

Brookvale Development Report

Waipatu Marae - Cultural Impact Assessment



Prepared for: Developer

Date: 15 August 2025

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Karakia

Tau ake au ki te tau nei
 Ko Rua-tipua, ko Rua-tawhito
 Ngaru e runga, ngaru e raro
 Ngaru e te ihu o Tāne, Te Ihu Tāne
 Ko taku waka ko Tākitimu
 Rere mai te marama
 Ko Ihu-nui, ko Ihu-roa, ko Te Āwhiorangi
 Ko wai kei runga nei e tūpā whai ake
 Ko au, ko Uenuku e tūpā whai ake
 E rata he aha tāu e tūpā whai ake
 Unumia te kawa, tākina te kawa
 Te kawa tuanihinihi - te kawa tuarangeranga
 Te kawa o wai? Te kawa o Takitimu
 Unumia te waka o Rongokako
 Unumia te waka o Tamatea-mai-tawhiti
 Unumia te waka o Tirari
 Unumia te waka o Tirara
 Unumia te waka o Takitimu
 Whano! Whano! Haramai te toki!
 Haumi e, hui e,
 Tāiki e!

Waiata

Kia kite atu au, i Te Matau-a-Māui
 Kia titiro atu au, i Te Matā o te Tangata
 Kia eke au ki runga rā, kia titiro iho au ki Heretaunga Rongonui
 Ka huri au ki te maunga tapu rā Kahurānaki, kei reira a Te Hāpuku e kōmingotia nei, e te tau
 o taku ate
 Ka huri au whakawaho e ki te toka rā Motu o Kura
 Ka huri au whakauta rā kia inu atu au i te puna Waimārama
 Ka huri au ki te oneroa, ki te kōkoru rā Rangaiika
 Kei reira nei ōku mātua e aroha nei au

Translation

Here I stand alone, don't kill me just yet
 That I may look upon Te Matau-a-Māui (Cape Kidnappers)
 That I may look upon my tipuna Te Mata Peak
 That I may climb to the summit and look down on the Heretaunga plains of great renown
 I turn to the sacred mountain Kahurānaki, where Te Hāpuku resides and stirs my emotions
 I look out to Motu o Kura (Bare Island)
 I turn inland that I might drink from the freshwater springs, Waimārama
 I turn to the bay, to the cove Rangaiika (between Ocean Beach and Cape Kidnappers)
 That is where my parents are whom I love dearly

Contextual Note

"Another ancestress who must be mentioned here is Winipere, wife of Tinikirunga who was killed at the battle of Te Pakake in 1824. Winipere survived the battle but was taken prisoner by the warriors of Waikato. The story goes;

With the prospect of captivity before her, Winipere requested that she be taken to Te Mata, before her departure to Waikato. She wished to farewell Heretaunga. On the peak, Winipere recited a lament and lacerated herself with obsidian to ensure her blood was still connected to the whenua she was being taken away from."

- Cole et al., 2018, p. 20

Foreword

Two chiefs had interests in the land around Te Mata. Kurupo Te Moananui ('the great ocean') of the Ngāti Hawea, a hapū of the Ngāti Te Whatuiapiti, claimed the land was his, but his mana over Te Mata - hence his right to sell it - was bitterly disputed by his arch rival Te Hapuku, also of the Ngāti Te Whatuiapiti. Te Hapuku's name meant 'the groper', though John Chambers also translated it as 'the codfish', and the chief periodically referred to himself as 'all the fishes of the sea'. Te Hapuku claimed part of Te Mata through his Ngāti Hawea connections. His eldest son Karanema was descended from the Ngāti Hawea through Te Hapuku's wife Te Heipora. Chambers explained the name was a Maori version of Cranmer. Te Hapuku also claimed to personally own Kahuranaki, the 2,100-foot peak south of the Te Mata block.

1. Introduction

On 14 July, representatives Edward Sundstrung and Nia Belcher, approached Waipatu marae for feedback on the Brookvale conceptual master plan in Havelock North. They advised they had consulted with Kohupatiki, Te Heipora Trust, Ruahapia, and Matahiwi marae and had walked the site with some of them and although concerns were raised, they had received no formal feedback.

Waipatu was the final marae consulted. On behalf of Waipatu, I offered to provide a historical account of the area, recognising that the mana of this whenua flows from the ancestor Rongokako but, for the purposes of this assessment, is also tied to Te Mata te Tipuna – inclusive of both.

2. Scope of Assessment

This assessment draws on extensive historical, archival, and oral sources to identify and evaluate potential cultural effects of the proposed Brookvale development. The scope includes:

- Historical mana whenua associations
 - Archaeological and wāhi tapu sites
 - Cultural practices and previous cultural clearance processes
 - Environmental concerns, particularly waterways
 - Recommendations for cultural mitigation measures
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3. Methodology

Research and verification were conducted between **15 July and 15 August 2025** (two weeks offshore during this period). Sources included:

- Treaty claim reports
- Works of J.D. Buchanan, Pat Parsons, and manuscripts by Te Atahikoia Mohi
- Oral histories from multiple tīpuna
- Turton's deeds, Colenso manuscripts, McLean Papers index (Hawke's Bay)
- Heretaunga–Tamatea biographies (e.g., Te Pareihe, Tiakitai, Renata Kawepo, Hineipaketia, Kurupo Te Moananui, Karaitiana Takamoana, Te Hapuku, Paora Kaiwhata, Henare Matua, Henare Tomoana)
- Alexander Turnbull Library and Archives NZ records
- *The Origins of Ngāti Kahungunu* by Angela Ballara
- Archaeological records for pā and kāinga sites

This report is written exclusively from Waipatu marae, Ngāti Hinemoa, Ngāti Hori and Ngāti Hawea and because of the cramped timeframe for this report we have not had the time to consult with other marae or entities although we look forward to their views in due course.

4. Cultural and Historical Context

- The Te Mata block (4,000 acres) originally belonged to **Te Heipora**, wife of Te Hapuku, who held personal mana as a descendant of Te Pakaru, eldest son of Te Rangikoianake.
 - Significant pā in the vicinity include **Takoremu**, **Tāwekanui**, **Hikaruatapu** (above Te Mata cliffs), and **Ngā Ruahikapuka Pā** (commanding the passage between Heretaunga and Waimārama). Associated waterways include Herehere, Te Kahika, Waitanguru, Makareao, and Marauoruhe.
 - In 2010, Waipatu undertook a **cultural clearance** for the adjacent site intended for Te Kura Kaupapa o te Wānanga Whare Tapere. Tohi, takutaku, karakia, and waiata were performed, a mauri stone was placed, and the land made noa. This included the Brookvale mushroom farm site.
 - In 2017, community opposition led to cancellation of the kura's consent, and it was relocated to Waipatu.
-

5. Cultural Associations and Previous Involvement

Waipatu has long-standing knowledge and involvement in the Brookvale area, notably advising HDC in **2005** to close the artesian bores due to contamination risk from the Mangateretere Stream. This advice, if followed, could have prevented the **2016 Havelock North campylobacter outbreak** that affected over 11,000 people, caused several deaths, and led to national health responses.

6. Assessment of Cultural Effects

From a Ngāti Hinemoa, Ngāti Hori, and Ngāti Hawea perspective:

- **Positive effects** are possible if local waterways (**Te Karituwhenua**, **Mangateretere**, **Herehere** and others) are enhanced and not degraded.
 - No significant cultural barriers are identified, provided environmental and heritage values are protected.
 - Opportunities exist for **mana whenua visibility** through street and place naming after tīpuna associated with original Te Mata ownership.
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7. Historical Observations

- Original claims to the land by Te Hapuku reflect deep whakapapa connections from Takapou to Te Hauke, Pakipaki, Waimārama, and Porangahau, with Ngāti Hawea links.
- The Karanema Reserve was sold by Ngāti Hawea tīpuna. After Te Hapuku's defeat at Whakatu and Puhara's death at the Battle of Pakiaka, it is possible his mana over Te Heipora's estate diminished. *Did Te Hapuku's defeat at Pakiaka result in the loss of the*

family's rights to Karanema's Reserve and, in any event, what part did he or could he properly have played in the sale?

- Notably, wāhine such as **Te Heipora, Hineipaketia, and Arihi Te Nahu** held equal mana in te ao Māori, though colonial systems failed to recognise this.
-

8. Recommendations

1. **Waterways Protection & Enhancement** – Implement riparian planting, water quality monitoring, and erosion control for all affected streams.
 2. **Cultural Naming** – Adopt street and public space names reflecting original landowners and tīpuna.
 3. **Ongoing Engagement** – Maintain partnership approach with Waipatu and other mana whenua marae for design input and environmental oversight.
 4. **Recognition of Wāhine Mana** – Where possible, acknowledge the leadership roles of wāhine ancestors in interpretive signage or development narratives.
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9. Conclusion

Based on the information reviewed, Waipatu does not identify any **insurmountable cultural barriers** to the Brookvale development, provided that:

- Waterways are enhanced rather than degraded.
- Mana whenua values are embedded in the project.
- Commitments to cultural recognition and environmental protection are honoured.

This assessment is submitted on behalf of Waipatu Marae to ensure mana whenua voices remain central in decision-making. Fast-track legislation risks relegating hapū and iwi to “related party” status rather than Treaty partners; this report asserts Waipatu’s role as a Treaty partner with direct cultural interests in the Brookvale area.

10. Appendix: Supporting Documents

Appendix A: *The Karanema Reserve – a compendium of readings and maps*, Te Manaaki Taiao, Te Taiwhenua o Heretaunga, 2 February 2023.

Appendix A(i): *The Karanema Reserve – a compendium of readings and maps*, Te Manaaki Taiao, Te Taiwhenua o Heretaunga, 2 February 2023.

Appendix A(ii): *The Karanema Reserve – a compendium of readings and maps*, Te Manaaki Taiao, Te Taiwhenua o Heretaunga, 2 February 2023.

Appendix A(iii): *The Karanema Reserve – a compendium of readings and maps*, Te Manaaki Taiao, Te Taiwhenua o Heretaunga, 2 February 2023.

Appendix A(iv): *The Karanema Reserve – a compendium of readings and maps*, Te Manaaki Taiao, Te Taiwhenua o Heretaunga, 2 February 2023.

Appendix B: "I te kōrero tuku iho o Karanema's Reserve | A conversation from our ancestors about Karanema Reserve" - *The Karanema Reserve – a compendium of readings and maps*, Te Manaaki Taiao, Te Taiwhenua o Heretaunga, 2 February 2023.

Appendix C: "Whakapapa" - *The Karanema Reserve – a compendium of readings and maps*, Te Manaaki Taiao, Te Taiwhenua o Heretaunga, 2 February 2023.

Appendix D: "Whakapapa" - *The Karanema Reserve – a compendium of readings and maps*, Te Manaaki Taiao, Te Taiwhenua o Heretaunga, 2 February 2023.

Appendix E: "Map 20: Te Mata District extract from H.B.5, 1865" *The Māori History and Place Names of Hawke's Bay*, J.D.H. Buchanan, D.R. Simmons, 2004.

Appendix F: "Map 19: Te Mata district extract from R.M. Skeet's map, 1854" *The Māori History and Place Names of Hawke's Bay*, J.D.H. Buchanan, D.R. Simmons, 2004.

Appendix A

McLean exchanged letters with the chiefs and in December 1850 set out for a meeting at Waipukurau. This spurred a further spat; Kurupo Te Moananui threatened to burn boundary posts set up by Te Hapuku. Tempers were later cooled, and Colenso reported that they planned a town near Waitangi, at the mouth of the Tuki Tuki. At Waipukurau, Tareha told McLean 'all Heretaunga and Ahuriri shall be yours from end to end,' and by the end of the following year McLean had purchased the Mohaka, Ahuriri and Waipukurau blocks. There were a few hitches, Colenso recording in November 1851 a visit from several chiefs worried about their sale of Ahuriri harbour which in May last, they had consented to sell to the government.

Working to the budget of the colonial government, McLean was dismayed by the acumen of the chiefs. He complained to his diary that Māori were demanding 'hundreds of millions sterling' for their land. This was probably an exaggeration, but when the price of the Waipukurau block was negotiated in April 1851, Wiremu te Kaheke told assembled Māori let the price of this land be great - very great! When the Europeans get it, they will ask a great price for it, and give us nothing, who are the owners of it! I have seen land sold! I am no child to the work! A small spot brings hundreds of pounds, and why should we not get a large price, or else hold our valuable land to ourselves? Do not sell the land for nothing! Rather keep it! Te Hapuku demanded ten to fifteen thousand pounds. McLean told him the price could be no higher than £3000, and that if they were dissatisfied they could take it to the Governor!?' 'After a day or two', the chief wrote to Governor George Grey, demanding £4800 and outlining terms. 'He is an exceedingly well-informed, clever chief,' the exasperated McLean wrote in his diary.' (See *Appendix A(i)*)

The Creation of Karanema's Reserve

In October 1853, Te Hapuku visited McLean in Wellington and privately sold four blocks of Hawke's Bay. The proceeds were evidently spent in Wellington by Te Hapuku and his party. Other Māori called these 'hoko tahae' - sales by theft, but they set the pattern for subsequent land sales in Hawke's Bay, including the Te Mata block.

Twenty nine year old George Sisson Cooper was appointed Hawke's Bay's Land Purchase Commissioner under McLean in 1853, and first discussed the Te Mata sale with Māori the following year. Part of the block was already leased directly to John Chambers, who officially applied for a pastoral run adjacent to the Tuki Tuki in December 1854. Direct leasing was technically illegal but widely practiced, and authorities usually turned a blind eye because they did not want to discourage settlement.

Two chiefs had interests in the land around Te Mata. Kurupo Te Moananui (the great ocean) of the Ngāti Hawea, a hapu of the Ngāti Te Whatuiapiti, claimed the land was his, but his mana over Te Mata - hence his right to sell it - was bitterly disputed by his arch rival Te Hapuku, also of the Ngāti Te Whatuiapiti. Te Hapuku's name meant 'the groper', though John Chambers also translated it as 'the codfish', and the chief periodically referred to himself as 'all the fishes of the sea'. Te Hapuku Hawea connections. His eldest son claimed part of Te Mata through his Ngāti Karanema was descended from the Ngāti Hawea through Te Hapuku's wife Te Heipora. Chambers explained the name was a Māori version of Cranmer. Te Hapuku also claimed to personally own Kahuranaki, the 2,100 foot peak south of the Te Mata block.

Enmity between the two chiefs first surfaced during the second battle of Roto-a-tara in about 1830. However, their dispute took a more serious dimension when Te Hapuku adopted a leading role in land sales. He embraced European culture, dressing in European style, giving his children English names, and telling McLean he wanted to 'become' European. McLean found it easier to deal with Te Hapuku for these reasons, describing Hapuku as 'bold frank determined but I should say straightforward and honest,' Other chiefs took this as a slight; McLean realised his error too late, and Te Hapuku remained on the outer until his death at the age of about eighty in 1878. (See *Appendix A(ii)*)

Tensions ran very high over the Te Mata sale. Te Hapuku and Kurupo Te Moananui were evidently looking for an excuse to fight. It has been argued that events began spiralling towards war between them in 1856, but the Te Mata evidence makes clear that conflict threatened at least two years earlier. When Karanema contracted measles and died, the situation became critical. Chambers later wrote that 'war was on the eve of breaking out', though he reported a slightly different reason for Karanema's demise:

...having made too free a use of the Pahekas' wai piro [spirits], poor Karanma [sic] was carried off during an attack of delirium tremens, and in his frenzied ravings accused Te Moananui of having makutued [magically cursed] him. Whereupon Te Moananui became desperately mate [ill] and said he had been makutued by his old enemy Te Hapuku. Fortunately, however, the founder of the European colony in that district [probably McLean] possessed well-deserved influence with both the rival wizards, and the threatened hostilities were prevented.

The reserves separated out of the Te Mata block for Te Hapuku were almost certainly linked to a resolution of the dispute. They were European creations, straight-edged slabs cornered by markers such as the Ngaruroro river. Karanema's Reserve had been roughly identified as 'Karanemas land' in late 1852 by the surveyor Bousefield. It was specifically defined in the 1855 sale deed as 'the land of Karanema, because we Kurupo te Moananui have no right or claim on this particular portion. The second reserve was Te Hapuku's 'personal' property, Kahuranaki. Settlement of rival claims by arbitrary split was standard European practice - the same thing happened seven years later over the Ruataniwha block.

The rest of the Te Mata block was deemed to belong to Te Moananui's people, and in April 1855 McLean paid an initial £500 to eleven chiefs, including Kurupo Te Moananui, Tareha, and Karaitiana Takamona. The final deed was signed in November 1856, and Karanema's reserve was again excluded because 'this land is for the descendants of Te Heipora for ever. The reserve ran 'from Karituwhenua to Te Ngakau O Hape and running up the hill. Cooper reported that the final payment of £500 'was the occasion of a great deal of discussion' because Kurupo Te Moananui attempted to keep the money for himself. 'This.. I was obliged to resist; and I finally made the payment to the party for whom it was originally intended, although some dissatisfaction was exhibited by their relatives.

The Sale of Karanema's Reserve

The creation of Karanema's Reserve did not defuse tensions between Te Hapuku and Kurupo Te Moananui for long. One outcome of their feud was the sale of Karanema's

Reserve to the government In early 1856 the two chiefs fell out over Tawhara's block, twenty miles northwest of Te Mata. Cooper reported to McLean that it had become a 'point of honour' between the rival chiefs, and the situation took a serious turn at Hawke's Bay's first race meeting, organised by Thomas Tanner and T H Fitzgerald at Waipureku, near the mouth of the Tuki Tuki. Goaded by merchant Alexander Alexander, Te Hapuku defied a ban on firearms and arrived 'armed to the teeth,' though Cooper reported that 'I believe the guns were not loaded.' Te Moananui and Paora Kaiwhata declared their intention to carry guns themselves. He explained to McLean he was on his way to Whakatu to 'settle matters finally with Hapuku', but nothing came of his efforts."

Later in the month Cooper went on tour with Kurupo Te Moananui and Tareha, pointing out their land in blocks Te Hapuku had sold. This turned into a general survey of available land, including a block adjacent to Te Mata block. However, Cooper reported to McLean on 30 March that 'I am afraid it will be some time before these lands can be bought as they are offered [by] Te Moananui and his people ... the price they demand is high in comparison to what has been usually paid, but not to what the land would fetch.

By April, with Te Hapuku growing 'more and more bouncible', Cooper told McLean that 'both sides..were ripe and ready for a tussle.' He refused to pay Te Hapuku for the disputed block, to which Te Hapuku responded that he would turn settlers of the Ruataniwha block. At Waipureku, Te Moananui's people 'talked about war - bloodshed - throat cutting etc, all to be the result of the payment for Matipiro and Okawa.' By this time Te Hapuku had decided to move to the disputed pa of Whakatu to assert his claims there. Cooper observed that he arrived miserably armed with a few old Tower muskets... of which perhaps 30 were in a condition to shoot. Kurupo Te Moananui told Te Hapuku to leave, and Cooper warned McLean to expect fighting. 'There is no disguising the fact that the fish has robbed his enemies to an enormous extent, & how they have submitted to it so long is a wonder to me.'

Cooper nevertheless felt obliged to continue working with Te Hapuku because negotiations to buy the Forty Mile Bush were at a crucial stage. The chief received £2000 in part payment for two disputed blocks on 15 April and war was promptly declared on him by Kurupo Te Moananui, Renata Kawepo, Tareha and Karaitiana. McLean - Cooper's superior - and Bishop William Williams hastened to negotiate a settlement. The aggrieved chiefs demanded £4200 in compensation, the same as had been paid to Te Hapuku for the land in the first place, but McLean pushed them down to £1300.

Leading Heretaunga chief Renata Kawepo hoped that they had reached a peaceful solution. However, open hostilities erupted in mid-August, a few days after McLean returned to Auckland. Te Hapuku began cutting live timber for a pa from the Pakiakia bush, a swampy area between Whakatu and the Napier-Clive Grange road. Kurupo Te Moananui had given him permission only to take dead firewood, but when he went to Whakatu to protest was met with 'shouts of defiance'. Declaring 'my rope is broken', Te Moananui sent armed men to intercept Te Hapuku's tree fellers, despite being entreated by Karaitiana and Renata Kawepo to desist. Te Hapuku's men suffered seventeen casualties in the battle that followed. Cooper noted that 'Hapuku's people appear a good deal dispirited by the result, and many of the chief's allies deserted him. Kurupo Te Moananui offered to let Te Hapuku return to Te Hauke unmolested; but Te Hapuku would not go and was besieged. Two further pitched battles on 14 October and 9 December resulted in more casualties and loss of support for Te Hapuku, Cooper warned McLean on 15 December that Te Hapuku will be obliged to retire from his present position, or he will lose his life."

Although Te Moananui hoped to drive a wedge between Te Hapuku and the government, neither chief wanted to directly involve the settlers. John Chambers' wool clip got through one of the battles with a warning, as J H Joll recalled in 1950:

One of my Uncles worked for John Chambers, Senr, at Te Mata. The shearing was on and his job was carting the wool to the spit (Ahuriri)...He passed right through the scrap without interference beyond a warning ..."Now Perei, (Fred), you hurry up! Might you get the spear if you don't get away quick!" The warriors would regard it as no affair of his, he was a non-combatant. It was purely a matter between the contending chiefs and their followers. The irony of the thing was, he used to say, "How the deuce could he hurry with a team of bullocks hauling a two or three ton load."

McLean arrived from Auckland on 27 December to mediate. Te Hapuku agreed to leave as long as terms were offered by the government. Te Moananui proposed a nineteen day armistice and agreed 'not to disturb or annoy him while occupied in removing his stock baggage and other goods? The rivers were too low for canoe, so McLean obtained drays and had cuttings widened on the road between Pakipaki and Poukawa to let the carts through. On 1 January a hundred warriors arrived from Wairoa to escort Te Hapuku south, and shortly afterwards another large group arrived from the Wairarapa and Manawatu, 'for the purpose of preventing by their mediation any further effusion of blood.'

British forces entered the field on 7 February when a detachment of the 65th Regiment arrived in the Eastfield under command of Lieutenant Colonel Alfred Wyatt. McLean was surprised, but Governor Gore-Brown had 'arrived at the determination to send them there after obtaining a promise from [Wellington Provincial Superintendent] Featherston that he would pay for their accommodation... I sent more than are required to remain because, from Curling's letter, we thought Moananui might be troublesome. British military intervention had been bitterly opposed by Colenso, but Gore-Brown had full confidence in McLean. 'I know you will make all square with the settlers for me.'

McLean spent long hours negotiating with Te Hapuku and Kurupo Te Moananui. When an inland chief, Te Rangihora, arrived to lay claim to part of the payment for the Ahuriri block, McLean 'refused to make any further payments to the Ahuriri chiefs until Te Hapuku's removal to the interior should have been effected'. Specific details are lacking; McLean's diaries are sparse and the secret correspondence he was conducting with Cooper has not been completely preserved. However, Karanema's Reserve seems to have been another bargaining counter. Government had a policy of removing lands from contention through purchase, and certainly Kurupo Te Moananui believed Te Hapuku had lost his rights to disputed lands following defeat in battle, writing to the Governor that 'Te Hapuku got beaten and returned to his own place to live, and all the lands fell to us.' Te Hapuku had also promised to 'sell every inch of land belonging to his opponents.' Sale arrangements suggest the reserve was again in contention; McLean arranged to split the £800 purchase price between Te Hapuku and Te Moananui - a reversal of the 1855 settlement, but a standard strategy where ownership was in dispute.

The chief left Whakatu pa in flames on 3 March 1858 and moved south with McLean and Cooper. When they reached Poukawa two days later, Te Hapuku signed over his interests in 'the portion ... reserved in our sale of Te Mata.' Some £400 changed hands with the proviso that 'this is the sum which we (Hapuku) are to receive but Mr Cooper will arrange (the rest) with our relatives.' Cooper was in Auckland during April 1858, but McLean ordered him back to Hawke's Bay in May. From Napier's Royal Hotel, Cooper reported that 'Karanema's Reserve' can be easily purchased from Te Hira and his party, but at a cost not less than that paid to Te Hapuku - £400...I shall report on this subject in a few days.'

This second round of negotiations to buy the reserve, evidently from scratch, suggests that Te Moananui's group did not accept the arrangement McLean had negotiated with Te Hapuku. However, nothing further was done immediately. McLean was more interested in the disputed Tautane and Porangahau blocks, over which Te Hapuku and Te Moananui were still at loggerheads.

Peace was finally negotiated between the factions. Only Te Hapuku, person-ally, refused to accept the peace document signed on 29 September. On the same day Kurupo Te Moananui, Karaitiana and Tareha among others signed the deed of sale for Karanema's Reserve. Cooper signed for the Crown. Witnesses included Waipukurau settler George Worgan and Napier surgeon William Snell. Like all sale deeds of the time, the document included a stock final phrase:

We have greeted we have bidden farewell to and fully ceded this place which we inherited from our ancestors with its waters its streams its hills its plains its minerals its herbage and everything appertaining to it whether on the surface or under the surface or under the surface of the land which we have fully ceded under the shining sun of this day as a permanent possession to Victoria the Queen of England and to the Kings or Queens who may succeed Her for ever.

This phrase, which varied slightly from deed to deed, had been originally developed by McLean. It has been argued that Māori cultural concepts of land ownership were closer to European concepts of leasing, and in all probability McLean - who was familiar with Māori society and culture - devised the wording to get around the issue. Certainly it is difficult to dispute the meaning in any cultural context of McLean's so-called 'tangi' phrase, and two alternative translations of a similar phrase prepared for a 1995 government report on Ahuriri provide wording only marginally different from McLean's original.

Documentation again remains sparse, but the fact that the final deed of sale was signed on the same day as the peace agreement is unlikely to be coincidence, and although documentation is scanty it seems likely the prospect of finalising the sale was again held out by government as a bargaining counter. The fact that Te Moananui's group now accepted the other half of the arrangement McLean had negotiated with Te Hapuku in March is a further powerful link of the sale to the peace arrangements. Another block which may have had the same role was the Porangahau block, which changed hands six days later."

Karanema's Reserve bordered the Ngaruroro river and stretched approximately three and a half miles to the ridge line. It was approximately two miles wide. Settlers at once lodged applications for the new block at ten shillings an acre. An article in the Hawke's Bay Herald a month later protested the development on the basis that the land was really worth £3 or £4 an acre.

A dispute broke out a few years later when Karaitiana questioned the boundary of the Te Mata block. A swamp on the border provided water to power the Waha Parata mill owned by Karaitiana, and to improve flow the chief dammed the outlet. The back-up flooded some of John Chambers' land, so he threatened to drain his half of the swamp, cutting off Karaitiana's mill. Kurupo Te Moananui had pointed out the boundary running through the centre of the swamp in 1855. The deed was ambiguous. Cooper reported to McLean that he 'had a distinct recollection of Moananui having pointed out the boundary to me in that way.' However, Karaitiana argued that he 'always intended the boundary to be the edge of the swamp, and that Moananui had no business to point out any other.' Cooper's mediation was not successful. The 1994 Waitangi Tribunal study into Hawke's Bay land purchases linked the Te Mata dispute to Cooper's recommendation to halt land purchases in Hawke's Bay," but Cooper's June 1861 report to McLean on land purchase issues - the sole documentary evidence available on this particular dispute - stated 'I do not think this affair will give us any very serious difficulty.' Other disputes in Ahuriri, North Ruataniwha, Tautane and Puketitiri were more pressing. Under the heading 'General Observations', Cooper wrote that he believed local Māori were deeply imbued with the idea that the Government wish to obtain forcible possession of their lands.' Clandestine land deals, the invasion of Taranaki, and what Cooper called drunken taunts from many Europeans' were taken by Māori as

'incontrovertible proof of Her Majesty's intention to seize the land and enslave the Māoris." He suggested halting sales 'until confidence is restored.' McLean concurred. (See Appendix A(iii))

A Town for the People

The decision to set up a town on Karanema's Reserve had probably been made before February 1858, and was prompted by a long-standing government policy established in response to pastoral land monopolies - themselves an outcome of government efforts to squash illegal squatting in the Wairarapa. Alarm was first expressed in the early 1850s when Governor George Grey argued that the landholders. pastoralists of Hawke's Bay, Otago and Canterbury would squeeze out smaller Hawke's Bay received particular attention in a March 1853 letter to the Wellington Spectator, arguing that payment of the last instalment on Ahuriri was meaningless when we are informed that the whole of that fertile district is bespoke if not already occupied by a few wealthy flockowners.' By 1854, 20,000 sheep were being grazed on the Ahuriri and Waipukurau blocks alone, and by 1856 some 700,000 acres were in pastoral production at the expense of other forms of farming.

Government efforts to rectify the situation were hampered by lack of opportunity. There was speculation that the Aorangi run might be divided into small farms in 1856, though Cooper remarked to McLean that 'I would imagine the result of the Wairarapa experiment would be enough to prevent the repetition of the like at Ahuriri. In 1858, fifty and seventy acre blocks were offered for sale or lease in the Otatara region. Henry and George Alley took up part of this land, calling their property Taradale and later dividing part of the block into town sections.

(See Appendix A(iiii))

Some land was in out-of-the-way areas, but Karanema's Reserve was on the main inland route south and a particularly desirable candidate for a rural service centre and agricultural sections. By 1858 it was surrounded by large landholders. John Chambers had leased much of the Te Mata block directly from Maori in 1854. North, Joseph Rhodes lived on the wide Clive Grange station. Part of this block, adjoining the Tuki Tuki river, was leased in 1856 to Ashton St Hill despite Rhodes' protestations. During the following decade, St Hill sold the Tuki Tuki block to a stern Scot, Allan McLean. Daniel Munn - owner of Napier's Royal Hotel - took up 7,500 acres around Mount Erin in the south of the Te Mata block in 1853. Like John Chambers, he leased illegally at first from Maori, and when the block passed into government hands applied for a grazing licence. The station was only a secondary interest for Munn; he secured the land legally in 1859 and moved on to it, but by October it was up for sale. The block later passed through a number of hands, including John Anderson, Thomas Tanner and G M Waterhouse. South-east, William Couper farmed the rugged Kahuranaki run.

There is a persistent belief that the town was surveyed and laid out by Henry Tiffen. He had been a surveyor with the New Zealand Company in the 1840s, but he entered Hawke's Bay pastoralism on the ground floor and in 1856 was appointed to head the Survey Department in Napier. Cooper reported to McLean that 'Tiffen's appointment is not at all liked here; both the man himself and the term of his appointment seem universally unpopular.' Tiffen's name appears on a plan of Havelock dated October 1860; the plan itself - a watercolour-and-ink drawing on canvas - was also signed and probably drawn by August Koch, a surveyor in the department at the time.

This appears to be the earliest surviving map of the village, but earlier maps certainly existed - printed copies were available to buyers in November 1859. In a 1994 report the Waitangi Tribunal stated that the 1860 map showed four native reserves,' although the word 'native' was not actually on the original document. There were six reserved sections, five in town

sections and one in a suburban; one of the town sections was clearly labelled 'Education Reserve' and the all others were simply labelled 'Reserve'. The reserve between Te Mata and Middle Roads was the town domain, and they were probably all public reserves. Official records of 'native reserves' in Hawke's Bay show nothing in Havelock North itself.

The original town plan was probably developed in late 1858 or early 1859; Tiffen very likely had an input, but the site was actually surveyed and pegged out by J Hughes, a surveyor previously employed in the Wairarapa, who began to survey the site and lay out the roads and sections in early 1859. The thirty acres allocated for Havelock's town sections were surveyed at 6 shillings 8d per acre, costing £10; and the 3373 suburban acres were surveyed at 9d per acre - costing £126 9s 9d, for a total survey cost of £ 136 9s 9d. The job was finished in November. Hughes' rate was competitive, a fact that came out when the Native Lands Survey Department was dragged over the coals after a spending scandal a few months later. By comparison, the survey of Porangahau - which had double the town acreage - cost a total of £349 4s 4d.

Hawke's Bay became a separate province in March 1859; although dominated by influential pastoralists, the new Hawke's Bay Provincial Council looked forward to land sales under Te Mata. Provincial Superintendent T H Fitzgerald received a report on the issue from the Commissioner of Crown Lands in May and told assembled Council members that:

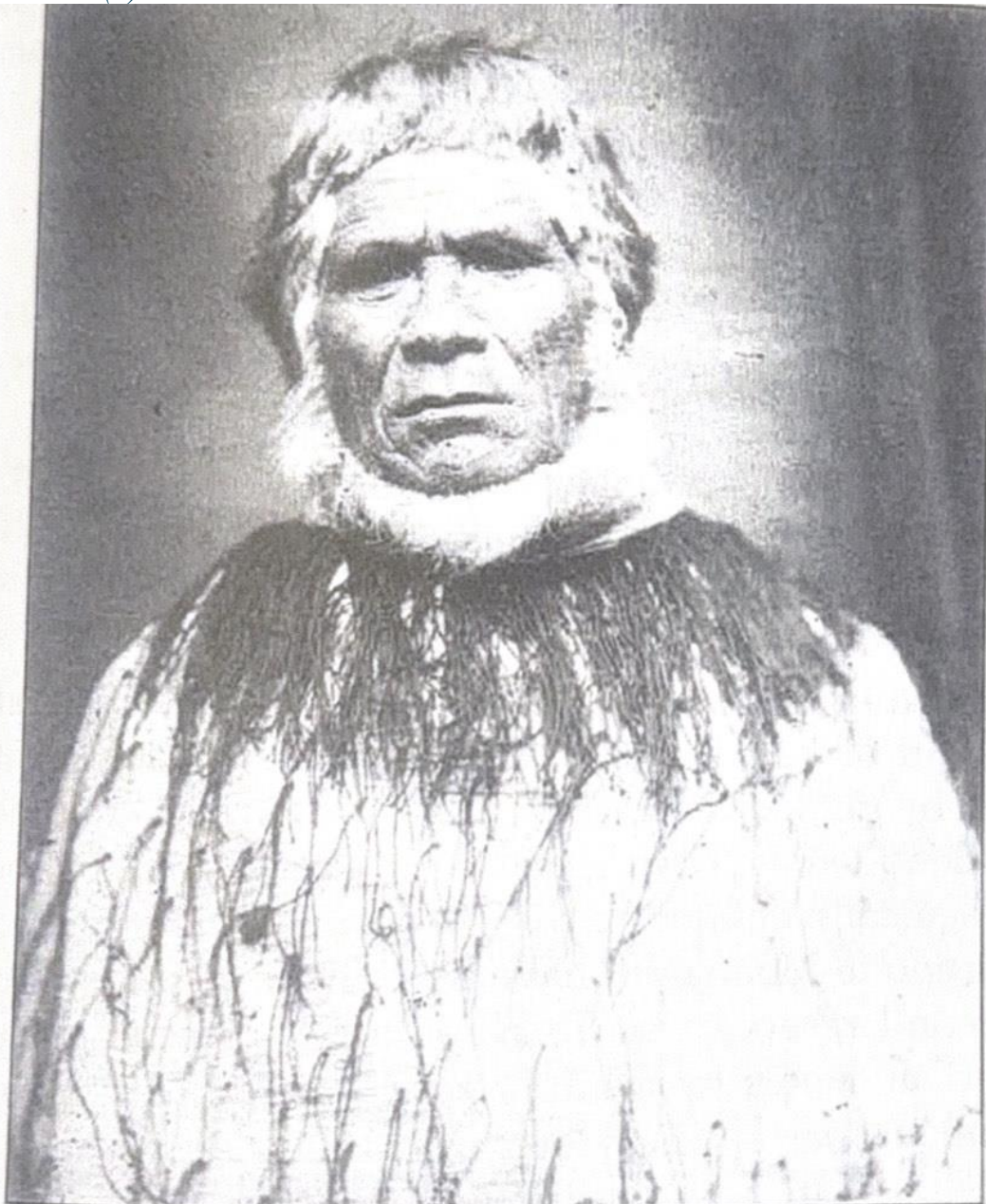
It contains some very valuable recommendations, in which I entirely coincide, with regard to Agricultural and Small Farm reserves and the mode of bringing such lands to the market. These I shall have much pleasure in acting upon. I agree with him in thinking that the only effectual way of securing the settlement among us of ... a class devoted to agricultural pursuits... [is] by periodical [sic] sales of suitable land... In addition to the block, known as Karanema's Reserve, much of which is suitable for agricultural purposes, and which will shortly be open for sale, I trust that at no distant date a further portion of the Ahuriri Plains may be acquired.

Appendix A(i)



Alexander Turnbull Library F-32223 1/2

Donald McLean (1820–1877) was responsible for land purchases nationally, but made Hawke's Bay his home. He arranged the sale of Karanema's Reserve to the Crown in 1858.

Appendix A(ii)

S Carnell Collection, Alexander Turnbull Library, G-22221 1/4

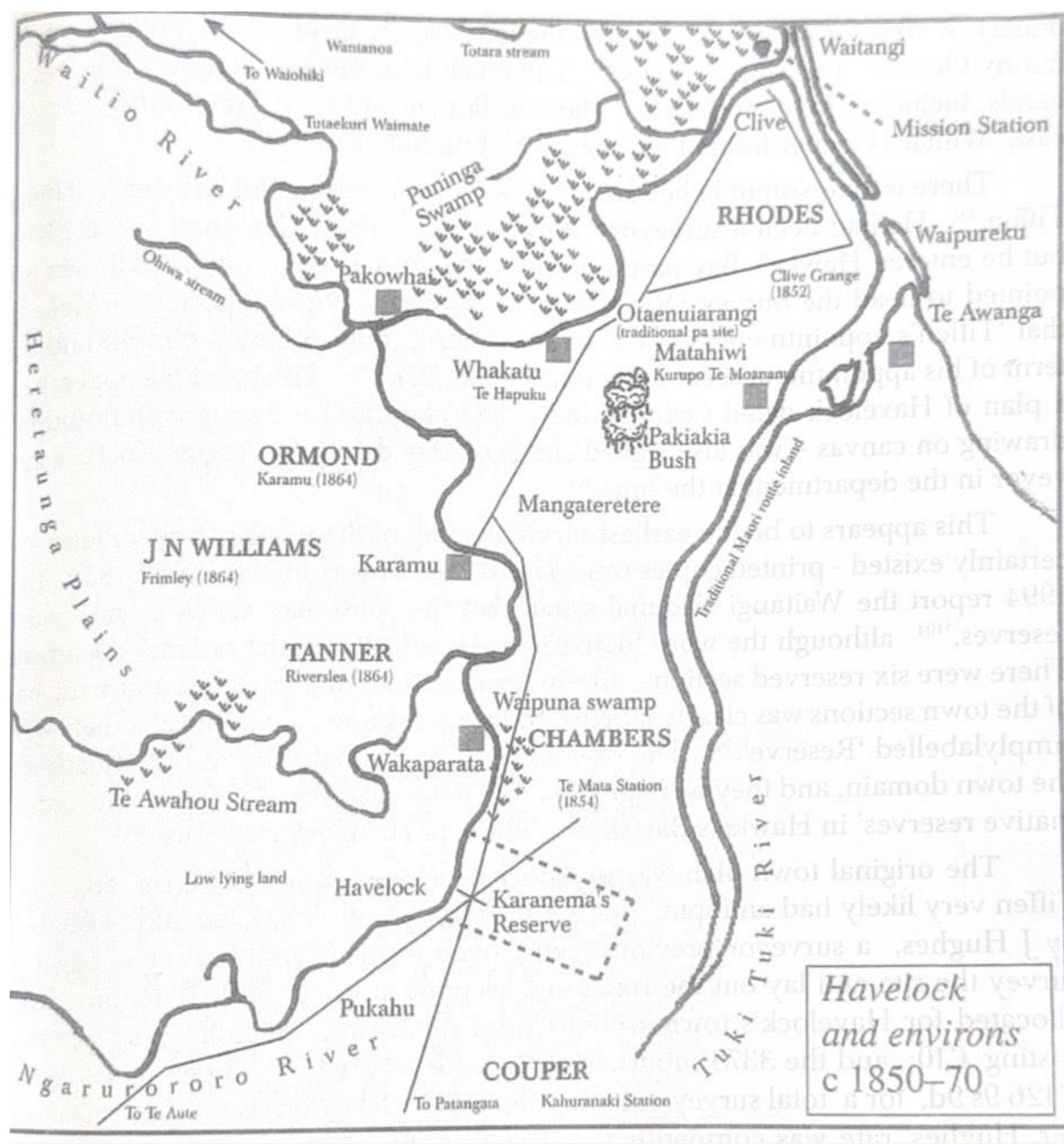
Te Hapuku (c1797–1878), although seen here in traditional garb later in life, embraced European culture completely. Intelligent, capable and a hard negotiator, he surprised McLean with his business acumen, but his eagerness to sell land provoked trouble with his fellow chiefs.

Appendix A(iii)

Alexander Turnbull Library F-94408 1/2

Karaitiana Takamoana (unknown –1879), best known for his sale of Heretaunga to Havelock North patron Thomas Tanner. Embittered by such experiences, he championed Maori land rights and later entered Parliament to further the cause.

Appendix A(iv)



Appendix B

Title: I te kōrero tuku iho o Karanema's Reserve | A conversation from our ancestors about Karanema Reserve

By: Kenny Jones

1. Introduction

This report describes an ancestral whenua (transl. land) called Karanema Reserve, introduces the tīpuna (transl. ancestors) who exercised mana whenua over this land and explains how they came to have such authority. Other tīpuna (transl. ancestors) are introduced who were involved in an unlawful sale that caused this whenua (transl. land) to become alienated from those people for whom it was intended. In explaining why this unlawful land sale occurred, I draw attention to two primary causes. First, in Māori society an Ariki is acknowledged by their genealogical ancestry rather than their gender. Thus, the patriarchal thinking of the auiwi (transl. non-Māori settlers) was clearly evident when Crown agents dealt with our ancestors in a way that ignored the role of Ariki Wāhine as mana whenua (transl. power associated with possession and occupation of tribal land). Second, according to Article Two of the Treaty of Waitangi, this transaction was illegal and outside of the instructions given to Hobson by Lord Normanby in 1839.

In describing the long-term effects of this unlawful land sale, two primary impacts. First, the alienation of this land has prevented the fulfilment of the Ōhākī (transl. the dying wishes) of our Ariki Wāhine named Te Heipora for this whenua to remain as an everlasting legacy to her descendants. Second, the plight of the descendants of Te Heipora is described and associated with their struggles to have this miscarriage of justice remedied by the Crown. The English word 'plight' is here used as shorthand for an experience of despair and disappointment caused by dealings with present day representatives of the Crown.

1.1 The Karanema Reserve

The original name for the Karanema Reserve was Wanawana. This ancestral whenua (transl. land) was re-named 'Karanema' by Te Heipora. In 1840, Karanema was the oldest son of Te Heipora and Te Hāpuku-te-ika-nui-o-te-moana, the chief from Te Hauke, Poukawa. From 1840 onwards, the ancestral whenua (transl. land) formerly known as 'Wanawana' became known as Karanema's Reserve. The boundaries of the Karanema block are described in Turton's land deeds of the North Island.

Karituwhenua thence to Te Hau along the hill Te Mata to Kahurangi. Here it turns and runs on to the source of Te Ngakau o Hape then along the stream O-Totara thence to the Ngaruroro thence along the river until it meets Karituwhenua.

1.2 The genealogy of Te Heipora

Te Heipora's whakapapa (transl. lines of genealogical descent) come through Rakaihikuroa, the grandson of the eponymous ancestor Kahungunu (Appendix 1). Through Te Whatuiapiti and Te Huhuti, down to Rahunga and Mihiroa. Rahunga and Mihiroa were sisters who both

married the chief Te Rehunga. The sisters were the daughters of Te Rangikawhiua and Horongaiteangi. Te Heipora also descends from the brother of Rahunga and Mihiroa, Manawakawa. Manawakawa is the father of Rangikoianake. Rangikoianake's first wife was Waakiterangi. Their first child was Pakaru, who begat Tamaiawhitia, and Tamaiawhitia is the father of Te Heipora. From Rangikoianake's second marriage to Maota, their child was Hineraawa who begat Te Ua Te Awha, who begat Hineiaia. Hineiaia was Te Heipora's mother. Te Heipora descended from some of the highest ranking bloodlines in the Heretaunga region (Appendix 1) and because of this she married the chief Te Hāpuku. Marrying someone of such high rank also elevated the rank of the other. Te Hāpuku marrying Te Heipora would have elevated his own mana and prestige.

Te Hāpuku married strategically to elevate his position. His first and most important marriage was to Te Heipora. According to oral history, Te Heipora was also known as the Queen of Heretaunga ... After the marriage they stayed in Poukawa for a time and then moved to Heretaunga, on account of Te Hāpuku's marriage to Te Heipora (Conlon, 2019, pg. 20, para. 2).

The hapū to which she belonged' returned her land "in order that she might live with them (Conlon, 2019, pg. 20, para. 3).

Te Heipora's status and rank was acknowledged by other Ariki of similar status and lineage across the Heretaunga plains.

The evidence that Hinepakatia gave concerning the rank of Te Heipora was not challenged (Conlon, 2019, pg. 21, para. 1).

Te Heipora was also acknowledged by the other Rangatira of the time who owned tracts of land bordering Karanema's Reserve, as the person who owned and had the authority or mana whenua over Karanema's Reserve.

Te Heipora inherited the land through blood. Her bloodline, from her great grandfather. The chief Te Rehunga. She was his mokopuna.

From the union of Te Heipora and Te Hāpuku came three sons. Karanema, Whakatomo and Nepia Hawenes. The eldest son of Te Heipora's marriage to Te Hāpuku was Karanema. Next was Whakatomo and the youngest was Nepia Hawene. Whakatomo and Nepia Hawene left no issue, however (Conlon, 2019, pg. 110, para. 2), alleges that Nepia Hawene did father a child, named Hikihiki to a woman named Ngā Hiha.

Of the three off-spring of the marriage of Te Heipora to Te Hāpuku, only the eldest Karanema had children, Karanema married Te Urihe Koheriki and fathered Hāpuku Te Nahu and Arihi Te Nahu. According to Conlon (2019, p.1, para. 6) Arihi Te Nahu was born on the 28th of January 1851. Hāpuku Te Nahu and Arihi Te Nahu are the only recognised grandchildren of Te Heipora. Te Heipora passed away in 1840, Karanema passed away in 1854 at age twenty after attending a tangi in Wairoa. At the time of his death Karanema was survived by his wife and two children, Hāpuku Te Nahu and Arihi Te Nahu. In 1855 when the Te Mata land blocks were sold to the Crown, Hāpuku Te Nahu and Arihi Te Nahu would have

only been toddlers. Arihi Te Nahu would have been 3 and Hāpuku Te Nahu would have been barely 1 year old.

At the time the Karanema Reserve was sold (i.e., in 1858), Hāpuku Te Nahu and Arihi Te Nahu would have still been young children and would not have been old enough for the informed consent needed to sign a legal document of sale. Likewise, in 1855, at the time of the sale of the Te Mata land blocks they would not have been old enough to sign a legal document. Legally, the sale of Karanema's Reserve has to be ratified by Hāpuku Te Nahu and Arihi Te Nahu because they were the only living descendants of Te Heipora at that time. The only plausible explanation is that the elder relatives who took care of Hāpuku Te Nahu and Arihi Te Nahu after the untimely and early death of their father (i.e. Karanema), used their influence and authority over the children to make them sign a deed of sale. The care of Arihi Te Nahu was taken on by another woman of rank (i.e. Hinepaketia) and her husband, the chief, Puhara Hawaikirangi.

Hinepaketia was senior in rank to her older relative, Te Hāpuku (Conlon, 2019, pg. 110, para. 2).

After the passing of Karanema, Karanema and Te Urihe Koheriki's baby son, Hāpuku Te Nahu was taken by his grandfather, Te Hāpuku-Te-Ika-Nui-o-Te-Moana. He raised his mokopuna and namesake who was merely a baby when his father passed from the flu.

According to Conlon (2014), Te Hāpuku would not have been able to sell off any large tracts of land without the agreement of his younger relative, Hinepaketia.

Maclean was quickly made aware that Te Hāpuku could not act without the assent of Hinepaketia (Conlon, 2014, pg. 46).

This condition existed because in Māori communities of the time, rank and the related preservation of mana, not gender, determined the extent that a person exercised power within the tribal framework (Conlon, 2014, pg. 3, para. 1). Hinepaketia was also a Wāhine Ariki whose status and rank was acknowledged by all of her contemporaries and in particular the other chiefs of the Heretaunga plains. By contrast, the Pākehā missionaries and land agents alike spoke of Hinepaketia and Te Heipora with contempt and disregard. When attempting to procure tracts of Native Land, the settlers manifested a patriarchal and anti-feminist attitude.

The way Māori women are seen historically is based on the imposition of introduced concepts of 'male and female' which remain as a persistent legacy of the colonisation process (Conlon, 2014, pg. 15, para. 1).

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2. The sale of the Te Mata land blocks

On the 18th of April 1855, George Cooper, Hawkes Bay District Commissioner (1825-1898) paid £500 to 12 local Māori chiefs (i.e., Paora Torotoro, Tamihana Pekapeka, Te Moananui, Te Meihana Te Awha, Wiremu Whaanga, Karauria Pupu, Eraira Huakumu, Paora Te Mihi, Te Waka Kawatini, Matenga Te Hokimate and Karaitiana. During the negotiations it was made clear to George Cooper, H.B. District Commissioner (acting on behalf of the Crown) that the lands of Te Heipora were to be left out of the sale. The Deed states,

"Two portions of land have been reserved out of this sale, the land of Karanema is one (of the portions reserved) because we have no right or claim on this particular portion..."

All the Chiefs that signed the Deed that day all stated the fact that they had no "right or claim" over those lands belonging to Te Heipora and her descendants.

"This land belongs to the descendants of Te Heipora is left out of these boundaries. It is not sold to wit the land from Karituwhenua to te Ngakau o Hape and running up the hill and a plan of this is on the map ..."

Those Chiefs that signed the first Te Mata land block deed of sale, named the Karanema and Kohinurakau land blocks as Reserves. By signing the deed of sale, each acknowledged that with regard to Karanema's Reserve that they had no rights or claims to that portion of land.

On the 17th of November 1856, the second Deed of sale of the Te Mata Block was signed by another different group of Chiefs who owned lands bordering Karanema's Reserve, the deed of sale stated:

"The lands belonging to the descendants of Te Heipora is left out of these boundaries it is not sold with the land from Karituwhenua to Te Ngakau o Hape and running up the hill and a plan of which is upon the map of the ground This land is for the descendants of Te Heipora forever."

The two portions of lands Reserved outside of the lands being sold to the Crown that day were Karituwhenua and Karanema Reserves. The signatories of the second deed of sale for the Te Mata land block, those who were paid a total of £500 were Paratene te Akonga, Meri Hinetekaa, Te Hoko, Te Hawene Makutu, Te Hawhe Hāpuku, Arihi, Te Amohuta, Hirini Hoekau, Te Harawira and Timoti Pohepohe.

Not once but twice, the chiefs of the Heretaunga plains clearly stated that they had no authority over Karanema's Reserve, Likewise, Furthermore, H.B. Land Commissioner George Cooper acted on behalf of the Crown, and for the second time he was made aware that Te Heipora had the authority over the lands known as Karanema's Reserve. Suspicions arise as Te Hāpuku is noted on this deed of sale as being a witness. George Cooper (acting on behalf of the Crown) apparently did not require the signature of Te Hāpuku for the deed of sale that day. However less than two years later Te Hāpuku became a signatory to the sale of Karanema's Reserve. Why this was required by H.B. Land Commissioner George Cooper is unclear. At this time, Te Hāpuku was the husband of the deceased Te Heipora, and the father of their son Karanema, who had also not long passed. But he was definitely not a descendant of Te Heipora. Karanema's Reserve, according to the first two deeds of sale for the various Te Mata land blocks, was owned by Te Heipora. All of the Chiefs who signed the first two deeds of sale included in each written deed those portions of land that were to be kept by local Māori as Reserves for themselves. Those being Karituwhenua Karanema and Kohinurakau Reserves. When George Cooper signed the first two deeds of sale he must have read the deeds to ensure that, what he thought he was buying for the Crown was, in fact, what he was actually purchasing. Thus, he would have read the proclamation of those signing Chiefs stating that they all admitted to have *"... no authority or claim over the lands of Te Heipora and her descendants"*.

On the 5th of March 1858, the third deed of sale for the Te Mata blocks was entered into by Donald Maclean (Crown Representative) and 8 Chiefs of the Heretaunga plains: Te Hāpukulka-o-te-moana, Meri Hinetekaa, Paratene Te Akonga, Te Whakatomo, Te Koko, Arihi, Hāpuku 2nd and Poito. Suspiciously the Crown representatives felt it necessary on this day to gain the signature of Te Hāpuku, whose signature and consent had never been required previously, in any of the earlier Deeds. He had signed the second deed of Sale, but only as a

witness. This procedure raises questions about just how robust were George Coopers investigations into who actually held mana whenua over the lands that he was trying to purchase on behalf of the Crown, Her Majesty Queen Victoria.

The 4th deed of sale was signed on the 29th of November 1858. Local chiefs who signed the deed of sale on this day, they were: *Te Hira Te Ota, Peni Te Ota, Henare Te Ota, Tareha, Te Moananui and Karaitiana*". H.B. Land Commissioner George Cooper already had ample insight and prior knowledge of those who held mana whenua over lands within the Te Mata blocks. By that stage he should have had ample knowledge about who he should be negotiating with, to make the purchases, clear, legal and consistent with intent of the Treaty of Waitangi, 1840. Cooper should have known that Te Hāpuku was not a descendant of Te Heipora and had no mana whenua over Karanema's Reserve.

On the 29th of September 1858 the final deed of sale for the Te Mata blocks was paid to 6 Chiefs of the Heretaunga Plains. Those Chiefs were; Te Hira te Ota, Peni te Ota, Henare te Ota, Tareha, Te Moananui and Karaitiana. These are some of the very same Chiefs who had stated previously in earlier Te Mata deeds that *two portions of land are reserved out of this sale, the lands of Karanema is one of the two portions reserved. Because we have no rights and claim on this particular potion.*

Arihi Te Nahu and her younger brother Hāpuku Te Nahu were named as signatories to the second deed of sale for the Ta Mata land blocks. They were the only surviving descendants of Te Heipora at that time. The two siblings were only aged 5 years (Arihi Te Nahu) and 3 years (Hāpuku Te Nahu) respectively. Therefore at the time of the second deed of sale, on the 18 November 1886, the two children of Karanema, the only grand-children of Te Heipora were minors and were too young to sign legally binding document of this kind. In being asked to sign these documents, they were asked to relinquish lands left for them and their descendants forever and ever. How could two children so young, truly understand what they were signing away? This transaction contravenes the promise made by Queen Victoria in Article Two of the Treaty of Waitangi, which stipulates,

Her majesty the Queen of England confirms and guarantees to the Chiefs and tribes of New Zealand and to respective families and individuals thereof, the full exclusive and undisturbed possession of their lands and estates, forests, fisheries and other properties which they may collectively or individually possess, so long as it is their wish and desire to retain the same in their possession, but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of pre-emption over such lands as the proprietors thereof may be disposed to alienate at such prices that may be agreed between the respective proprietors and persons appointed by Her Majesty to treat with them in that behalf.

This transaction is also voided by the fact that none of the chiefs named as signatories to the deed of sale are descendants of Te Heipora. H.B. Land Commissioner George Cooper should have known that they had rights or claims to the land of Te Heipora. This raises a question as to why Cooper was soliciting signatures from chiefs who didn't own the land he was seeking

to purchase? As representatives of the Crown, both George Cooper and Donald McLean acted outside of the parameters of the instruction given by Normanby in 1839.

2.1 Pakiaka, war and retreat

The sale of Karanema Reserve is shrouded in another layer of ambiguity that is associated with the battle and eventual retreat of Te Hāpuku from Pakiaka.

In August 1857, Te Moananui confronted Te Hāpuku. Te Moananui was supported by most of the leading chiefs of his time including Renata Kawepo, Tareha, Karaitiana Takamoana, Meihana Takihi and others. Together they besieged Te Hāpuku and his supporters at a place called Pakiaka.

During the fighting the chief Puhara Hawaikirangi (who sided with Te Hāpuku) was killed. Te Hāpuku and his people having been defeated were expelled from the Heretaunga plains, and on the 4th March 1858, Te Hāpuku set fire to his pa at Pakiaka and he and his supporters began their retreat back to Te Hauke. Te Hāpuku was in need of funds to assist him to retreat back to Te Hauke. The chief Land Commissioner, Donald Maclean had tried to mediate a peaceful resolution between the two opposing groups, at Pakiaka, but to no avail. It seems as though Te Hāpuku and Donald Maclean had some aside negotiations of their own after Te Hāpuku's defeat at Pakiaka. The recent events of Pakiaka, and the death of Puhara compounded by the distain of many of the other local chiefs were all catalysts for the sale of Karanema's Reserve. It is unlikely to be a coincidence that the very next day after torching his pa at Pakiaka that the 3rd deed of sale for Te Mata was signed. The deed of sale was signed by Te Hāpuku and other chiefs with Donald Maclean acting on behalf of the Crown.

2.2 The role of a District Land Commissioner (George Cooper)

George Cooper had played an integral role, on behalf of the Crown in the Te Mata block purchases. As a representative of the Crown he was required to act in good faith and with honest intentions consistent with the 1839 instructions given to Hobson by Lord Normanby. However, based on earlier deeds of sale for Te Mata it is evident that George Cooper used any means at his disposal to ensure land was acquired. This included negotiating with those who claimed to have an interest in the land, real or not, so that they could be paid off so as to ensure the sale was made with the least opposition. Furthermore, George Cooper demonstrated a willingness to muster support for a land sale while conveniently ignoring knowledge about who held mana whenua over the lands being sold.

George Cooper was informed by those signing the deed of sale for the Karanema land block that Te Heipora was the acknowledged mana whenua. Furthermore, because local Māori treated Te Heipora with great regard, Cooper must have known that the status of Te Heipora derived from very illustrious ancestry that was locally acknowledged. The status that Te Heipora exercised within her lifetime was one of nobility. Her lands and wishes were kept and adhered to by the other local chiefs. That was until the Crowns' Land Commissioners, took advantage of a series of unfortunate events (i.e. the battle of Pakiaka), to secure more land within the Te Mata block.

The Crown representatives were bigoted, patriarchal and un-checked in their dealings with Māori. They were single minded and determined to do whatever was necessary to obtain more and more land from Māori Nobles'. Whether those Māori owned the land or not.

"It was quite obvious that the Crown was prepared to dupe Māori"

The fact that the land was owned by an Ariki Wāhine, Te Heipora, meant little to the District Land Commissioner, Cooper. He did not take account the wishes of the people, to leave Karanema's Reserve out of the Te Mata sales. He was an opportunist who played one interested party off against another in a way that gave effect to the age old Colonial ploy of divide and conquer. Setting one group against another. Having differing groups sign deeds of sale at different times, sometimes many, many months later. Accepting signatures from, minors. And also from people who have no authority or interests in the land. Paying off the neighbours, to buy their complicity in dubious or questionable sales seems to have also occurred in this sale. All of these things were done with cunning and calculated efficiency to achieve the Land Commissioners ultimate goal, which was to procure as much land from local Māori as possible. Cooper was prepared to do what-ever he had to, to succeed in his ultimate outcome and goal, which was to purchase land from Māori Noblemen and Noblewomen.

I believe that it was this arrogant, patriarchal, patronising attitude of the British settlers and Land Commissioners especially, underpins their dealings for Karanema's Reserve in the months, weeks and days immediately prior to the illegal sale and alienation of the land. The end result being that Karanema's Reserve would be lost from its' rightful and intended owners for ever. This fundamental lack of integrity was evident in a letter Cooper had written to Maclean on May, 10th, 1858 in which he stated:

"That land known as Karanema's Reserve can be easily purchased from Te Hira and his party, but at a cost not less than that paid to Te Hāpuku - £400.

In later letters to Maclean from Cooper, Cooper acknowledges that the sale of the Te Mata land blocks involved difficulties, thus acknowledging that these transactions were problematic.

There has been a great deal of bother about the Mata payment

The final payment for the Mata block was the occasion of a great deal of discussion, arising chiefly from an attempt by Moananui to obtain the money for himself

2.3 The role of Matriarchs in Heretaunga

Many of the Crown's agents were reluctant to deal with Māori women of rank and status. Instead, they opted to deal exclusively with male chiefs. Wāhine Ariki were either disregarded or made little of by those early Colonising settlers. This type of treatment of our Māori women, by not acknowledging their status and rank was unheard of in Māori Society. Conlon states:

"...the rank and the related preservation of mana, not gender determined the extent that a person exercised power within the tribal framework (Conlon, 2014, pg. 14, para. 2).

There were many Wāhine Ariki who exercised Mana, within their own hapū around this time, and their status and prestige was not only recognised by their male counterparts but it was of the utmost importance that it be adhered to. This was the norm in traditional Māori society. These ancestors included Hinepaketia, Te Heipora, Merihinetekaa, Pukepuke Tangiora, Winipere, Hinekatorangi, Hine Ngāti Ira, Horiana Te Wharepu Turoa, Morehu Te Amohaere Turoa, Ringahora, Kuini Ripeka Tomoana, Airini Donnelly, Arihi Te Nahu and Makuaitearangi Ellison. All of these ancestress' were descended from high, noble bloodlines. They exercised and maintained the authority that come with being a descendant of such illustrious ancestry. This authority they held amongst their own, people - whānau, hapū and iwi. Hinepaketia, when speaking about rank and status said:

Others did exercise mana ... she was acknowledging the relative autonomy of chiefs in their own area, but they were under the mana of the highest ranking chiefs (Conlon 2014, pg. 21, para. 1).

Merihinetekaa a woman of noble ranking and status was one of the signatories in the deeds of the Te Mata blocks. She is descended from Mihiroa and Te Rehunga. Like Te Heipora, her interest in the lands of Te Mata would have also derived from Te Rehunga. Another ancestress who must be mentioned here is Winipere, wife of Tinikirunga who was killed at the battle of Te Pakake in 1824. Winipere survived the battle but was taken prisoner by the warriors of Waikato. The story goes;

With Mata, the before prospect of captivity before her, Winipere requested that she be taken to Te her departure to Waikato. She wished to farewell Heretaunga from the top of the sacred maunga. On the peak, Winipere recited a lament and lacerated herself with obsidian to ensure her blood was still connected to the whenua she was being taken away from (Cole et al., 2018, pg. 20).

Below are Winipere's words of lament which show how deep the affections, respect and significance that Te Mata possesses in the hearts of Māori of the Heretaunga district.

Ko au anake ra e tu Kotahi nei, taihoa au e mate. Kia kite atu au, I te Matau-a-Maui nei. Kia titiro ana au I Te Mata o te tangata. Kia eke au ki runga ra, kia titiro iho au ki Heretaunga Rongonui. Ka huri au ki te maunga tapu ra Kahuranaki, kei reira a Te Hāpuku e komingatia nei, e te tau o taku ate. Ka huri au whakawaho, e ki te toka ra Motu o Kura. Ka huri au whakauta ra, kia inu atu au I te puna Waimarama, Ka huri au ki te oneroa, ki te kokoru ra Rangaika, Kei reira nei oku matua e aroha nei au (Cole et al., 2018, pp. 20-21).

Here I stand alone, don't kill me just yet. That I may look upon Te Matau-a-Maui That I may look upon my Tipuna Te Mata. That I may climb to the summit and look down on the Heretaunga plains. I turn to the sacred maunga Kahuranaki, where Te Hāpuku resides and stirs my emotions. I look out to Te Motu o Kura. I turn inland that I may drink from the freshwater

springs, Waimārama. I turn to the bay, to the cove Rangaika. That's where my parents are, whom I love dearly (Cole et al., 2918, pp. 20- 21).

In Māori society Wāhine Ariki exercised their authority in all aspects of their lives and social standing. This respect extended to captors following a conquest battle event. Following the battle of Te Pakake in 1824, Winipere requested to be taken to Te Mata to farewell her land. Her captors' accepted her request as that of a noblewoman to her captors. This shows how deep the acknowledgement of wāhine ariki status went in Māori society of the time. These Ariki Wāhine were an essential part of what happened on the Heretaunga plains in precolonial times. These Matriarchs had influence and authority. Their word was law and their mana was great. In Māori society, an Ariki was not diminished by gender.

The attitude of the colonising settlers towards our Ariki Wāhine was very different. (i.e. patriarchal, anti-feminist, superior and often arrogant). I propose that this very same attitude, was exhibited by both George Cooper (H. B. Land Commissioner) and Donald Maclean (Chief Land Commissioner). Their instructions were to procure lands for re-settlement by British immigrants. Their consistent actions fail to evidence good faith, due respect and integrity. They were divisive and calculating in their land dealings generally and the purchase of Karanema's Reserve appears to have been no exception to the rule. These Crown agents used their knowledge of mana whenua status to: (i) manipulate Māori contrary to the intent of the Treaty of Waitangi, (ii) persistently pursued the sale of Karanema's Reserve when they knew it was Reserve land, (iii) used emerging political events as leverage to force a land sale and (iv) then ignored well-established legal protocol by using under-aged minors as signatories to deed of sale. These facts avail of no other conclusion than that the sale of Karanema's Reserve was a fraudulent transaction.

3. The detrimental impact of land dispossession

The effects of the fraudulent sale of Karanema's Reserve has had such a detrimental impact on the dispossessed descendants of Te Heipora that it is difficult to quantify. Generations of descendants have missed out on access to (i) life-sustaining resources, (ii) rights of occupation, (iii) the revenue that has been generated from subsequent trading of this land on emerging economic property markets and (iv) a Turangawaewae (transl. your rightful place to stand). The significance of land to Māori communities is beautifully articulated in this whakatauaikī by Pukepuke Tangiora who is one the matriarchs of Heretaunga.

Whatu ngarongaro te tangata, toitu te whenua, Ko te tangata, ka ngaro, Ko te whenua, mau tonu, mau tonu, mau tonu, Kua kore koe he whenua, kua kore hoki koe ki to tuakiritanga

It is now approximately 160 years since the Crown initiated the sale of the Karanema's Reserve. This sale evidences dishonourable behaviour by the colonising peoples. It showed that greed, dishonesty and deception were employed by agents of the Crown. What makes the impact associated with the loss of Karanema's Reserve even greater is an unwillingness on the part of the Crown to acknowledge fault and remedy this breach of the very laws that were meant to offer protection to Māori communities from fraudulent behaviour of this kind. The Crown failed to protect the rights and interests of Te Heipora's descendants in the years

1856-1858 and they have failed us again in more recent times. In 2018, the descendants of Heipora presented their Treaty of Waitangi Claim before a Waitangi Tribunal Select Committee Hearing in Havelock North. Once again, our rights and interests were ignored-we were denied opportunity to present our grievance of the Crown.

4. Summary of key points

In the deed of sale for Karanema's Reserve dated 17 November 1856, the Chiefs who signed the deed of sale that day, unequivocally stated that the land belonging to Te Heipora and her descendants forever was to be left out of the sale.

The land belonging to the descendants of Te Heipora, is left out of these boundaries it is not sold wit to the land from Karituwhenua to te Ngakau o Hape and running up the hill and a plan of which is upon the map of the ground. This land is for the descendants of Te Heipora, forever.

In the second deed of sale of the lands associated with Te Mata, the same message was repeated. This acknowledged status of Te Heipora derived from very illustrious ancestry that was acknowledged by local Māori who treated Te Heipora with great regard. The lands and wishes of Te Heipora were kept and adhered to until the arrival in Heretaunga of Crown land agents. In the sale of Karanema's Reserve, the Hawke's Bay District Land Commissioner did not take into account the wishes of the chiefs of Heretaunga to leave Karanema's reserve out of the Te Mata sales. It is evident from the facts presented in this paper that George Cooper was prepared to do whatever he had to succeed in his endeavour to purchase land, from Māori noblemen and noblewomen.

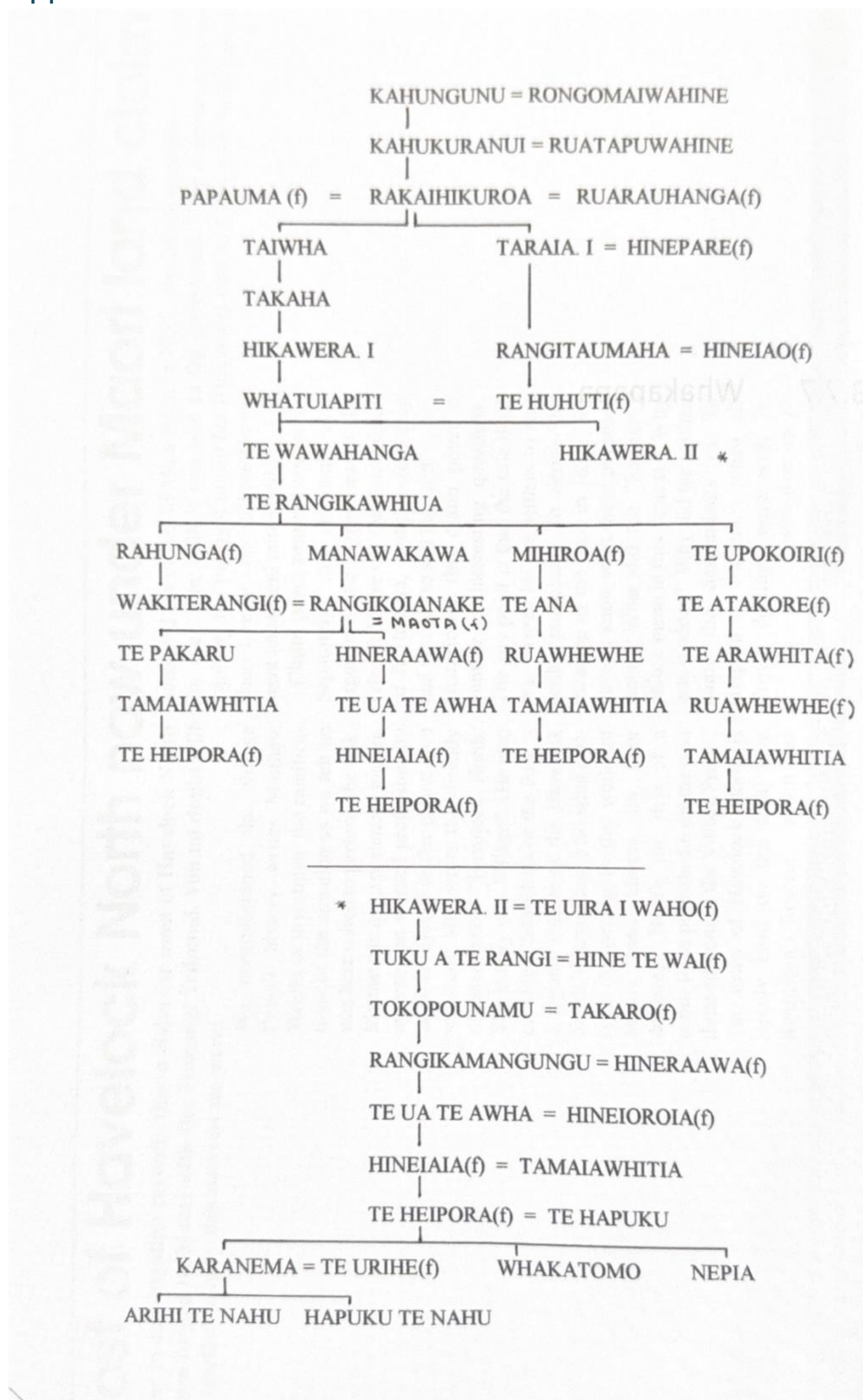
The colonising land agents and missionaries bought with them a patriarchal attitude that was foreign to Māori. Many of the agents were reluctant to deal with Māori women of rank and status. Instead, they opted to deal exclusively with male chiefs. Wāhine Ariki were either disregarded or made little of by those early settlers. This type of treatment of our Māori women was previously unheard of in Māori society.

"...the rank and the related preservation of mana, not gender determined the extent that a person exercised power within the tribal framework (Conlon, 2014, pg. 3, para. 1)."

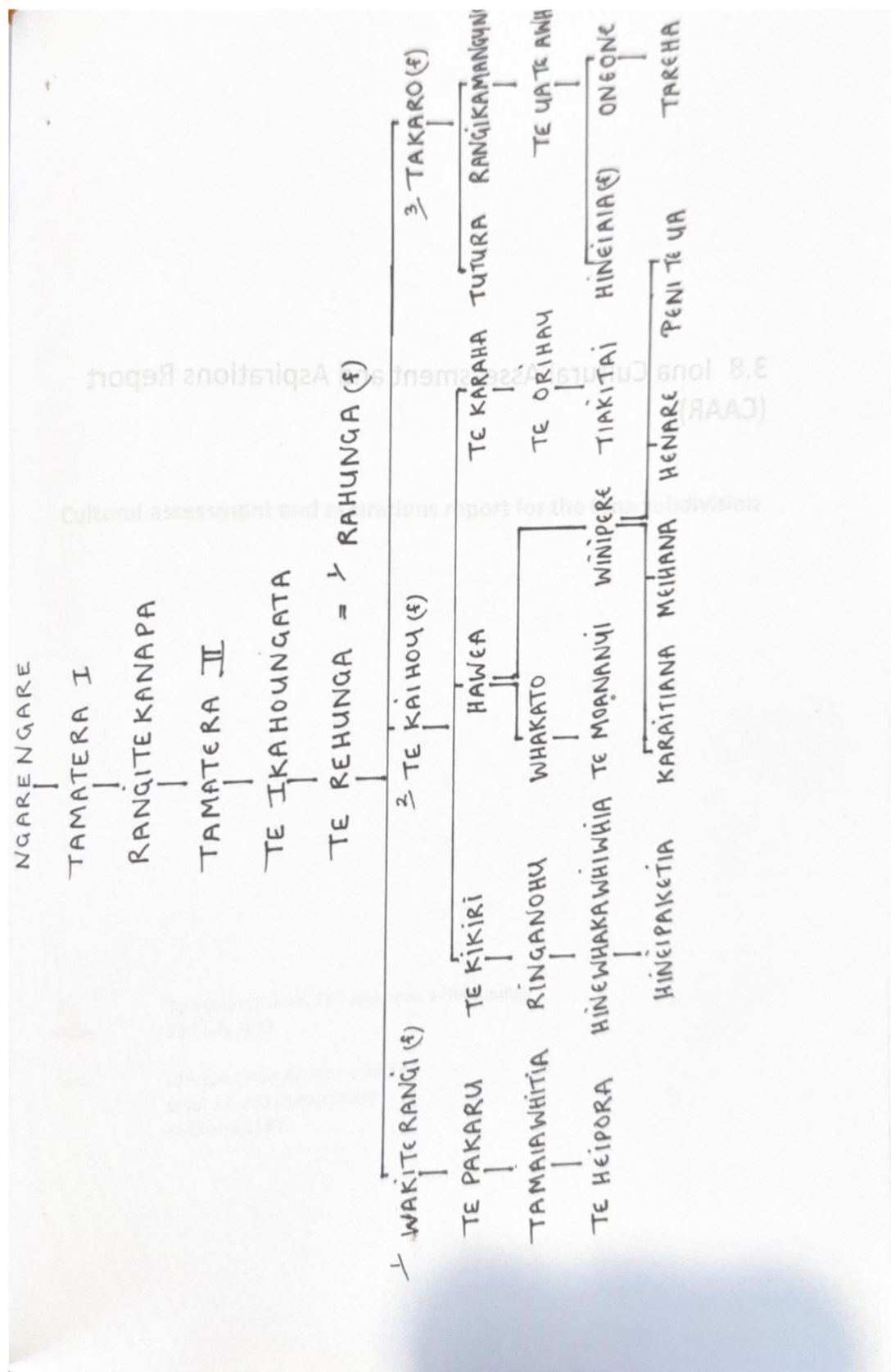
There were many Wāhine Ariki who exercised Mana, within hapū around this time and their status and prestige was not only recognised by their male counterparts, but it was of the utmost importance to traditional Māori society. There were many women Ariki who were acknowledged and exercised their Mana amongst the Māori of the Hawke's Bay area. Some of these ancestors are named here:

Hinepaketia, Te Heipora, Merihinetekaa, Pukepuke Tangiora, Winipere, Hinekatorangi, Hine Ngāti Ira, Horiana Te Wharepu Turoa, Morehu Te Amohaere Turoa, Ringahora, Kuini Ripeka Tomoana, Arihi Te Nahu, Makuaiteangi Ellison and many more.

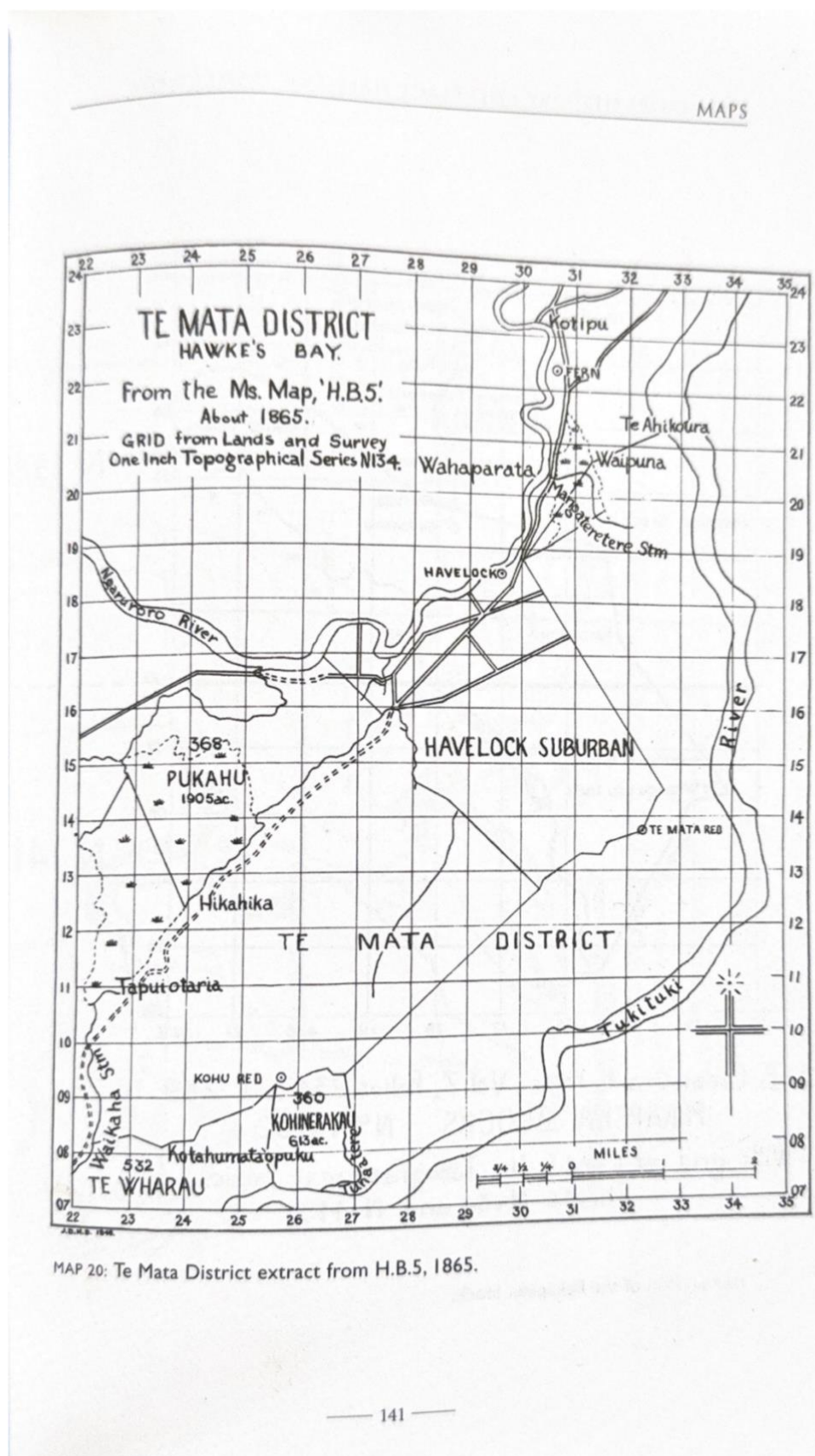
Appendix C



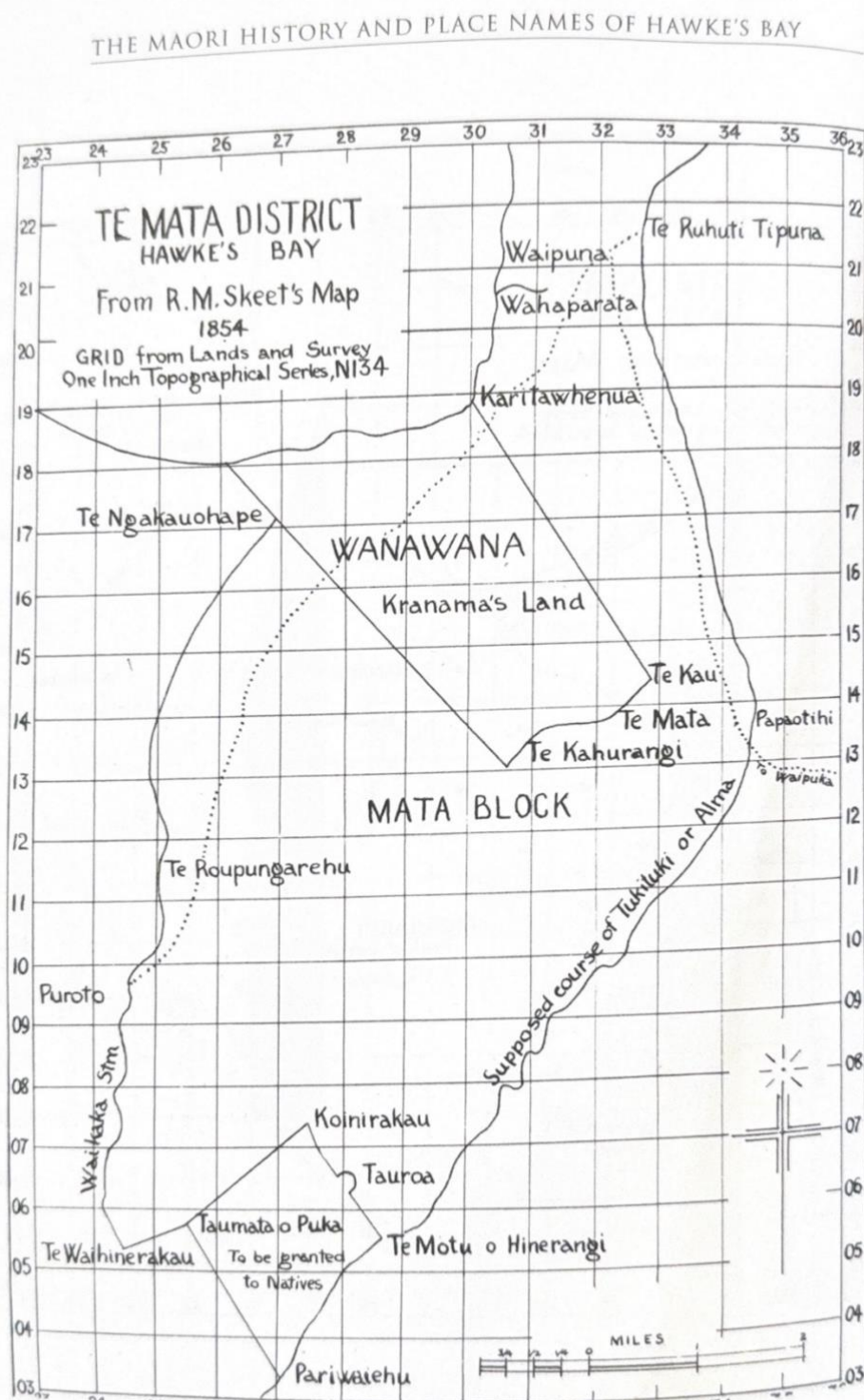
Appendix D



Appendix E



Appendix F



MAP 19: Te Mata district extract from R.M. Skeet's map, 1854.

11. References

- Te Manaaki Taiao, Te Taiwhenua o Heretaunga. (2023, February 2). *The Karanema Reserve – a compendium of readings and maps*.
- Cole, A., [et al.]. (2018). *Towards an understanding of the Māori (cultural) wellbeing and ...* [PDF]. United Nations Harmony with Nature Programme. Retrieved from <https://files.harmonywithnatureun.org/uploads/upload859.pdf>