. 566/05 Raumati Pomakariri and 4 others. For report. Manawapou Block, for return of.

Item type: Item

ID: R22400719

Years: 1892 - 1907

Box number: 890

Former archives reference: MA1

Record number: 1906/757

From: Major McDonnell, Manawapo [Manawapou?] Date: 11 August 1866 Subject: The Young Hauhau Chief sent to the Rebels has returned with peace offerings, they desire to meet Major McDonnell and surrender in force

Item type: Item

ID: R24102675

Years: 1866 - 1866

Box number: 22

Former archives reference: AD1

Position reference: a

Record number: CD1866/3528

Additional description: With: CD1866/4102

Committees - Local Bills - Patea Foreshore Vesting [1 item separated from file as SEP No. 464]

Item type: Item

ID: R17687671

Years: 1894 - 1894

Box number: 330

Sep number: 464

Former archives reference: LE1

Record number: 1894/8

From: Native Affairs Committee, Wellington Date: 11 July 1894 Subject: For report on petition of Ropiha Taurua and others regarding reserve between Patea and Whenuakura Rivers

Item type: Item

ID: R24600913

Years: 1894 - 1894

Box number: 682

Former archives reference: J1

Position reference: au

Record number: 1894/965

Additional description: With: 1902/1094.

From: Native Affairs Committee, Wellington Date: 21 August 1902 Subject: For report on petition of Te Awhe Taotokai regarding the 1000 acres given regarding eel weirs Ruatuna and Te Ngana in Patea River

Item type: Item

ID: R24600911

Years: 1902 - 1902

Box number: 682

Former archives reference: J1

Position reference: au

Record number: 1902/1094

Additional description: Enclosed: 1894/1150, 1894/965, NO1892/1647, NO1890/1362, NO1890/1355, NO1884/1666, NO1884, NO1884/1606, NO1884/1380, NO1884/1189, L1883/1298, NO1882/585, NO1882/585.

Ohawe and other beaches near Hawera - Removal of material petition (1917), reports, minutes of interview, conditions, plans, photographs - Hawera Borough Council, Hawera County Council, Ohawe Beach Trustees

Item type: Item

ID: R19980681

Years: 1917 - 1938

Box number: 287

Part number: 2

Former archives reference: M1

Record number: 4/864

Ohawe and other beaches near Hawera - Removal of material

Item type: Item

ID: R19980682

Years: 1939 - 1954

Box number: 287

Part number: 3

Former archives reference: M1

Record number: 4/864

Ohawe Township [Use copy Micro 2175] - 27 April 1878 to 10 August 1922

Item type: Item

ID: R21997261

Years: 1878 - 1922

Box number: 79

Former archives reference: MA-WANGW2140

Record number: Tar. 283

[Department Of Lands And Survey] - Reserves - Recreation - Ohawe Rec [Recreation] -

[Taranaki - Previous File Number Res 6/2/34]

Item type: Item

ID: R24559897

Years: 1914 - 1977

Box number: 317

Part number: 1

Record number: RRC- 0881

Ohawe Recreation Reserve - Sections 317 318 319 320 - Ohawe Township

Item type: Item

ID: R22968238

Years: 1919 - 1976

Box number: 205

Part number: 1

Record number: 8/1/32

From: The Public Trustee, Wellington Date: 11 September 1914 Subject: Ohawe Township Sections. Forwarding copy of letter from Hawera Chamber of Commerce suggesting that various sections owned but not occupied by Natives be acquired

Item type: Item

ID: R23909912

Years: 1914 - 1928

Box number: 150

Former archives reference: MA-MLP1

Position reference: a

Record number: 1914/111

Ohawe Domain

Item type: Item

ID: R22968239

Years: 1976 - 1984

Box number: 205

Part number: 2

Record number: 8/1/32

Control of Foreshore - Ohawe

Item type: Item

ID: R15965547

Years: 1950 - 1980

Box number: 318

Record number: 36/27

Ohawe Township Belt - 7 September

Item type: Item

ID: R10696733

Years: 1922 - 1922

Box number: 102

Former archives reference: MLC-WGW1645

Record number: 3/224

Mining - Offshore [West Coast North Island [Patea, Wanganui River]

Item type: Item

ID: R15902636

Years: 1971 - 1971

Box number: 12

Record number: 6/9/71

Compensation Cases and Court Papers - West Coast, Special File No. 65 - Correspondence and Reporting on Ngatiruanui [Ngati Ruanui] Coastal Blocks - Confiscated Land Office and Compensation Court Papers

Item type: Item

ID: R20248643

Years: 1873 - 1874

Box number: 10

Former archives reference: MA13

Position reference: 9b

From: Chief Judge Compensation Court, Auckland To: Colonial Secretary, Wellington Date: 30

January 1867 Subject: Copy of evidence taken in connection with the Ngatiruanui Coast Block

Item type: Item

ID: R24202224

Years: 1867 - 1867

Box number: 286

Former archives reference: IA1

Position reference: [38]

Record number: 1867/365

Memoranda re Statement of the Ngatiruanui people, forwarded to Defence Office Answers to accusations respecting Pouakai land, seizure of the mail and murders in Taranaki, 31 December 1861. [Maori and translation]

Item type: Item

ID: R22412245

Years: 1861 - 1861

Box number: 833

Former archives reference: MA1

Record number: 1861/180

Coastal Reserves - Patea County

Item type: Item

ID: R21696960

Years: 1973 - 1987

Box number: 107

Record number: 8/7/2

Coastal Reserves Survey - Patea County

Item type: Item

ID: R22968343

Years: 1973 - 1979

Box number: 215

Part number: 1

Record number: 8/191/3/1

Patea Ironsand Investigation

Item type: Item

ID: R16507394

Years: 1940 - 1940

Box number: 11

Wanganui - Patea Ironsand

Item type: Item

ID: R16507397

Years: 1961 - 1961

Box number: 11

Patea Harbour Board Foreshore Title

Item type: Item

ID: R24011337

Years: 1905 - 1917

Box number: 468

Former archives reference: LS-W1

Record number: 24009

From: Te Rangihekeiho and 13 others, Poneke Date: 27 March 1876 Subject: Giving names of lands sold by Ngatiruanui [Ngāti Ruanui] tribe say they have claims thereto

Item type: Item

ID: R23871385

Years: 1876 - 1876

Box number: 13

Former archives reference: MA-MLP1

Position reference: c

Record number: N&D1876/1574

Additional description: With 1882/367

[1. Ngatiruanui Coast Block - government purchases, rough schedule (annotated; fair copy to Under Secretary Native Dept., 8 Jan 1875) 2. Note on missing Ngatiruanui deeds]

Item type: Item

ID: R24716822

Years: 1875 - 1875

Box number: 1

Former archives reference: MA-MT1

Position reference: [24]

Compensation Cases and Court Papers - West Coast, Special File No. 65 - Correspondence and Reporting on Ngatiruanui [Ngati Ruanui] Coastal Blocks - Confiscated Land Office and Compensation Court Papers

Item type: Item

ID: R20248643

Years: 1873 - 1874

Box number: 10

Former archives reference: MA13

Position reference: 9b

From: Governor, Wellington To: [Colonial Secretary] Date: 2 September 1965 Subject: Order in Council Proclaiming certain Lands under the "New Zealand Settlements Act 1863" Ngatiawa and Ngatiruanui

Item type: Item

ID: R24195625

Years: 1865 - 1865

Box number: 270

Former archives reference: IA1

Position reference: [25]

Record number: 1865/2356

Additional description: With: 1865/2354

Compensation Court Awards - Ngatiruanui Coast Block

Item type: Item

ID: R990910

Years: 1874 - 1874

Box number: 71

Record number: 225.1

Location: Wellington repository

Format: Text

Item level: Physical

Access status: Open

View online: IE50184423

From: Lieutenant Colonel St. John, R. J. Gill Received: 13 February 1873 Subject: Report as to state of lands in Waitotara and Waingongoro in January 1873

Item type: Item

ID: R25675971

Years: 1873 - 1873

Box number: 1

Former archives reference: ACGT 18517, Item 2; LS60, Item 2; W325

Record number: L 73/178

Additional description: Enclosed: L 73/169

[West Coast Settlement Reserve] From: W Rennell, New Plymouth Date: 25 November 1886

Subject: With maps of grants from Waingongoro river to boundary of Taranaki Provincial District - including Ngaere Districts

Item type: Item

ID: R24718666

Years: 1886 - 1886

Box number: 40

Former archives reference: MA-MT1

Record number: WCSR 1886/498

Taranaki Provincial district to Waingongoro

Item type: Item

ID: R12726205

Years: unknown - unknown

Box number: 2

Former archives reference: MA68

Position reference: 3

Record number: II/1-29

Received: 4th November 1927 - From: Tupito Maruera, Patea - Subject: Complaining that the Hawera County Council is taking gravel from their fishing grounds between Tongahoe and Waingongoro

Item type: Item

ID: R22410379

Years: 1927 - 1927

Box number: 1435

Former archives reference: MA1

Record number: 1928/33

[Native & Defence] From: R Parris, New Plymouth Date: 10 April 1873 Subject: Ahitahi's hapu number 131, they will have to be settled south of Waingongoro, Ngatitapaea hapu number about 100

Item type: Item

ID: R24351227

Years: 1873 - 1873

Box number: 205

Former archives reference: J1

Position reference: t

Record number: N&D1873/1911

Additional description: With 1877/2136

[Native & Defence] From: Hon D McLean, Wanganui Date: 24 February 1873 Subject: Copies of instructions for the management of confiscated lands between Waitotara and Waingongoro

Item type: Item

ID: R24351228

Years: 1873 - 1873

Box number: 205

Former archives reference: J1

Position reference: t

Record number: N&D1873/1020

Additional description: With 1877/2136

From: Native Affairs Committee, Wellington Date: 11 July 1894 Subject: For report on petition of Ropiha Taurua and others regarding reserve between Patea and Whenuakura Rivers

Item type: Item

ID: R24600913

Years: 1894 - 1894

Box number: 682

Former archives reference: J1

Position reference: au

Record number: 1894/965

Additional description: With: 1902/1094

From: R Parris, New Plymouth Date: 20 April 1875 Subject: Reports completion of survey of
Patea River, Recommends payments of gratuity to working party

Item type: Item

ID: R23830201

Years: 1875 - 1875

Box number: 3

Former archives reference: MA-MLP1

Position reference: ae

Record number: 1875/112

Received: 1st September 1931 - From: Clerk, Native Affairs Committee, H of R [House of
Representatives], Wellington - Subject: For report on Petition No. 122/31 of Tupito Maruera and
others that the Native Land Court be empowered to enquire into lands set aside for removal of
eel weirs in Patea River

Item type: Item

ID: R22420307

Years: 1931 - 1931

Box number: 1570

Former archives reference: MA1

Record number: 1931/384

Received: 17th October 1907. - From: Major Mair. - Subject: Report re. eel weirs in Patea River.

Item type: Item

ID: R22402166

Years: 1890 - 1908

Box number: 930

Former archives reference: MA1

Record number: 1907/604

From: F Sawson, Patea Date: 18 January 1896 Subject: Hopes that net fishing will not be stopped in the Patea River

Item type: Item

ID: R24816523

Years: 1896 - 1896

Box number: 692

Former archives reference: IA1

Position reference: [60]

Record number: 1896/163

Additional description: Enclosed: 1896/23

From: H Guyatt, Patea To: [G S Cooper] Under Secretary Date: 9 November 1878 Subject: Has Patea River been brought under Fish Protection Act 1877, if so, where can he procure license?

Item type: Item

ID: R24274207

Years: 1878 - 1878

Box number: 416

Former archives reference: IA1

Position reference: [73]

Record number: 1878/4963

From: Lieut Colonel McDonnell, Wanganui Date: 30 June 1867 Subject: It Mr Commissary Parris who made the promise to the Chief Taurau that no land between the Whenuakura and Patea Rivers should be taken by Government

Item type: Item

ID: R24120095

Years: 1867 - 1867

Box number: 28

Former archives reference: AD1

Position reference: i

Record number: CD1867/2369

Additional description: With: CD1867/2573

From: Lieut Colonel McDonnell, Patea Date: 5 July 1867 Subject: Relative to statement that Mr Parris informed Mr Taurau that the land between the Whenuakura and Patea Rivers belonged to them

Item type: Item

ID: R24120094

Years: 1867 - 1867

Box number: 28

Former archives reference: AD1

Position reference: i

Record number: CD1867/2573

Additional description: Enclosed: CD1867/2369, CD1867/2368, CD1867/2158

From: Raumati Po-Makauri & others, Whenuakura Date: 11 September 1894 Subject: That a piece of land on Patea River, known as Pariroa, be given back to them

Item type: Item

ID: R24566388

Years: 1893 - 1893

Box number: 538

Former archives reference: J1

Position reference: m

Record number: 1893/1355

Additional description: With: 1895/672

Pollution of Rivers - Patea River

Item type: Item

ID: R21420120

Years: 1965 - 1966

Box number: 48

Record number: 48/343000

Miscellaneous - Eels weirs in Patea River

Item type: Item

ID: R19979909

Years: 1902 - 1924

Box number: 212

Former archives reference: M1

Record number: 3/13/103

Patea River - Harbour improvement works - Report - Sir John Coode (1879), report and plans (1914), extension contract (1915), general - Patea Harbour Board

Item type: Item

ID: R19981271

Years: 1878 - 1915

Box number: 324

Part number: 1

Former archives reference: M1

Record number: 4/2910

Patea River Reserve Compensation of Maoris

Item type: Item

ID: R22415809

Years: unknown - unknown

Box number: 1375

Former archives reference: LS1

Record number: 5209

From: Raumati Pomakariri, Pariroa Pa Date: 29 September 1905 Subject: Alleges that there is some money (Takoha) due to him in connection with the Okahutiria Block, Taranaki

Item type: Item

ID: R24621224

Years: 1905 - 1905

Box number: 741

Former archives reference: J1

Position reference: as

Record number: 1905/1563

Additional description: Enclosed: N&D [Native & Defence] 1878/3354, N&D1877/3265, N&D1877/2923

Memorial of Ownership - MATEMATEAONGA at Patea in the District of Patea in the Province of

Taranaki Owner/Owners: Hupine Te Karapu and Hakopa Te Tamatauwa

Item type: Item

ID: R25302686

Years: 1880 - 1880

Box number: 29

Record number: 3957

Additional description: Bounded by Patea River, Mangaehu Block, Mangaehu River, Witinui Block, Mangaotuku Block, Kaitangiwhenua Block, Kaharoa Block, Pukekino Block

Certificate of Title - TUTAEARIARI NO 2 at Patea in the District of Patea in the Province of

Taranaki Owner/Owners: Te Aorere Wilson

Item type: Item

ID: R25292393

Years: 1884 - 1884

Box number: 22

Record number: 3303

Additional description: Bounded by Ngaire Omona, Patea River, Pukekino Block, Tutaeariari No 1

Certificate of Title - TUTAEARIARI NO 1 at Patea in the District of Patea in the Province of

Taranaki Owner/Owners: Hone Meniniki, Mere Meniniki, Wiremu Meniniki, Te Katene, Haumatao, Ngawai, Puaraurenga, Tamautu, Tuki, Rangimatiketi, Te Ngaruru, Te Kawau, Whakahiki, Ngatatau and Mere Te Uira

Item type: Item

ID: R25292397

Years: 1881 - 1881

Box number: 22

Record number: 3307

Additional description: Bounded by Mangamingi No 1 and 2 Blocks, Patea River, Tutaeariari No 2, Pukekino Block

Certificate of Title - TUTAEARIARI NO 2 at Patea in the District of Patea in the Province of Wellington Owner/Owners: Te Aorere Wilson

Item type: Item

ID: R25292395

Years: 1881 - 1881

Box number: 22

Record number: 3305

Additional description: Bounded by Ngaire Omona, Patea River, Pukekino Block, Tutaeariari No 1

Memorial of Ownership - PUKEKINO at Patea in the District of Taranaki in the Province of Taranaki Owner/Owners: Haumatao, Rangihaeata, Moke, Rangiuna, Paraone Tutere, Tu Patea, Pawhare, Te Uerangi, Te Ria, Wharo, Ngamotere and Te Uruhori

Item type: Item

ID: R25302681

Years: 1875 - 1875

Box number: 29

Record number: 3952

Additional description: Bounded by Roimata Kopoporokawa, Kaharoa Block, Puatearapa, Kaharoa Range, Ngaturi Oturehe, Patea River, Maraeroa, Teruakuri, Parangaruhi, Omarukaititaka, Horokiri, Ounga, Matakitaki, Okehungene, Mangatiti, Tarere Range

From: E D Bell, Secretary West Coast Commissioner, New Plymouth Date: 11 October 1883

Subject: Commissioner intends to recommend Crown grant to Ngawai, Tauroa and Ngaoneone for Kaihihi Reserve in Pukekino Block

Item type: Item

ID: R23888970

Years: 1883 - 1883

Box number: 17

Former archives reference: MA-MLP1

Position reference: z

Record number: 1883/316

Additional description: With 1884/234

From: W Rennell, New Plymouth Date: 15 September 1883 Subject: Returning deed of Pukekino block duly certified by Trust Commissioner. Explains why Te Rongo has signed with respect to interest of Tupatea

Item type: Item

ID: R23888971

Years: 1883 - 1883

Box number: 17

Former archives reference: MA-MLP1

Position reference: z

Record number: 1883/289

Additional description: With 1884/234

From: W Rennell, New Plymouth Date: 8 December 1884 Subject: Forwards deed of Pukekino block duly signed by Namaha Otakou as successor to Tupatea deceased

Item type: Item

ID: R23888969

Years: 1884 - 1884

Box number: 17

Former archives reference: MA-MLP1

Position reference: z

Record number: 1884/234

Additional description: Enclosed: 1883/316, 1883/289

Memorial of Ownership - TE KAHAROA NO 1 at Patea in the District of Taranaki in the Province of Taranaki Owner/Owners: Rongourumanu

Item type: Item

ID: R25302679

Years: 1875 - 1875

Box number: 29

Record number: 3950

Additional description: Bounded by Whenuakura River, Native land

From: Charles Brown, New Plymouth Date: 5 August 1880 Subject: Forwards tracing showing position of Kaharoa No. 2 and other Blocks

Item type: Item

ID: R23871225

Years: 1880 - 1880

Box number: 10

Former archives reference: MA-MLP1

Position reference: aa

Record number: 1880/538

Additional description: With: 1881/522 ; Map – attached

From: Charles Brown, Wanganui Date: 29 July 1880 Subject: Explaining how Kaharoa No. 2 Block got into its present state of 'mixed up'

Item type: Item

ID: R23871226

Years: 1880 - 1880

Box number: 10

Former archives reference: MA-MLP1

Position reference: aa

Record number: 1880/527

Additional description: With: 1881/522

Memorial of Ownership - KAITANGIWHENUA at Waitotara in the District of Whanganui in the Province of Wellington and Taranaki Owner/Owners: Wiremu Kanika, Matanginui, Piki Kotuku, Wahiana, Uru Te Augina and Hakaraia Te Uawiri

Item type: Item

ID: R25306091

Years: 1880 - 1880

Box number: 33

Record number: 4488

Additional description: Bounded by Mangaotuku Block, Waitotara Stream, Confiscation Boundary Line, Whenuakura Stream, Kaharoa Nos 1 and 2 Blocks, Matemateaonga Blocks

From: Hineao Karangi and others, Wanganui Date: 27 March 1886 Subject: They wish to sell 2000 acres of their reserve in Kaitangiwhenua

Item type: Item

ID: R23889116

Years: 1886 - 1886

Box number: 19

Former archives reference: MA-MLP1

Position reference: w

Record number: 1886/104

Additional description: Enclosed: 1881/386

From: W Williams, Carlyle Date: 26 April 1880 Subject: Acknowledges receipt of letter informing him that his services would be dispensed with. Thinks he should retain his office until Kaitangiwhenua purchase is completed etc., etc

Item type: Item

ID: R23868101

Years: 1880 - 1880

Box number: 7

Former archives reference: MA-MLP1

Position reference: bb

Record number: 1880/306

Additional description: With: 1880/544

From: William Williams, Patea Date: 29 November 1879 Subject: Asks for speedy refund of amounts expended by him on account of Kaitangiwhenua Block

Item type: Item

ID: R23867950

Years: 1879 - 1879

Box number: 6

Former archives reference: MA-MLP1

Position reference: af

Record number: 1879/594

Additional description: With: 1880/132

Accounts and Papers - W William's case, letter in regard to judge Kettle's report on the Kaitangiwhenua purchase

Item type: Item

ID: R17687774

Years: 1894 - 1894

Box number: 335

Former archives reference: LE1

Alternative record number: 159

Record number: 1894/191

Registered files of the Native Land Purchase Office, concerning the purchase of the Kaitangiwhenua Block, 1878-1894, including Petitions to Parliament by various Maoris and by William Cowern; reports of Parliamentary Committees on the petitions; interview between the Native Minister and Chief Uru te Angina at the Native Office, Wellington, 23 February 1881

Item type: Item

ID: R12777890

Years: 1878 - 1894

Box number: 1

Former archives reference: MA74

Position reference: 2

Received: 14th December 1908. - From: Geo H. Sinclaire, Hanua, Auckland. - Subject: Inquiring as to alleged frauds in connection with Kaitangiwhenua purchase and offering to give evidence if necessary.

Item type: Item

ID: R22402430

Years: 1908 - 1908

Box number: 964

Former archives reference: MA1

Record number: 1908/695

Received: - From: Justice. - Subject: Charges against William Williams Native Interpreter. Kaitangiwhenua Block. [Includes: 1894/411, 1894/1137, M 1894/1137.]

Item type: Item

ID: R22404491

Years: 1894 - 1912

Box number: 1084

Former archives reference: MA1

Record number: 1912/3048

From: J E Ward, Patea Date: 15 November 1880 Subject: No answer has been received by Raumati Puru and others regarding their application for a rehearing of the Kaitangiwhenua Block

Item type: Item

ID: R24386592

Years: 1880 - 1880

Box number: 279

Former archives reference: J1

Position reference: x

Record number: 1880/5025

Additional description: Further correspondence from Chief Judge Native Land Court attached - With application for rehearing of the Kaitangiwhenua Block and that application be refused

Commission on charges against William Williams in connection with the Kaitangiwhenua Block

Item type: Series

ID: 16081

Years: c. 1878 - c. 1894

Holdings years: 1878 - 1894

Summary: Contains records of a Commission enquiring into allegations that William Williams (a land purchase officer) committed theft against Maori for a sum of £5,411 in relation to the Kaitangiwhenua Block.

From: The Public Trustee, Wellington Date: 11 September 1914 Subject: Ohawe Township Sections. Forwarding copy of letter from Hawera Chamber of Commerce suggesting that various sections owned but not occupied by Natives be acquired

Item type: Item

ID: R23909912

Years: 1914 - 1928

Box number: 150

Former archives reference: MA-MLP1

Position reference: a

Record number: 1914/111

From: Thomas William Fisher, Waitotara Date: 28 December 1892 Subject: Te Awhe Tautokai asks that grant be issued for section 2, Block IX Opaku Survey District

Item type: Item

ID: R24564851

Years: 1892 - 1892

Box number: 518

Former archives reference: J1

Position reference: bn

Record number: NO1892/2290

Additional description: With: 1894/678

[Native & Defence file] From: Major Brown, New Plymouth Date: 2 August 1877 Subject:

Recommends that the proclamation of Opaku and Okahutiria Blocks be deferred

Item type: Item

ID: R24621226

Years: 1877 - 1877

Box number: 741

Former archives reference: J1

Position reference: as

Record number: N&D1877/3265

Additional description: With 1905/1563

Fish and wildlife - Hawera Acclimatisation Society

Item type: Item

ID: R21697985

Years: 1955 - 1987

Box number: 211

Record number: 1/4/7

Hawera Acclimatisation District

Item type: Item

ID: R2262467

Years: 1969 - 1987

Box number: 2

Record number: 1/6/7

Freshwater: Acclimatisation Societies: Hawera

Item type: Item

ID: R774556

Years: 1952 - 1979

Box number: 3

Part number: 1

Record number: 70/4

Hawera Acclimatisation Society - Establishment, Boundaries, Rules

Item type: Item

ID: R2262477

Years: 1968 - 1988

Box number: 3

Record number: 2/6/1

Wildlife Service - Rules - Hawera Acclimatisation Society

Item type: Item

ID: R1402165

Years: 1922 - 1963

Box number: 8

Record number: 46/20/22

Hawera Acclimatisation Society - Annual Reports and Balance Sheets

Item type: Item

ID: R2262478

Years: 1968 - 1988

Box number: 3

Record number: 2/6/4

Acclimatisation Societies - Hawera - 30 September 1887 - 8 September 1954

Item type: Item

ID: R19978319

Years: 1887 - 1954

Box number: 36

Part number: 1

Former archives reference: M1

Record number: 1/5/6

Fishing Rights - General

Item type: Item

ID: R18798628

Years: 1935 - 1950

Box number: 188

Part number: 1

Former archives reference: MA1W2490

Record number: 43/1

Fishing - Fishing Rights - General

Item type: Item

ID: R11840359

Years: 1953 - 1959

Box number: 1129

Part number: 3

Position reference: c

Record number: 43/1

Fishing - Fishing Rights - General

Item type: Item

ID: R11840360

Years: 1959 - 1963

Box number: 1130

Part number: 4

Position reference: a

Record number: 43/1

Fishing - Fishing Rights - General

Item type: Item

ID: R11840361

Years: 1963 - 1972

Box number: 1130

Part number: 5

Position reference: b

Record number: 43/1

Fishing - Fishing Rights - General

Item type: Item

ID: R11840363

Years: 1974 - 1977

Box number: 1131

Part number: 7

Position reference: a

Record number: 43/1

Fishing - Policy And General - General

Item type: Item

ID: R22156820

Years: 1984 - 1986

Box number: 285

Part number: 9

Record number: 43/1

Fishing - Policy And General - General

Item type: Item

ID: R22156821

Years: 1982 - 1986

Box number: 285

Part number: 10

Record number: 43/1

Sea Fisheries - Native Fishing reserve at Patea

Item type: Item

ID: R19979153

Years: 1929 - 1929

Box number: 120

Part number: 1

Former archives reference: M1

Record number: 2/12/465

The Recreational Whitebait Fishery in Taranaki

Item type: Item

ID: R24921085

Years: 1981 - 1981

Box number: 16

Position reference: [5]

The relative value of rivers in the Taranaki region to Taranaki, Hawera and Stratford anglers',
Fisheries Environmental Report, no. 21

Item type: Item

ID: R23166771

Years: 1984 - 1984

Box number: 1

Part number: 9

Record number: A001/04

Taranaki Minute Book No. 21 [Use Micro 3130-3131, Repro 441] - Sitting Places: Hawera,
Waitotara, Patea - 21 October 1914-17 February 1915

Item type: Item

ID: R21079189

Dates: 1914 – 1915

Box number: 104

Location: Wellington repository

Format: Text

Item level: Physical

Access status: Open

View online: IE26911978

Digital copy available: Yes

Access statement: Handling restriction. Retrieval is currently supported by email request only.

Preservation access statement: Contact Research Services, Archives New Zealand for permission to view or the availability of alternative access provisions.

Access contacts: For further enquiries, please contact: Access Services, Archives New Zealand, PO Box 12 050, Wellington

Taranaki Minute Book No. 22 [Use Micro 3131, Repro 442] - Sitting Places: Manaia, Opunake, Pungarehu, Urenui, Hawera, Normanby, New Plymouth - 22 February-10 December 1915

Item type: Item

ID: R21079190

Dates: 1910 – 1915

Box number: 105

Location: Wellington repository

Format: Text

Item level: Physical

Access status: Open

View online: IE26911983

Digital copy available: Yes

Access statement: Handling restriction. Retrieval is currently supported by email request only.

Preservation access statement: Contact Research Services, Archives New Zealand for permission to view or the availability of alternative access provisions.

Access contacts: For further enquiries, please contact: Access Services, Archives New Zealand, PO Box 12 050, Wellington

Alexander Turnbull Library, Wellington

Duke of Newcastle, 1811-1864, Papers, Micro-MS-Coll-20-1576

McDonnell, Thomas, 1832-1899, Papers, MS-Papers-0035

McLean, Donald, Papers, 1820-1877, MS-Papers-0032

Taylor, Richard, 1805-1873, Journals, 1833-1870, qMS-1984-1999

Whiteley, John, 1806-1869, Journal, MS-Copy-Micro-0769

Woon, William, 1803-1858, Journals (typescript), MSDL-1506

Official Publications

Appendices to the Journals of the House of Representatives (AJHR)

Great Britain Parliamentary Papers – Colonies New Zealand (GBPP)

New Zealand Government Gazette (Province of New Munster)

New Zealand Parliamentary Debates

New Zealand Statutes

Early Published Works

Dieffenbach, Ernest, *Travels in New Zealand; With Contributions to the Geography, Geology, Botany, and Natural History of that Country*, London: John Murray, 1843

Grace, Morgan S., *A Sketch of the New Zealand War*, London: Horrace Marshall & Son, 1899

Nicholas, J.L., *Narrative of a Voyage to New Zealand, Including A Description of the Country, and Incidental Remarks on the Manners, Customs and Political Opinions of the Natives*, London: James Black, 1817

Rusden, G.W., *History of New Zealand*, London: Chapman and Hall, 1883

Smith, S. Percy, *History and Traditions of the Maoris of the West Coast, North Island of New Zealand, Prior to 1840*, New Plymouth: Polynesian Society, 1910

Taylor, Richard, *Te Ika a Maui, or New Zealand and its Inhabitants*, London: Wertheim and Macintosh, 1855

Wakefield, E.J., *Adventure in New Zealand, From 1839 to 1844; With Some Account of the Beginnings of British Colonization of the Islands*, London: John Murray, 1845

Wells, B., *The History of Taranaki: A Standard Work on the History of the Province*, New Plymouth: Edmonson & Avery, 1878

Secondary Sources

Articles and Books

Ballara, Angela, *Iwi: The Dynamics of Māori Tribal Organisation from c.1769 to c.1945*. Wellington: Victoria University Press, 1998

Ballara, Angela, *Taua: ‘musket wars,’ ‘land wars,’ or tikanga? Warfare in Māori Society in the Early Nineteenth Century*, Auckland: Penguin, 2003

Ballara, Angela, ‘Te Whanganui-a-Tara: Phases of Maori Occupation of Wellington Harbour c.1800-1840’, in David Hamer and Roberta Nicholls (eds.), *The Making of Wellington, 1800-1914*, Wellington: Victoria University Press, 1990, pp.9-34

Belich, James, *‘I Shall Not Die’: Titokowaru’s War, New Zealand 1868-1869*. Wellington: Allen & Unwin/Port Nicholson Press, 1989

Belich, James, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*. Auckland: Auckland University Press, 1986

Berentson, Quinn, *Moa: The Life and Death of New Zealand's Legendary Bird*, Nelson: Craig Potton Publishing, 2012

Boast, Richard, and Richard S. Hill (eds), *Raupatu: The Confiscation of Maori Land*, Wellington: Victoria University Press, 2009

Bohan, Edmund, *Climates of War: New Zealand in Conflict, 1859-69*, Christchurch: Hazard Press, 2005

Bromley, A.P.C., *Hawera District Centenary: Hawera: An Outline of the Development of a New Zealand Community*, Hawera: Centennial Committee of the Hawera District Council, 1981

Buchanan, Rachel, *The Parihaka Album*, Wellington: Huia Publishers, 2009

Buist, A.G., and J. C. Yaldwin, 'An "Articulated" Moa Leg from an Oven Excavated at Waingongoro, South Taranaki', *Journal of the Polynesian Society*, 69, 2 1960), pp.76-88.

Church, Ian, *Heartland of Aotearoa: Māori and European in South Taranaki Before the Taranaki Wars*, Hawera: Hawera Historical Society, 2020

Church, Ian, *Historic Sites and Technological Change in South Taranaki*, New Plymouth: Taranaki Education Centre, 1983

Church, Ian, *Salutary Punishment: Taranaki Māori Prisoners in Dunedin, 1869-72, and 1879-81*, Pātea: Pātea Historical Society, 2019

Clark, Paul, 'Hauhau': *The Pai Marire Search for Maori Identity*. Auckland: Auckland University Press/Oxford University Press, 1975

Cowan, James, *The New Zealand Wars and the Pioneering Period*. 2 vols. Wellington: Government Printer, 1983 (original ed. 1922)

Crosby, Ron, *The Musket Wars: A History of Inter-Iwi Conflict, 1806-45*, Auckland: Reed Books, 1999

Dalton, B.J., *War and Politics in New Zealand, 1855-1870*. Sydney: Sydney University Press, 1967

Day, Kelvin (ed.), *Contested Ground: Te Whenua i Tohea: The Taranaki Wars, 1860-1881*. Wellington: Huia Publishers, 2010

Fargher, Ray, *The Best Man Who Ever Served the Crown? A Life of Donald McLean*, Wellington: Victoria University Press, 2007

Hill, Richard S., *Maori and the State: Crown-Maori Relations in New Zealand/Aotearoa, 1950-2000*, Wellington: Victoria University Press, 2009

Keenan, Danny, *Wars Without End: The Land Wars in Nineteenth Century New Zealand*, 1st edition, Penguin, Auckland, 2009

Miller, Harold, *Race Conflict in New Zealand, 1814-1866*, Auckland: Blackwood & J. Paul, 1966

O'Malley, Vincent, *Beyond the Imperial Frontier: The Contest for Colonial New Zealand*, Wellington: Bridget Williams Books, 2014

O'Malley, Vincent, *The Great War for New Zealand: Waikato 1800-2000*, Wellington: Bridget Williams Books, 2016

O'Malley, Vincent, *The Meeting Place: Māori and Pākehā Encounters 1642-1840*, Auckland: Auckland University Press, 2012

O'Malley, Vincent, *The New Zealand Wars/Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2019

O'Malley, Vincent, *Voices from the New Zealand Wars/He Reo Nō Ngā Pakanga o Aotearoa*, Wellington: Bridget Williams Books, 2021

O'Malley, Vincent, 'Christchurch and the New Zealand Wars', *Bulletin*, no. 210, Christchurch Art Gallery, Summer 2022/23, pp. 6-15

Orange, Claudia, *The Treaty of Waitangi*, Wellington: Allen & Unwin/Port Nicholson Press, 1987

Orange, Claudia, *The Treaty of Waitangi/Te Tiriti o Waitangi: An Illustrated History*, Wellington: Bridget Williams Books, 2020

Paterson, Lachy, and Wanhalla, Angela, *He Reo Wāhine: Māori Women's Voices from the Nineteenth Century*. Auckland: Auckland University Press, 2017

Pool, Ian, *Colonization and Development in New Zealand between 1769 and 1900: The Seeds of Rangiatea*, Cham: Springer, 2015

Pool, Ian, *Te Iwi Maori: A New Zealand Population Past, Present and Projected*, Auckland: Auckland University Press, 1991

Prickett, Nigel, *Landscapes of Conflict: A Field Guide to the New Zealand Wars*. Auckland: Random House, 2002

Prickett, Nigel, *Maori Casualties of the First Taranaki War, 1860-61*, Auckland War Memorial Museum, Auckland, 2006

Riseborough, Hazel, *Days of Darkness: Taranaki, 1878-1884*. Wellington: Allen & Unwin, 1989

Roberts, C.J., *Centennial History of Hawera and the Waimate Plains*, Hawera: Hawera Star Publishing, 1940

Ryan, Tim, and Parham, Bill, *The Colonial New Zealand Wars*. Wellington: Grantham House Publishing, 2002

Sole, Tony, *Ngāti Ruanui: A History*, Wellington: Huia Publishers, 2005

Thomson, K.W. (ed.), *The Legacy of Turi: An Historical Geography of Patea County*, Palmerston North: Dunmore Press, 1976

Waitangi Tribunal, *He Whiritaunoka: The Whanganui Lands Report*, Wellington: Legislation Direct, 2015

Waitangi Tribunal, *Report on the Crown's Foreshore and Seabed Policy*, Wellington: Legislation Direct, 2004

Waitangi Tribunal, *Report of the Waitangi Tribunal on the Muriwhenua Fishing Claim*, Wellington: Waitangi Tribunal, 1988

Waitangi Tribunal, *The Ngai Tahu Sea Fisheries Report*, Wellington: Brooker and Friend, 1992

Waitangi Tribunal, *The Pakakohi and Tangahoe Claims Settlement Report*, Wellington: Legislation Direct, 2000

Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*. Wellington: GP Publications, 1996

Waitangi Tribunal, *Te Whanganui a Tara me ona Takiwa: Report on the Wellington District*, Wellington: Legislation Direct, 2003

Ward, Alan, *A Show of Justice: Racial 'Amalgamation' in Nineteenth Century New Zealand*, Auckland: Auckland University Press/Oxford University Press, 1973

Ward, Alan, *An Unsettled History: Treaty Claims in New Zealand Today*, Wellington: Bridget Williams Books, 1999

Wards, Ian, *The Shadow of the Land: A Study of British Policy and Racial Conflict in New Zealand, 1832-1852*, Wellington: Government Printer, 1968

Wright, Matthew, *Two Peoples, One Land: The New Zealand Wars*, Reed, Auckland, 2006

Research Reports

Bauchop, Heather, 'The Aftermath of Confiscation: Crown Allocation of Land to Iwi, Taranaki, 1865-80 – A Case Study in Confusion', report commissioned by the Waitangi Tribunal, Wai 143, I18

Bauchop, Heather, 'The Wars and Iwi Losses, Taranaki, 1860-1870', report commissioned by the Waitangi Tribunal, June 1992, Wai 143, H11

Bruce, Ivan, *Archaeological Site Recording on the Manutahi 3D Seismic Survey*, New Plymouth: Ivan Bruce for Origin Energy NZ Ltd, 2013

Bruce, Ivan, *Waihi Beach Research, Hawera: Monitoring Report*, Hawera: Ivan Bruce for South Taranaki District Council, 2006

Ford, Janine, 'The Administration of the West Coast Settlement Reserves in Taranaki by the Public, Native and Maori Trustees, 1881-1976', report commissioned by the Waitangi Tribunal, 1995, Wai-143, #M18

Ford, Janine, 'A Comparison Between the Awards of the Compensation Court that were Intended to be Implemented and Those that were Implemented in Taranaki, 1867-1885', report commissioned by the Waitangi Tribunal, 1991, Wai-143, #F25

Ford, Janine, 'The Decisions and Awards of the Compensation Court in Taranaki, 1866-1874', report commissioned by the Waitangi Tribunal, July 1991, Wai 143, E6

Harris, Aroha, 'Crown Acquisition of Confiscated and Maori Land in Taranaki, 1872-1881', report commissioned by the Waitangi Tribunal, 1993, Wai-143, #H3

Herlihy, Brian, 'A Report Commissioned by the Waitangi Tribunal', n.d., Wai-143, #J6

Herlihy, Brian, 'The Pakakohi Tribe', 1992, Wai-143, #G1

O'Malley, Vincent, 'Te Rohe Potae Political Engagement, 1840-1863', report commissioned by the Waitangi Tribunal, 2010

O'Malley, Vincent, 'Te Rohe Potae War and Raupatu', report commissioned by the Waitangi Tribunal, 2010

O'Malley, Vincent, 'The Aftermath of the Tauranga Raupatu, 1864-1981: An Overview Report', report commissioned by the Crown Forestry Rental Trust, 1995

Parsonson, Ann, 'Nga Whenua Tautohetohe o Taranaki: Land and Conflict in Taranaki, 1839-59', report commissioned by the Waitangi Tribunal, 1991, Wai-143, #A1(a)

Parsonson, Ann, 'The Waitara Purchase and War in Taranaki', report commissioned by the Waitangi Tribunal, 1990, Wai-143, #A3

Riseborough, Hazel, 'Background Papers for the Taranaki Raupatu Claim', report commissioned by the Waitangi Tribunal, 1989, Wai 143, A2

Stevens, Michael, 'Wai-419: Ngati Ruanui and Pakakohe Lands', report commissioned by the Waitangi Tribunal, 1996, Wai-419, #A1

Stirling, Bruce, 'Whanganui Maori and the Crown, 1840-1865', report commissioned by the Crown Forestry Rental Trust, 2004, Wai-903, #A65

Theses

Bold, David Anderson, 'A Vision Unfulfilled: The Iron and Steel Industry in New Zealand, 1842 to 1975', PhD thesis, University of Auckland, 2001

Bremer, lone Margaret, 'The Early Development of the Patea-Waverley District: A Study of the Problems of Settling Confiscated Land', MA thesis, Victoria University of Wellington, 1962

Cooke, Moyra, 'John Bryce, 1834-1913: The White Charger', MA thesis, Massey University, 2015,

O'Malley, Vincent Michael, 'Runanga and Komiti: Maori Institutions of Self-Government in the Nineteenth Century', PhD thesis, Victoria University of Wellington, 2004

Parsonson, Ann R., 'He Whenua Te Utu (The Payment Will Be Land)', PhD thesis, University of Canterbury, 1978

Pearce, Nancy G., 'The Size and Location of the Maori Population 1857-96: A Statistical Study', MA thesis, Victoria University College, 1952

Rawson, G.I., 'The Evolution of the Rural Settlement Pattern of Lowland South Taranaki 1860-1920', MA thesis, University of Canterbury, 1967

Websites

Early New Zealand Books, <http://www.enzb.auckland.ac.nz/>

New Zealand Electronic Text Collection, <https://nzetc.victoria.ac.nz/>

Ngati Ruanui Deed of Settlement Documents, <https://www.govt.nz/browse/history-culture-and-heritage/treaty-settlements/find-a-treaty-settlement/ngati-ruanui/ngati-ruanui-deed-of-settlement-documents/>

Papers Past, <https://paperspast.natlib.govt.nz/>

Patea Historical Society, <https://www.pateahistoricalsociety.org.nz>

Tony Sole, 'Ngāti Ruanui', Te Ara - the Encyclopedia of New Zealand,
<http://www.TeAra.govt.nz/en/ngati-ruanui> (accessed 13 March 2023) Story by Tony Sole, published 8 Feb 2005, updated 22 Mar 2017

Stats NZ, '2013 Census: Individual Iwi Profile: Ngāti Ruanui',
<https://www.stats.govt.nz/assets/Uploads/2013-Census-iwi-individual-profiles/70-iwi-profiles-Ngati-Ruanui.pdf>

Stats NZ, Iwi affiliation (estimated counts): 2018,
<https://www.stats.govt.nz/information-releases/iwi-affiliation-estimated-counts-2018>

Stats NZ, 'Iwi affiliation (estimated count), for the Maori descent usually resident population, 2018',
http://nzdstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE8505&_ga=2.203544402.379769128.1624411090-1208841195.1620703010

Stats NZ, '2018 Census Iwi data: May 2021 update',
<https://www.stats.govt.nz/reports/2018-census-iwi-data-october-2020-update>

Te Ara – The Encyclopedia of New Zealand, <http://www.TeAra.govt.nz>

Te Whata, <https://tewhata.io/>