OFFICIAL

Intertwined Histories

Muaūpoko and Ngāti Raukawa

VOLUME 1

OVERVIEW

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1 Summary

1. In most published accounts of the impact of the Musket Wars on the region from Rangitīkei to Pukerua, the story is simple. Te Rauparaha invaded and conquered those iwi who were there before him. As the leader of Ngāti Toa, and with allies from Taranaki, and Ngāti Raukawa from the central North Island, Te Rauparaha, through his skill as a warrior and iwi leader, and with the significant assistance of muskets, swept Rangitāne, Ngāti Apa, and Muaūpoko aside. Those who were not killed or dispersed became slaves, devoid of mana and with no interest in the land. This narrative appeared in W.T.L. Travers' history of Te Rauparaha first published in 1872 and is still repeated in Erik Olssen's recent and otherwise excellent general history.[1] The story told in these histories of Muaūpoko is that of an iwi even more devastated by the wrath of Te Rauparaha, as he wreaked his revenge on them for a treacherous and murderous attack on him and his whānau, where three of his children were killed.

2. A primary source for this narrative was Tāmihana Te Rauparaha's account of his father's life, particularly in the details of the Muaūpoko attempt to murder him and the revenge he took for those treacherous killings.

3. For three major inquiries at the end of turn of the twentieth century, this narrative was adopted as a self-evident truth, in the Horowhenua Royal Commission in 1896, an inquiry undertaken by a Committee of the Legislative Council taking place immediately after the Royal Commission, and in a Native Appellate Court Inquiry in 1912. Yet, between 1868 and 1873, there were three major Native Land Court inquiries which came to very different conclusions. Only one, that of 1868, entertained conquest as playing any role in Ngāti Raukawa's claims to very substantial areas of land. And that decision was almost completely negated by the one that followed it.

4. Instead of conquest, the courts focused on diplomatic arrangements between iwi, which led to the transfer of interests from the original tangata whenua to the migrant iwi, and on claims of occupation. In all these inquiries, arguments were presented that the land had been taken by conquest, and that exclusive title rested with Ngāti Raukawa either as a gift from Ngāti Toa, who had already conquered Ngāti Apa, Rangitāne and Muaūpoko, or through military actions instigated by Ngāti Toa, Ngāti Awa, and Ngāti Raukawa.

5. This research explores the dissonance between these decisions in the 1860s and 1870s and those historical accounts adopted in the 1890s and in 1912. It does so by

[1] W. T. L. Travers, "The stirring times of Te Rauparaha (chief of the Ngatitoa)," *Transactions and Proceedings of the New Zealand Institue* 2 (Read before the Wellington Philosophical Society, 21 August, 4 September, 1872), https://paperspast.natlib.govt.nz/periodicals/TPRSNZ1872-5.2.6.1.1; Erik Olssen, *The Origins of an Experimental Society: New Zealand, 1769–1860* (Auckland University Press, 2025).

reviewing in some depth what rangatira said to these inquiries, rangatira of whatever different iwi and hapū affiliation discussing events prior to 1840.

Inquiries reviewed:

- Himatangi 1868
- Rangitīkei Manawatū 1869
- Kukutauaki 1872-1873
- Horowhenua 1873
- Legislative Council 1891
- Legislative Council 1892
- Horowhenua Commission 1896
- Legislative Council 1896
- Native Appellate Court 1897
- Decision of the Native Appellate Court 1912

6. Evidence from the title investigation inquiries between 1868 and 1873 demonstrates much greater complexity in the historical descriptions of the migration of northern iwi into the district and the impact of that migration on the original tangata whenua than the conquest narrative allows.

7. Evidence before the Waitangi Tribunal by Muaūpoko witnesses and historians has already provided an alternative narrative, one that emphasises peace-making rather than violence and which emphasises the continuing presence and independence of Muaūpoko, Rangitāne, and Ngāti Apa. Ngāti Raukawa witnesses and historians have tended to rely on a conquest narrative first presented to the court by Thomas Williams, who presented the case on behalf of a group of Ngāti Raukawa non-sellers seeking to overturn the Rangitīkei Manawatū purchase of 1866.

8. By exploring the historical narratives produced by witnesses from different tribal groups, this research demonstrates an even greater degree of complexity in the way that witnesses before the court tried to make sense of the historical events taking place before 1840, in ways that addressed not only the specific interests of these witnesses, but also the need to present these narratives to a new and unknown institution, the Native Land Court.

9. This report does not attempt to define what was or was not conquest. It explores the way in which violence and peace-making were interwoven aspects of these migrations and resettlements. In 1868, conquest, as it was presented to the court, was a universal concept needing no definition in tikanga. None was needed, because it was a general legal principle, demonstrated as much by the achievements of William the Conqueror as of Te Rauparaha.

10. Although conquest was argued in Himatangi and Rangitīkei Manawatū by the Ngāti Raukawa non-sellers and by Ngāti Raukawa as a whole in Kukutauaki, the argument presented by Ngāti Raukawa in the Horowhenua inquiry assumed Ngāti Raukawa's right through conquest to determine which land could be occupied by Muaūpoko, if any.

11. As this research demonstrates, in the Himatangi and Rangitīkei Manawatū inquiries the arguments made for conquest, either by Ngāti Toa or by Ngāti Raukawa, were weak. For Ngāti Raukawa non-sellers, the block had been either gifted by Te Rauparaha after the conquest was completed or gained through Ngāti Raukawa's attacks on Ngāti Apa and Rangitāne. However, Ngāti Toa witnesses emphasised the peace arrangement between Ngāti Toa and Ngāti Apa through the marriage of Te Rangihaeata of Ngāti Toa and Pikinga of Ngāti Apa. Evidence of Ngāti Raukawa violence against Ngāti Apa and Rangitāne was also largely limited to a few individuals encountered on the heke. The most detailed account of the land allocated to Ngāti Raukawa by Te Rauparaha, given by a Ngāti Raukawa witness, and confirmed by others, went no further north than the Manawatū River.

12. Much stronger narratives of violence were presented at Kukutauaki. However, the evidence was for the most part far more restrained than that recorded in Tāmihana Te Rauparaha's account, and it demonstrated neither annihilation in practice, nor one-sided destruction. The numbers killed in the account of Mātene Te Whiwhi, the major Ngāti Raukawa witness in Himatangi, Rangitīkei Manawatū, and Kukutauaki, fell far short in almost all engagements. The evidence also demonstrated the limitations of muskets and the extent to which Ngāti Toa's attacks on Muaūpoko and others were raids from the island fortress of Kāpiti, to whence they returned. Witnesses for Muaūpoko also claimed their successes.

13. But even more important, evidence presented by witnesses of all tribal groups actively involved, Ngāti Apa, Muaūpoko/Whanganui, Rangitāne and even Ngāti Raukawa and Ngāti Toa, had narratives of peace-making, sometimes after violence, and sometimes precluding it.

14. The most significant of these was an agreement initiated by Te Whatanui at Karekare on the Manawatū River. Accounts of this by Kāwana Hūnia of Ngāti Apa and Horomona Toremi of Ngāti Raukawa in 1868 and 1869, and then by Te Keepa Te Rangihiwinui Kāwana Hūnia, Hoani Meihana, and Te Aweawe in 1872 are extraordinarily detailed, and remarkably consistent. So also is an account from Ngāti Raukawa rangatira Keopa Tukumaru as late as 1897. They share a narrative of peace-making to prevent violence, to enable Te Whatanui and those who came with him to settle peaceably in the district. There is also convincing evidence of other peace-making, particularly when incoming rangatira were bringing women and children with them.

15. There were therefore good reasons within the evidence of all these inquiries for rejecting conquest as giving title to either Ngāti Toa or Ngāti Raukawa. In the Horowhenua inquiry, which was entirely concerned with evidence of ancestry and occupation, the evidence strongly supported Muaūpoko, although some Ngāti

Raukawa witnesses gave better evidence of occupation in specific places than the court was prepared to recognise.

16. Horowhenua again was the subject of scrutiny in the 1890s due to complications in the title awarded in 1873. Horowhenua was awarded to Keepa alone in 1873, as trustee, but without any definition of this role, or even a title that could be registered acknowledging that trusteeship. Only rarely did these inquiries, despite their extraordinarily long duration, hear evidence on events prior to 1840. However, for the most part, they ignored the complexity of the evidence presented by Māori witnesses, other than those who supported a conquest narrative. The reports of these commissions, and the Native Appellate Court in 1912, depended for their complete confidence on the historical narrative presented by European historians, who not only relied on Tāmihana Te Rauparaha's account of Muaūpoko, but were advocates for Ngāti Raukawa.

2 Introduction

17. This report is long, because it provides a review of some of the most sustained Native Land Court inquiries of the nineteenth century. These spilled over into a series of extended Native Appellate Court, Royal Commission and Parliamentary inquiries two decades after the original Native Land Court inquiries had been completed. Even then, the report is not exhaustive and does not cover many related Native Land Court investigations where these events were also discussed by witnesses or even referred to in the judgments.

18. The aim of the research is to identify historical narratives, histories put together by witnesses and presented before the Native Land Court between 1868 and 1873. Using these historical narratives, as they were presented by witnesses across a wide range of different iwi affiliations, it is possible to gain insight into how they understood these histories, and constructed them to present to the Court, in ways that reflected their own understanding of events but also in ways that reflected the context of each of these hearings, a context which changed dramatically for a variety of reasons.

19. These historical narratives were revisited in an extraordinarily extended series of inquiries between 1890 and 1912.

20. While the research has been commissioned by Muaūpoko, the intent here is to step back from any one perspective of these events. Instead, it aims to understand what those advancing an argument of conquest before the Court understood that to mean, and how those making counter-arguments provided alternative historical narratives.

21. At the end of this part of the report, there is an attempt to draw back and reflect upon what all of this may mean to our understanding of the migration of iwi from Kāwhia, Taranaki and the central North Island to this district, and the disruption that caused for the resident iwi.

3 Digest of Findings

22. The debate about the settlement of the inquiry district as it emerged in the mid-1860s was focused on conquest and the nature of rights at 1840. Claims of conquest in the region were hardly new. These claims were constructed for the Native Land Court, still in its infancy, in the very divisive era of the mid-1860s, following the first Taranaki War, the invasion of the Waikato and as the confiscation of Māori land following the New Zealand Settlements Act 1863 was still very much underway. The Rangitīkei Manawatū Crown purchase of 1866 was the catalyst for turning the Native Land Court Inquiry that began with the Himatangi Block in 1868 into a test of not only who owned the block, but of Crown policy towards Māori since the Treaty of Waitangi, and of the Treaty of Waitangi itself.

23. This was heightened by the unusual procedure of the Crown appearing on behalf of those who had taken part in the purchase, and by the role of Thomas Williams, Henry Williams's son, and Octavius Hadfield, both of whom had been intensely opposed to the Crown's increasingly belligerent approach towards many iwi since the beginning of the conflict over the Waitara purchase. The Himatangi case was to determine the interests of those Ngāti Raukawa non-sellers who came to court to argue that through conquest that the entire Himatangi block and, by inference, the entire Rangitīkei Manawatū block remained in their exclusive ownership.

24. The argument presented to the Court, as had been the argument developed in petitioning prior to the Court's hearing of the case, was heavily influenced by Williams and Hadfield, and their understanding of the nature of aboriginal title, as it would be recognised by the Court. They chose to emphasise conquest and the nature of rights as of 1840, because in their understanding of the Court's jurisdiction, following the Ōakura judgment in the Compensation Court, this was not only the argument that the Court would accept, it reflected for them an accurate description of Māori customary rights to land. Their argument rested very heavily on the belief that conquest was a universal principle of title and that recognising that principle was a promise fundamental to the Treaty of Waitangi.

25. However, for the Rangitīkei Manawatū hearings, and the evidence presented in relation to Himatangi, the historical narratives for the non-sellers revealed substantial weaknesses in the conquest narrative so confidently argued by Thomas Williams in his opening. Those opposing the non-sellers, including one major Ngāti Raukawa rangatira, provided alternative explanations for the customary interests Ngāti Raukawa acquired within the block. These explanations were based on a number of peace agreements: between Te Rangihaeata and Ngāti Apa, between Te Whatanui and Ngāti Apa and Muaūpoko, between Te Whatanui and Rangitāne, and between Te Whata and Ngāti Apa/Rangitāne. Mātene Te Whiwhi, the most important witness for the non-sellers, acknowledged the first of these based on the marriage between Te Rangihaeata and Te Pikinga, who had been captured in the initial Ngāti Toa taua of 1820. On balance, his evidence reinforced the idea that whatever the relationship between Ngāti Toa and the other iwi, that between Ngāti Toa and Ngāti Apa was based more on accommodation than conflict. The level of accommodation admitted between Ngāti Toa and Ngāti Apa undermined the argument presented by

the non-sellers that the conquest had been completed prior to their arrival. Their own narratives of Ngāti Raukawa violence were limited and largely concentrated on the killing of individuals who were unlucky enough to be encountered on the heke down.

26. As a result of this evidence, the Court's 1869 decision was justified in rejecting the non-sellers claims to rights through conquest and gift from Ngāti Toa, which left the original iwi completely subordinate and bereft of mana. Arguments that the Court could not, for political reasons and the fact that the purchase was already completed, have acknowledged the non-sellers' conquest arguments are irrelevant.

27. In 1872, the Court began its inquiry into the Kukutauaki block, south of the Manawatū, which then led to the Horowhenua inquiry the following year. Between 1869 and 1872, tensions over who had interests over the entire area intensified, as surveyors working for different hapū and iwi configurations attempted to define blocks for the Court to investigate and in some cases, for the Crown to purchase. All the area north of Ōtaki was included in surveys which were either completely claimed by Ngāti Raukawa interests or alternatively by Muaūpoko interests, sometimes in connection with rangatira from other iwi. As in the lead up to the 1868 hearing, these conflicts generated a heightened level of violence, including arson and pā building, although no one was killed. By this time, Te Keepa Te Rangihiwinui (Keepa) and Kāwana Hunia were playing an active role in events.

28. The 1868 Himatangi investigation was a very public forum for the dispute of not only local but also national conflicts. In 1872 and 1873, the conflicts were entirely local, and became increasingly focused on the western side of what became the Horowhenua block, although they became a microcosm for the larger dispute over whose interests prevailed over the Kukutauaki block.

29. The Kukutauaki Inquiry began in November 1872. In contrast to the two earlier inquiries, there was considerable evidence from both sides on the nature of the violence that took place right back to the original Ngāpuhi/Ngāti Toa taua of 1820. Ngāti Raukawa and Ngāti Toa were no longer divided but the evidence was presented by far fewer witnesses, with Mātene Te Whiwhi again being the most significant witness for Ngāti Raukawa. Opposing Ngāti Raukawa were Te Keepa Te Rangihiwinui, who had not been involved in 1868 and 1869, Kāwana Hūnia, and Hoani Meihana (whose evidence was very different from that he gave previously on behalf of the non-sellers).

30. The Ngāti Raukawa case was still built primarily on the assumption that Ngāti Toa had handed the land over to the Ngāti Raukawa rangatira once their conquest had been completed. Evidence for the completion of the conquest was based on the division of the land (with the divisions of the land going right back to 1820), and on a series of retaliatory raids on Muaūpoko and Rangitāne, as well as on Ngāti Apa and Whanganui outside of the block. As a result of these raids, and the battle of Waiorua, the original inhabitants had, in this narrative, largely abandoned their original territories, so much so that when land was allocated north of the Manawatū, it was occupied only by Ngāti Raukawa several years later. Ngāti Raukawa or Ngāti Toa

witnesses also based their conquest argument on the idea that they had undertaken the last successful action, and there had been no 'satisfaction' for those defeated. The Ngāti Toa conquest argument did not rest on any suggestion that they had occupied the land themselves. As far as their claim to Kukutauaki was concerned, Ngāti Toa had come north from Kāpiti, defeated Muaūpoko (or any other iwi depending on the narrative) and returned to Kāpiti.

31. Ngāti Raukawa witnesses generally accepted that they had played no role in the violence underlying the claims of conquest. However, some witnesses did claim that Ngāti Raukawa were involved with Ngāti Toa in attacks on Muaūpoko, including the last action involving Muaūpoko and Ngāti Toa at Papaitonga.

32. Witnesses opposing Ngāti Raukawa provided considerable evidence that at least before Waiorua, and possibly afterwards, resident iwi had effectively resisted or accommodated Ngāti Toa's incursion into their region, isolating Ngāti Toa to their island fortress at Kāpiti. But far more important, their argument rested on the peace-making that took place at Karekare soon after Te Whatanui's arrival; as described in the earlier hearings. It was this agreement, rather than any allocation by Te Rauparaha, that provided Te Whatanui, but not necessarily other Ngāti Raukawa rangatira and their hapū, with the capacity to settle peacefully on the land.

33. Witnesses for Muaūpoko did recognise that over time the iwi were substantially reduced by clashes with the immigrant iwi, including the deaths which took place at what has been called the 'feast of the pumpkins.' They recognised the importance of the relationship with Te Whatanui in ensuring their ongoing independence.

34. The Court rejected conquest while it acknowledged, without naming, the peace agreements as the cornerstone of Ngāti Raukawa's claims to occupy the region. In doing so, it argued, for reasons that cannot be explained from the evidence, that Ngāti Raukawa exclusively occupied all the Kukutauaki block except for two areas: Tuwhakatupua in the north, which it saw as occupied by Rangitāne, and Horowhenua, which was occupied by Muaūpoko. It justified these two areas of occupation based on what it described as concessions by Ngāti Raukawa. This decision was a victory for Ngāti Raukawa, and the five tribes, who had argued against them in the Court, sought an immediate halt to proceedings as they would undertake an appeal. The Court persuaded them to continue into the next phase of the hearing, despite their misgivings. In the end, their claim for a rehearing would be dismissed because it would have unravelled so many other decisions made by the Court, beginning even before the Horowhenua investigation commenced.

35. After a few weeks delay, the Court began investigating Horowhenua. It is important to note that at the time the Kukutauaki decision was released in early March 1873, the areas and locations of Horowhenua was not defined, although surveys had already taken place by competing hapū which would influence how it would be denied. At the beginning of the hearing, while those supporting Muaūpoko were still deciding whether to take part, Ngāti Raukawa brought a map into court which defined, as they saw it, the limits of Horowhenua.

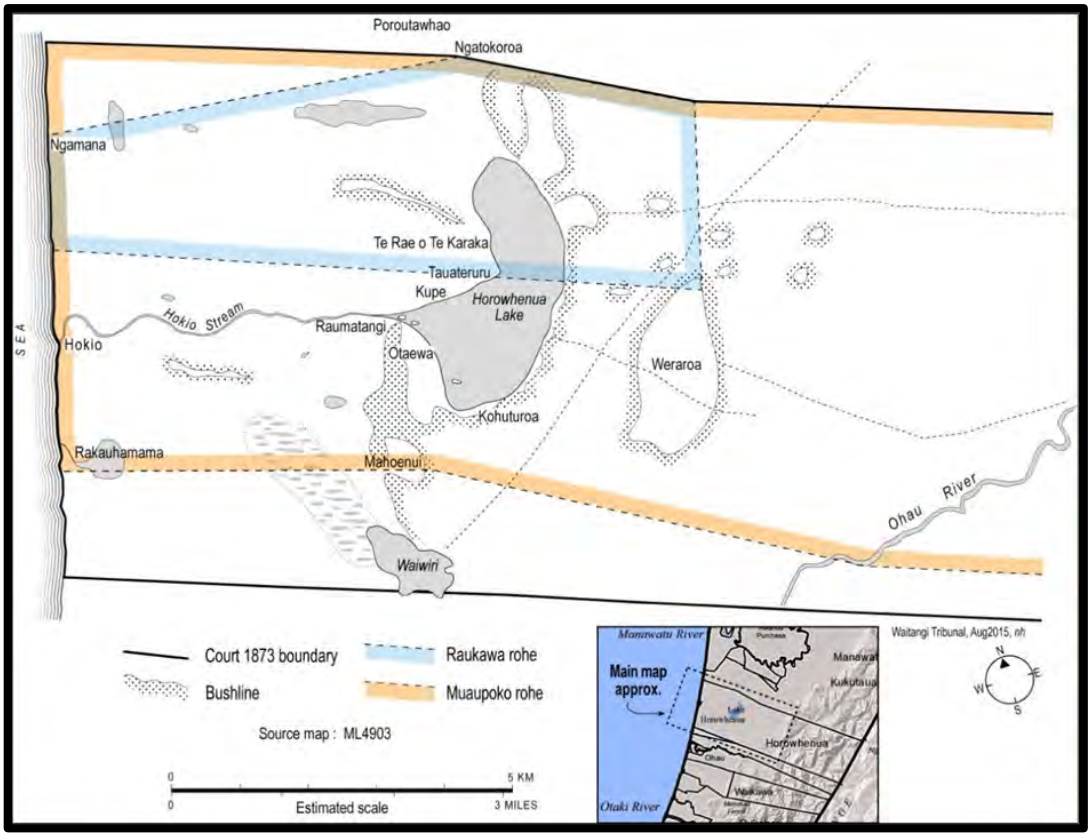

Figure 1: The area marked in blue is the Muaūpoko area, granted to them by Te Whananui, according to the Ngāti Raukawa application to the Court.

36. Witnesses argued that this area had been set aside by Te Whatanui for Muaūpoko, with the northern and southern boundaries separately defined. Looking at the map before them, the Ngāti Raukawa witnesses unsurprisingly provided consistent evidence of the points on the boundary. They argued that Muaūpoko rangatira had been present when the boundaries had been defined, but gave them no role in negotiating those boundaries. To a large extent, this argument still rested on conquest, which had already been rejected by the Court, because it defined Muaūpoko's occupation entirely as in the prerogative of Ngāti Raukawa.

37. The Court rejected what was an *ex parte* application and, conscious that there were numerous Ngāti Raukawa applications before the Court for land within the Kukutauaki block, issued a title for lands outside of an area of 52,000 acres, which became the block they were investigating. The Court argued that this should contain any Muaūpoko claims of occupation, allowing those other investigations to continue. At this point in the inquiry, the Court may well have decided after inquiry that Muaūpoko's share of Horowhenua was no more than that area already defined by the Ngāti Raukawa witnesses. Alternatively, it could have, and eventually did, award all but a small area to Muaūpoko. But in making its decision, it was doing so on occupation and ancestry alone.

38. As the investigation unfolded, the Ngāti Raukawa witnesses continued to emphasise boundaries they had earlier defined while Muaūpoko witnesses provided rich detail of occupation. The Court had to use three maps, each increasing in size, to locate all

the areas included by Muaūpoko. The judges and other court officials also undertook a site visit. Ngāti Raukawa's evidence of occupation was far more limited, and certainly did not include the land reaching back to the Tararua mountains.

39. When the Court made its decision, it did so with complete confidence, celebrating its unanimity and awarding all but hundred acres, which was set aside for the descendants of Te Whatanui, to Muaūpoko.

40. The allocation of only 100 acres to the descendants of Te Whatanui, and the denial of other Ngāti Raukawa claims which were based on occupation, particularly in the south-western corner of the block, was a weakness in the Court's decision. That weakness was recognised, even by Keepa, in the months that followed.

41. Because there had been little conflict here until the late 1860s, it has been assumed that the situation was static between 1840 and the death of Te Whatanui Tutaki in 1869. This cannot have been the case. After Haowhenua in 1834, there was a substantial movement of hapū in the region: Ngāti Raukawa groups shifted north, and Taranaki iwi moved into the North of theSouth Island, to Te Whanganui a Tara, the Chatham Islands, and with others going to the northern South Island. This degree of moving around continued after 1840. Whereas up until 1846, Ngāti Raukawa's interests at Horowhenua were very much tied to Te Whatanui, after 1840, and in particular after Te Whatanui's death in 1846, his descendants lost that overall authority, which also squeezed Muaūpoko. By 1869, the question of who should have the authority to enter into leases and who should receive the payments exacerbated these changes. Attempts to marginalise the descendants of Te Whatanui, but more importantly Muaūpoko as well, led to the intervention of Keepa and Kāwana Hūnia.

42. In this period of flux, boundaries, where they went, and whose interests were divided by them became markers of conflict. Customary use of pou whenua as individual points that marked fluid relationships became complicated when they began to be used as fixed marks on survey maps, with lines connecting them to define discrete blocks of land. When these individual points became lines that divided land from the sea to the mountains, they were transformed from markers of occupation of often quite small areas into reference points for title claims to very large areas of land, which were then taken to the Court.

43. After the Horowhenua decision, Keepa and Muaūpoko clearly celebrated, given the defeat in the earlier Kukutauaki decision. However, awarding title to Horowhenua to Keepa as trustee for 143 owners undermined relationships between Keepa and Kāwana Hūnia, leading to Hūnia evicting some Ngāti Raukawa residents. Various attempts were made to deal with those Ngāti Raukawa interests that had been excluded from the block, including a promise of a further 1200 acres for the descendants, and the purchase of interests around Waiwiri. But complications over Keepa's trusteeship delayed the partition of the block until 1886 and proved a nightmare to resolve during the 1890s.

44. The research has also reviewed the evidence presented during the three inquiries of the Legislative Council (1891, 1892, 1896), the Horowhenua Commission (1896) and the allocation of interests in the Horowhenua Block undertaken by the Native Appellate Court (1897), and the 1912 decision of the Native Appellate Court. Putting aside the 1891 and 1892 inquiries, those from 1896 on all came to very different decisions about what the Court should have earlier decided in Horowhenua in 1873 and, through implication, in Kukutauaki. They emphatically rejected the Court's decision that Ngāti Raukawa's rights were not based on conquest. None of these later inquiries reviewed the original evidence (although the 1912 decision claimed to have had that evidence available to it). In examining the evidence they did consider, their review of the historical events prior to 1840, and the complete confidence with which they came to those conclusions, it is clear they did not rely on the evidence before them given by Māori witnesses. Rather, by this time the prevailing narrative had been dominated by the work of European advocates, who represented the Ngāti Raukawa non-sellers in 1868 and 1869 respectively. Thomas Williams and, more importantly, W.T.L. Travers had provided accounts based on extravagant interpretations of the events, which went well beyond the evidence presented in either inquiry.

45. Travers gave evidence before the Legislative Council in 1896, where he relied on papers he had presented to the Wellington Philosophical Society in 1872, published separately in the same year and again 1906, supplemented by written evidence from the early 1840s.[2] Even the 1912 the Native Appellate Court recognised such publications as partisan but still came to an identical conclusion. Its discussion was based on a selective and limited trawl of the evidence from the 1890s. It ignored any evidence from the 1870s.

[2] W. T. Locke Travers and J. W. Stack, *The stirring times of Te Rauparaha (Chief of the Ngatitoa)* (Christchurch Melbourne: Whitcombe and Tombs, 1906); WTL Travers, *Some Chapters in The Life and Times of Te Rauparaha* (Wellington, 1872). This is being advertised for sale in quite a few newspapers in 1873.

4 Violence and Peace-making

46. What follows in this summary is an overview of the way key aspects of this evidence were referred to by witnesses, whether Kurahaupō waka witnesses from the original tangata whenua or those of the northern migrants who had become established in this district from the 1820s. Witnesses provided historical narratives to support the arguments they were making in the Court between 1868 and 1873. By exploring these historical narratives, we are provided with a better understanding of the relationship between violence and peace-making which, as the more extended part of this research demonstrates, provides a complex and more nuanced understanding of the settlement of this region.

47. Because parties before the Waitangi Tribunal have throughout this Inquiry drawn on evidence from the Himatangi, Rangitīkei Manawatū, Kukutauaki and Horowhenua inquiries, this research has focused not only on the evidence presented in these inquiries, but on the blocks of land involved. These make up an area from the Rangitīkei River in the north to the southern boundary of the Kukutauaki in the south.

48. A major, and certainly time-consuming, aspect of this research has been trawling through the various and often extraordinarily drawn-out evidence of the 1890s investigations, which to some extent relitigated earlier evidence.

5 Violence: Raupatu and Conquest

49. In sources from any time after 1840, conquest has been at the centre of descriptions about the migration of Ngāti Toa, Taranaki iwi and Ngāti Raukawa to the area on the west coast from Rangitīkei to Te Whanganui a Tara, and to much of the northern part of Te Waipounamu. Writers from Edward Jerningham Wakefield in 1845 to A.S. Thompson in 1859 emphasise the dramatic, even traumatic, consequences of Te Rauparaha's 'invasion' of the region. As A.S. Thompson described things in 1859,

> In 1824, Rauparaha, having purchased a large stock of powder and muskets from the Cook's Strait whalers, commenced his depopulating wars among the natives residing on the east and west coasts of the North and Middle Islands.[3]

50. Conquest, invasion, violence, slavery and displacement were common tropes in describing the events occurring just prior to the arrival of European settlers. In a letter of 1851, Ngāti Toa made this clear, writing,

> At Te Kerikeringa a fortress was stormed and three hundred were laid to rest. We came on Whanganui where a hundred died at Purua. We came on to Rangitikei where another battle took place and another hundred were laid to rest. Te Ao-kehu, Te Kootiri-o-te-rangi and Rutea were the Rangi-tiikei chiefs who died.[4]

51. In all, they claimed to have killed 5000 at various places along the way.

52. In a second letter, Ngāti Toa rangatira described Te Puoho's doomed expedition down the West Coast of Te Waipounamu until he got to Tuturau, almost on the southern coast, concluding:

> And so I strenuously press (my case) concerning the lands to you.
> My boundary is at Oo-tara, at the place where Te Puoho died.[5]

53. Even in 1851, historical narratives such as those developed in these two letters were being fashioned for European audiences; the first included references to card games. In this case, the audience was the governor, and the letters were statements of mana, rather than claims to blocks of land. At that time, following a progression of contested and overlapping land purchases in the southern North Island and from much of the South Island, land was not completely defined by geographical boundaries. Many of the purchases which took place were aimed at extinguishing mana claims over vague or even ill-defined areas.

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[3] Arthur Saunders Thomson, *The story of New Zealand: Past and present - savage and civilized*, vol. 2 (J. Murray, 1859).
[4] Bruce Biggs, "Two Letters from Ngaati-toa to Sir George Grey," The Journal of the Polynesian Society 68, no. 4 (1959), p. 268.
[5] Biggs, "Two Letters from Ngaati-toa to Sir George Grey,", p. 266.

54. After 1865, claims to land became defined by the imperatives of the Native Land Court. No longer could the Crown claim to extinguish the rights of a group of iwi across the South Island as Governor George Grey did in 1853, just prior to leaving the colony for South Africa.[6] Ngāti Toa was one of many iwi included in this deed, and technically Grey intended it to mop up all remaining unextinguished claims, which could well have included that of Ngāti Toa to parts of Murihiku. Neither Grey nor Ngāti Toa needed to particularise the nature of their claims.

55. Areas of land became bounded blocks, often created through negotiations between hapū and surveyors, sometimes also with Crown Land Purchase Officers. That was a revolution, not only in the Crown's approach to recognising and extinguishing customary relationships to land, but in forcing iwi and hapū to think about their own relationships with land differently.

56. By 1865 Crown purchases were bounded blocks. But as the 1849 Rangitīkei-Turakina purchase negotiations indicated, the placing of boundaries raised new questions of who could be included in the sale and who would be excluded. In 1849, these were dealt with through protracted negotiations. In 1866, the conflict was even more intense, with those opposing the sale mobilising almost every legal resource available to them including a petition to Queen Victoria.

57. The Native Land Court was supposed to resolve these questions once and for all, and at arm's length from the Crown. Historians in the Waitangi Tribunal have been rightly critical of the Native Land Court for its treatment of Māori customary relationships with land, its imposition of individualism and its role in the alienation of Māori land. In my own work I have emphasised the role of the Court in the extinguishment of Māori customary title, and the extent to which that imperative also influenced the way it went about recognising Māori customary land tenure in the first place. In hearing evidence before the Land Court, judges and assessors were acutely aware that their role was to recognise some people and reward them with a title, and to exclude others.

58. How they went about that was once described as a form of checklist; the Court looked for various take and applied these to the evidence before it. Ancestry, conquest and gift were the principal take, and they all needed to be demonstrated through occupation. This rather reductionist model of the Court's work was developed in the 1940s by Land Court Judge Norman Smith, looking back on how he saw the Court's actions from 1865. However, work with my colleague Dr Grant Young and others, including Professor Richard Boast, has demonstrated that this was a far too simplistic view of how the Court operated, particularly in the 1860s and 1870s.

59. Chief Judge Francis Dart Fenton expected the Court would be able to develop a set of rules that could allow lawyers unfamiliar with the Māori world to participate in the Court's work and to integrate that work with that of other courts. Fenton hoped

[6] Te Waipounamu purchase

that by giving the Court sufficient status, particularly those who would take up the role of Native Land Court judges, claimants and counterclaimants would accept the Court's judgments, even when they went against one of the parties. In 1867, sitting in Auckland in a very public hearing, Fenton heard the first round of the Ōrākei claim brought by Ngāti Whatua o Ōrākei. He delivered an oral judgment and celebrated what he saw as the general acceptance of it. But when forced to set about rehearing the case, he produced a very extended historical report, and an expansive table of whakapapa, to justify what was in effect the same decision. In 1879, when Fenton published many of the early court judgments, he did so not to assist lawyers, but future historians.[7]

60. Fenton included both the Ōrākei and the Rangitīkei Manawatū decisions in his *Important Judgments*. They both demonstrate the Court's notable successes in achieving the Crown's objective for it, but also its most notable failure. The Court, despite appeals and rehearings, allowed land to be incorporated into the colonial economy, primarily for Europeans and the Crown would eventually own the bulk of the land, but also for Māori owners who were able to hold on to what was left.

61. However, the Native Land Court did not replace Māori customary relationships with land with individualism. Māori continued to assert the interests of iwi, hapū and whānau, using the Court as an institution to maintain continuity with the past rather than to break it. Māori witnesses giving evidence in 1897 were no less driven by Māori customary agendas than they had been in 1868.

62. Māori witnesses used the Court as a means of protest but more importantly, the Court from the very beginning was their forum aimed at asserting customary relationships. Witnesses understood their evidence may need to be tuned for the Court's ears, but many witnesses had absorbed Christian ideas about rights and relationships and saw these as compatible with tikanga. For those non-sellers closely aligned with the missionary and scholar Octavius Hadfield and Thomas Williams (Henry Williams's son), the arguments that they presented to the Court, founded on the belief that they held the land through conquest, were entirely based on the view that European and Māori notions of conquest were, at least in the judicial setting, identical.

63. In the politically charged and highly polarised world of the mid-1860s, Williams and Hadfield demanded that the Court recognise the conquest of the Rangitīkei Manawatū block along with all the land claimed by Ngāti Raukawa, Ngāti Toa and Taranaki iwi in this region. For them, this was not just an acknowledgement of a series of historical events as they understood them, but a test of the Crown's obligations to Māori, an attack on the confiscation of Māori land generally, and a defence of the Treaty of Waitangi. It was a course to which Thomas Williams devoted much of the rest of his life. From the time Isaac Featherston proposed the

[7] F. D. Fenton, *Important judgments delivered in the Compensation and Native Land Court* ([Auckland]: Published under the direction of the Chief Judge of the Native Land Court, 1879). http://www.auckland.ac.nz/lbr/law/fenton.htm, Preface.

Rangitīkei Manawatū purchase in 1866 until the Court opened in early 1868, protest against the purchase, led by a group of Ngāti Raukawa non-sellers, had already made the recognition of the Crown's obligation to Māori through the Treaty of Waitangi a test of the Crown's recognition of land title through conquest at 1840.

64. The complexity of the contested arguments presented to the Court, the vast number of witnesses called, and the mixture of ancient and recent history, provided an extraordinarily difficult challenge to the judges trying to make sense of it all. In the Himatangi hearing, which became a test case for interests in the entire block, everyone was finding their way, the judges and the assessor as well as those representing Parakaia Te Pouepa and the witnesses themselves.

65. Williams, in opening the case, had three very clear expectations. First, that in recognising that Ngāti Raukawa had acquired the block by conquest, the Court would be doing no more than acknowledging the way that territory had been acquired by the British Empire during its expansion. Secondly, everything hinged on 1840, on the promises made by Queen Victoria and implemented in Treaty signings where his father was present along that coast. Finally, Williams and Hadfield were aware that the Court had already identified in the Ōakura case that the primary demonstration of the ownership of the land was force. In their understanding of Māori custom, interests could not be shared or overlapping.

66. All these assumptions were based on their belief that European ideas of land title equalled tikanga, and that meant that title based on exclusive ownership, determined as at 1840 and at no other date, and based on the application of force against all comers, was customary ownership of land, plain and simple. In many ways, by making this assumption that the nature of conquest and title was universal, Williams was doing the very reverse of what he looked for. He was creating a series of rules which could be imposed on tikanga by the Court, and were destructive of the much more complex, fluid, and relationship-based ideas of customary relationships with land which would be demonstrated in the evidence presented in the major court cases where these claims of conquest were tested, between 1868 and 1873. This research demonstrates that the evidence used by witnesses, from all the iwi involved, undermines the simplistic application of conquest, which was first created for the Ngāti Raukawa non-sellers at Himatangi in 1868.

67. Far from getting it wrong, the Court's rejection of conquest in almost all its decisions in this period was justified by the evidence presented before it, or more accurately at times, the lack of evidence presented to it. The Court decisions reflected the complexity of the arguments about customary relationships with land, as demonstrated by the historical narratives of pre-1840 occupation, migration and violence. In rejecting conquest as the basis of title in Rangitīkei Manawatū 1869, Kukutauaki in 1873 and Horowhenua in 1873, it was recognising significant flaws in the arguments of those who argued that Ngāti Raukawa had acquired an exclusive and complete title from Whangaehu in the north to Kukutauaki in the south, either by gift from Ngāti Toa or through the iwi's own exertions.

68. When the Horowhenua title, issued in 1873, was reinvestigated in the 1890s and early 1900s, three inquiries, the Horowhenua Commission in 1896, a committee of the Legislative Council also in 1896, and the Native Appellate Court in 1912, came to conclusions that were diametrically opposed to these earlier decisions. They all presented historical narratives which argued that Muaūpoko, along with the other original iwi from this area had been obliterated by the invasion of Ngāti Toa and its allies, and had lost all interests in the land as a result, being left scattered in the bush and surviving only through the kindness of Ngāti Raukawa rangatira.

69. The certainty with which these commissions in the 1890s considered their knowledge far superior to the judges of 1873 is amply demonstrated by one of the findings of the Legislative Council in 1896.

> Notwithstanding the well-established fact that the remnant of the Muaūpoko Tribe were in hiding in the mountains when Te Whatanui took possession of Horowhenua, and only came out on the strength of his promised protection, and the undoubted nature of the conquest and continued occupation by Te Whatanui, as shown by independent evidence, the court, in 1893, gave the following judgement …[8]

70. It need only be noted here that none of these commissions showed any sign of reviewing the evidence presented to the Court that originally made the Horowhenua decision.

71. The 1912 Native Appellate Court was equally convinced that it knew the 'real story.'

> Meiha Keepa speaks of land being given by Taueki chief of Muaupoko to Te Whatanui and states the boundaries, the Northern one being the Hokio Stream.
>
> It is far more probable that the Muaupoko, being mere fugitives unable to make head against a strong tribe such as Whatanui's, submitted to a boundary put forward by Whatanui.
>
> The real story is that Whatanui sent for the remaining Muaupoko, gave them [*a*] portion of Horowhenua to live upon, and promised them protection from their enemy Te Rauparaha.

72. For allies of those who presented the conquest argument, as just outlined, in the earlier hearings, these later findings appear a vindication. However, in looking at the way these later inquiries developed their conquest narratives, it is very clear that they did not rely even on the evidence presented by Ngāti Raukawa Māori witnesses at the time, who as in the early inquiries, demonstrated how complex customary relationships could be and how notions of boundaries were contested and dynamic. Europeans who were embracing the conquest narrative in the 1890s were not doing so through greater understanding of the evidence presented to them at the time, and

[8] Native Affairs Committee, Legislative Council, 1896, 1-No.5, p. 2.

certainly not through any review of the evidence presented in the 1860s and 1870s. They were drawing on well-developed published European narratives, created by advocates such as Thomas Williams and W.T.L. Travers, who in 1868 in 1869 had articulated these arguments to the Court on behalf of a group of Ngāti Raukawa non-sellers.

1. Himatangi and Rangitīkei Manawatū

73. Although these were two different investigations held a year apart, the evidence presented and the witnesses presenting it was very similar and the second is often mistakenly referred to as a rehearing of the first. Himatangi and Rangitīkei were highly contested inquiries that were extremely unusual in the history of the Native Land Court. Instead of hearing claims between rival claimants to a block of land, the case eventually came to court because at the end of negotiations for the purchase of the Rangitīkei Manawatū block, there were a group of Ngāti Raukawa who refused to sell, and who claimed title to the entire block through conquest. In the Court, the Crown appeared as a party, representing the interests of the sellers (though obviously representing the Crown's interests) and the non-sellers were led by Williams, who would dedicate much of the rest of his life as an advocate for their interests and their claims of conquest. Nonetheless, while the context of the evidence was different from usual, and this does need to be taken into account, this did not compromise the richness of the evidence which equalled that provided in Kukutauaki, a more conventional hearing.

Mātene Te Whiwhi

74. Mātene Te Whiwhi was the cornerstone witness for the Ngāti Raukawa non-sellers in 1868 and 1869, as he would be again for Ngāti Raukawa as a whole in the Kukutauaki hearing in 1872. Like many witnesses, in 1868 he provided an extensive back story to the taua and heke that came into the region, beginning with the Ngāpuhi taua which included Te Rauparaha. He put this taua at 130 strong, 30 of them Ngāti Toa. These numbers would appear to be far more accurate than the much larger numbers given this taua by others. The numbers may even have have been smaller.

75. He described a series of clashes along the way, at Waitara, Waitotara, Whanganui (Purua), Ōtaki and Pukerua. Finally, they were attacked at Orongorongo, by Ngāti Kahungunu, and 20 Ngāpuhi were killed. They then returned back as they had come up the West Coast. According to the 1851 letter, the taua continued into the Wairarapa to seek revenge for an attack at night, and at Kaingatahui.

76. On their way back Te Rauparaha 'placed Taheke and Toherini of Muaupoko there, saying "this shall be our settlement"', and at Rangitīkei he did the same, placing 'Arapata Hirea and Rewangauma of Ngatiapa there' (p.196). Te Rauparaha returned to Kāwhia and then brought his people south through Taranaki. In Te Whiwhi's account, this was a difficult heke, which took over a year, as first they fought off Waikato who had pursued them and had to fight their way down to Waitotara.

77. When they continued south, however, the violence ceased, because of the arrangements that they had made previously with local Ngāti Apa and Muaūpoko rangatira.

> There we found Te Rangi-haeata's men, spared by him on the first expedition and left to guard Rangi-tiikei and all of Ngaati-Apa. We remained there a month.[9]

78. They stayed with Ngāti Apa for a month before heading south to Ōhau. At Ōhau, Te Rauparaha with 30 others went to locate a waka. In the night, they were attacked by Muaūpoko and Rangitāne, and only Te Rauparaha and two others escaped. Te Whiwhi described this as the beginning of the fighting, year one. Then he shifted to Waiorua, 'All the tribes of the south collected to attack Ngatitoa at Kapiti, were worsted' (p.197). Following the battle Te Rauparaha thought he would make peace, 'as there were no more enemies to conquer' (p.197).

79. He then went on to say that Ngāti Awa 'heard that Te Rauparaha had conquered the country and defeated the tribes occupying it' (p.197). Te Whiwhi was arguing that the battles fought against Muaūpoko and then the Ngāti Toa victory at Waiorua were enough to claim that the land had been conquered.

80. However, he then went on to describe further fighting two years later. Ngāti Awa and Ngāti Tama had arrived the year after Waiorua, and then the following year a large group of Ngāti Awa came down and Ngāti Hinetuhi, Ngāti Mutunga, Ngāti Whakatere came and fought Ngāti Apa and Muaūpoko. He described those killed as Rangihiwinui and Te Tāheke of Muaūpoko.

81. He went on to describe Ngāti Raukawa heke progressively bringing groups down to Kāpiti and from there to Ōtaki. Ngāti Toa rangatira, rather than Te Rauparaha, decided to 'give' the land as far as Whangaehu to Te Ahu Karamu on account of the 'murder' of Te Poa at Ōhau by Muaūpoko (p.197). It was at this point that Te Rauparaha told Ngāti Awa to vacate Ōtaki and shift to Waikanae.

82. He then said that the original iwi left the district and went to the Wairarapa, where after a year they were ejected by Ngāti Kahungunu and dispersed, some to Waitotara and some to Whanganui. Some went to Rangitīkei, 'and thence to their 'hunaonga' (son-in-law) (Te Rangehaeata) (at Kapiti) who had taken Pikianga, a Ngatiapa woman as his wife' (p.198).

83. He then shifted his attention to Whanganui, describing the conflict between Whanganui and Ngāti Apa taking place following the death of a Ngāti Apa chief at Waitorara. Ngāti Raukawa joined on the side of Ngāti Apa, although why they would do this was unexplained, unless Te Rangihaeata chose to support his wife's kin. Ngāti Raukawa and Ngāti Apa lost that round but then at Turakina, Whanganui were defeated, and after that engagement, Ngāti Apa ran away. When recalled later he

[9] Biggs, "Two Letters from Ngaati-toa to Sir George Grey," p. 270.

described the Ngāti Toa, Ngāti Raukawa and Ngāti Awa attack on Putiki Wharanui, and then further campaigns in the Wairarapa.

84. At this point, the 'mana' of Ngāti Raukawa was established as far as Turakina, and Ngāti Apa were dispersed, and the 'greater part' of Ngāti Apa living with Te Rangihaeata at Kapiti (p.199). He identified Ngāti Turanga, Parakaia's hapū, as living on the block at the time of the Treaty of Waitangi.

85. Te Whiwhi's evidence was brief and sketchy, most likely because he was the first witness in what proved to be a long case, where other witnesses gave much more detailed accounts of the events he described. In 1869 he had the opportunity to provide a more sustained account of Ngāti Toa and Ngāti Raukawa history. This gave considerably more substance to his earlier evidence.

86. Much of the increased coverage in the 1869 evidence focused on the relationship between Ngāti Toa and Muaūpoko. Te Rauparaha was warned by Te Rangihaeata of an attack by Muaūpoko and Rangitāne, but he ignored the warning and 30 of his party were killed during the night attack. When they went to find him, they found him naked.

87. Te Whiwhi then covered Te Rauparaha's search for revenge, the first an attack on Waipata, an island pā, where they succeeded in only killing one woman, and then a return attack three days later on a similar island pā where they killed 200 Muaūpoko. Compared with other witnesses, Te Whiwhi was often restrained in the numbers killed, but this 200 was the highest number of deaths he claimed by far. There was another fight at Paekakariki.

88. But then, visiting the mainland, Ngāti Toa faced two major assaults. After the first, from Ngāti Kahungunu, they shifted on to Kāpiti. He then described what he called seasonal raids against Muaūpoko, where they hunted them down in the summer when they came to the coast to catch eels. In the winter, 'they retired to the mountains.'

89. Then there was a taua to the Rangitāne pā at Hotuiti, where there were both Ngāti Apa and Rangitāne present. Pikinga was used as an intermediary to warn Ngāti Apa to leave, they chose not to, and possibly to entice Rangitāne to come out from the pā they were killed.

90. Then as so often was the case in Te Whiwhi's evidence he said, 'They returned to Kapiti and Waikanae.' However, as the next part of the narrative demonstrated, Waikanae was not safe for them. They were attacked by a combined group of Ngāti Apa, Rangitāne and Muaūpoko, who killed 60 of them including four of Te Pehi Turoa's daughters.

91. Waiorua was the decisive battle, the one that gave Ngāti Toa supremacy.

> Te Rauparaha then flattered himself that there was no one who could contend successfully.

92. From this point on, in Te Whiwhi's narrative, Ngāti Toa could raid at will immediately attacking Muaūpoko at Horowhenua and killing 20 there, then going to the north side of the Rangitīkei River and killing another 20 Ngāti Apa, before they returned to Kāpiti. A key part of Te Whiwhi's argument was that the original iwi had abandoned the land and gone elsewhere, using his experience of a trip to Whanganui, soon after Waiorua, where no men were to be seen.

93. He outlined in some detail the various migrations of Taranaki and Ngāti Raukawa iwi coming onto the land, demonstrating how they had been allocated their places by Te Rauparaha and Ngāti Toa, even to the extent that Te Rauparaha had relocated Ngāti Awa from Ōtaki to Waikanae, to allow Ngāti Raukawa to occupy Ōtaki. In his account, the Ngāti Toa and Ngāti Whakatere attack on Papaitonga was partly to break a relationship that had been established between Muaūpoko and Ngāti Apa and Ngāti Awa.

94. In this narrative, Ngāti Toa conquered the land but did not occupy it. That was left to the incoming Taranaki and Ngāti Raukawa hapū, who got their land in some form of vacant possession by the gift of Te Rauparaha and Ngāti Toa. Te Whatanui allowed Muaūpoko to return to Horowhenua out of kindness. Allocations of land, by dividing the land between the newcomers, were not confined to those to Ngāti Raukawa, but went right back to the first Ngāti Toa taua with Ngāpuhi. Then, Ngāpuhi had divided the land amongst themselves when the locals retreated to avoid their guns. Te Rauparaha made local rangatira 'boundary markers', leaving them on the land for his return.

95. Occupation, particularly in the area north of the Manawatū River, would take place several years after the allocation, and those allocated the land needed to exercise no rights of conquest in the meantime. Te Whiwhi emphasised the northward shift of Ngāti Raukawa after Haowhenua in 1834, arguing that there was no Ngāti Raukawa presence north of the Manawatū until that time.

96. In his narrative, Ngāti Apa were treated very differently from Muaūpoko and Rangitāne, even though he was arguing that all three had lost their land through conquest. He repeatedly referred to the relationship between Te Rangihaeata and his Ngāti Apa wife, Pikinga. This relationship had allowed the two iwi to spend weeks together as the migration went south, and at one point he said that 200 Ngāti Apa had joined Te Rangihaeata, after their attempts to relocate to the Wairarapa had been rebuffed by Ngāti Kahungunu. He refused to describe Ngāti Apa as slaves, acknowledged Hākeke as a great chief, and a brave man who had supported Ngāti Raukawa in the battles of Haowhenua. At one point, Hākeke was a subordinate working for Te Whiwhi, but at another he did not provide eels or seafood to either Te Rangihaeata or himself. These concessions by Te Whiwhi may well have contributed to the Court's final decision.

Parakaia Te Pouepa

97. Parakaia Te Pouepa was the principal Ngāti Raukawa non-seller claimant. Compared with other witnesses, his evidence is not easily decipherable from either the minutes

or the newspapers covering the investigation. In the various publications and petitions that had been produced prior to the hearing, he and other non-sellers, along with Williams and Hadfield, had insisted that Ngāti Raukawa had an exclusive title to the block through conquering Ngāti Apa, but also Muaūpoko and Rangitāne. However, they provided little historical evidence of that, other than describing what they saw as a dominant tribal interest at 1840.

98. Te Pouepa's evidence was his first attempt to describe how this conquest took place. It was a dramatic contrast to the account given immediately beforehand by Te Whiwhi. For Te Whiwhi, it was Ngāti Toa who had taken over the land and handed it on to Ngāti Raukawa, and the gift was an indication of Ngāti Toa's mana. Te Pouepa acknowledged Ngāti Toa, but provided a much more Ngāti Raukawa focused historical account. He accepted that Te Rauparaha wanted them to come down and 'occupy' the land from Turakina to Ōhau.

99. As already noted, the minutes of his evidence are particularly sketchy, and this report relied partially on evidence he gave earlier before the Native Land Court at Ōtaki, which substantially covered the same ground.

100. He described Ngāti Raukawa coming down on a mission to 'take Whanganui', before returning and deciding to come down to join Te Rauparaha (p.200). (There was no mention of the difficulties that Ngāti Raukawa faced on that earlier expedition.) During Te Heke Whirinui, the first of the Ngāti Raukawa heke, they heard that a Ngāti Raukawa woman called Reremai had been killed by Ngāti Apa, so they attacked Ngāti Apa on the way down killing Tawhiro.

101. He briefly mentioned the second heke (Te Heke Kariritahi) before describing the migration led by Te Whatanui and Hukiki coming through Taupō and Turakina. On this journey, they fought Ngāti Apa and captured prisoners between Ōroua and Rangitīkei, saving a woman there called Kete (Ruakete). They then encountered Rangitāne at Manawatū and 'killed some' (p.201).

102. When they reached Kāpiti, Te Rauparaha wanted to 'destroy' Rangitāne and Muaūpoko (there was no mention of Ngāti Apa) (p.201). They attacked Rangitāne (he did not identify whether they were Ngāti Toa, or Ngāti Toa and Ngāti Raukawa). Te Whatanui wanted to spare the survivors.

103. Ngāti Toa then attacked Muaūpoko, but this was the last 'Ka mutu te patu' (p.201). In his earlier Ōtaki evidence, he described the battle with Rangitāne as taking place at Ohotuiti (Hotuiti), and the battle was followed by them 'dividing the land.' Since Hotuiti was on the north side of the Manawatū, it could be assumed that those divisions were including land north of the river. He also identified the Ngāti Toa attack on Muaūpoko as taking place at Papaitonga.

104. Ngāti Apa were living with Ngāti Kauwhata at Ōroua, but had not 'mana there' and Muaūpoko were living 'under Whatanui at Horowhenua' (p.202).

105. Whereas Te Whiwhi had given the initiative for allowing Muaūpoko, Rangitāne and Ngāti Apa to Te Rauparaha to continue to exist, Te Pouepa described Te Whatanui as 'angry' with Te Rauparaha for the attack on Papaitonga.

106. The peace-making then led directly into Haowhenua and allowed Ngāti Apa and Ngāti Raukawa to combine against Whanganui, with the taking of Putiki Wharanui.

107. In cross-examination, Fox asked if 'slaves who had lost their "mana" over the land would have been allowed to take part in a treaty of this kind with so great a potentate as Queen Victoria?'[10] When Te Pouepa replied that 'Who would ask slaves or chiefs who had lost their "mana" over the land to sign the treaty?', Fox took great delight in identifying Ngāti Apa and Muaūpoko signatories.

108. Te Pouepa then described a partial peace agreement taking place between Ngāti Apa and Ngāti Raukawa, at some time around 1830. Ngāti Raukawa then divided the land amongst themselves, and while Ngāti Apa were able to return, they did so only under the protection of Ngāti Raukawa, and all the land had been taken by Ngāti Raukawa.

109. Te Pouepa's evidence placed less emphasis on Ngāti Toa's conquest, and presented two main narratives to support Ngāti Raukawa's claims of conquest over Ngāti Apa: firstly the killings and taking of prisoners on Te Whatanui's journey to Kāpiti, and secondly the attack on Hotuiti, which was a Rangitāne rather than Ngāti Apa pā. He acknowledged the existence of what he described as 'partial peace-making' with Ngāti Apa, and their involvement in Haowhenua and the attack on Putiki Wharanui. According to his narrative, Ngāti Apa had lost their mana, and were on the land 'under the protection' and in a subordinate role to Ngāti Raukawa. He did acknowledge the peace-making, but gave no details, and with the rest of his evidence suggested that it was an act of benevolence rather than any mutual agreement, since Ngāti Apa's mana had been extinguished.

Henare Te Herekau

110. Te Herekau was one of the most emphatic supporters of the conquest argument:

> I fought and conquered them here — these tribes were 'patu'ed' first by Te Rauparaha and Ngati Awa and after by Ngatiraukawa and after that they did not attempt to 'whakahi' — the conquerors divided the land among themselves and 3 tribes had nothing to say — "noho mokai" lived and occupied only "I runga I te atawhai o Whatanui" (p.207).

111. However, apart from supporting Te Pouepa's narrative, he provided little historical explanation for these assertions.

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[10] *Wellington Independent*, 14 March 1868, p.6, https://paperspast.natlib.govt.nz/newspapers/WI18680314.2.21

Wiriharai Te Angiangi

112. Te Angiangi did no more than support the evidence given by earlier witnesses.

Hare Hemi Taharape

113. Taharape supported his conquest argument with a clear narrative of events, beginning with Ngāti Toa and Ngāti Awa who 'first conquered the country from Ngati Apa, Muaupoko and Rangitane — the survivors ran away into the bush' (p.209). Ngāti Raukawa came down and also 'conquered them', most likely prior to Te Whatanui's heke, at Te Rauparaha's invitation. Ngāti Raukawa came down and went to Waikanae and occupied up to the other side of Rangitīkei. Te Rauparaha sent Ngāti Awa to Waikanae. Taharape finished by summing up the situation in 1840: Ngāti Raukawa had the mana of the land from Ōtaki north, and the '3 tribes were under them' (p.209).

Henare Te Waiatua

114. Te Waiatua also supported the earlier witnesses, noted that many of the Ngāti Raukawa rangatira had 'slaves', and that his hapū had Rangitāne and Ngāti Apa 'slaves.' In 1840 the three tribes had no 'mana at all', 'not a morsel – I saw to that' (p.210).

Rawiri Te Whanui

115. Along with all the witnesses after Henare Te Herekau, he supported the evidence on conquest that they had given. Given the thinness of that evidence, little if anything was added to those earlier narratives. Te Whanui described the battle at Turakina, even though he was not present, including a Ngāti Apa rangatira, Haerewharara, fighting with a Ngāti Raukawa rangatira, Takarangi, where Whanganui was 'worsted' (p.210).

Archdeacon Octavious Hadfield

116. Hadfield was a strong advocate for Ngāti Raukawa's conquest of Rangitīkei Manawatū, but his evidence was based entirely on his personal experience of the land in 1840, when he first travelled there. His evidence was unequivocal: Ngāti Raukawa were completely in control of the land, the original iwi were subordinate, if they were in evidence at all, which he largely denied. He made no attempt to explain why and how Ngāti Raukawa had acquired this exclusive title. This may have been deliberate, as he would have understood the telling of the history of conquest as he had been told it, would be hearsay before the Court.

Hoani Meihana Te Rangiotau

117. Hoani Meihana Te Rangiotau appeared as Rangitāne, and was the only non-Ngāti Raukawa witness to give evidence on behalf of the Ngāti Raukawa non-sellers. As a Christian teacher, he was closely allied with Octavius Hadfield. He said that Ngāti

Raukawa had the 'mana' of the land, while Muaūpoko, Ngāti Apa, Ngāti Kahungunu, Whanganui and Ngā Rauru iwi had no mana, although there was some ambiguity in his evidence and he had signed the deed of cession for the block. He would take a very different stance in 1872, where he led the opposition to Ngāti Raukawa's claims to Kukutauaki.

Samuel Williams

118. Samuel Williams' evidence dealt with the 1840s.

2. Crown Witnesses

119. Several Crown witnesses also identified conquest as one of the major elements of the migration of iwi into this region, but chose to deny its application for the Rangitīkei Manawatū block, or that Ngāti Raukawa had a legitimate conquest claim to the block.

Tāmihana Te Rauparaha

120. Tāmihana Te Rauparaha rejected the Ngāti Raukawa sellers' proposition that they and they alone held the mana of the land, an argument which challenged Williams and Hadfield's assessment that title was indivisible. Te Rauparaha's argument about mana was far more layered and hierarchical. His evidence was extremely dismissive of Ngāti Raukawa, describing their treatment of Te Rauparaha's request to join them on the heke to Kapiti as contemptuous.

121. He went into some detail over his father's initial taua with Ngāpuhi and the later migration into the region, saying they were welcomed by Ngāti Apa, although he made no mention of the relationship between Te Rangihaeata and Te Pikinga. He said that Ngāti Apa had had nothing to do with the attack on his father.

122. After describing Waiorua he returned to describe Ngāti Raukawa's difficulties in the Wairarapa and Whanganui, and he described Te Whatanui as 'acknowledging his error' (p.376). Te Rauparaha repeated his invitation to come down once Te Whatanui had done this, but made it clear that 'if you come I must be above you.' When Te Whatanui arrived, he persuaded Te Rauparaha to form a taua with Ngāti Awa to assist Ngāti Raukawa to avenge those Ngāti Raukawa killed by Whanganui, which led to Putiki Wharanui. Tāmihana Te Rauparaha described his father calling Ngāti Raukawa 'his soldiers' (p.377).

123. In cross-examination, Te Rauparaha said that his father had always treated Ngāti Apa as a friendly and independent people. The Manawatū River was the critical boundary, above that Ngāti Apa, Rangitāne and Muaūpoko retained their mana. Below the Manawatū was a different story, and Muaūpoko had no 'mana' except within their own 'fences' (p.385).

Nopera Te Ngihia

124. Nopera Te Ngihia was a veteran of the Ngāti Toa migration, and he described the peaceful relationship between Ngāti Toa and Ngāti Apa on their way down. When they got to Waitotara, they were met by 'four great chiefs in the Ngatiapa party—Mokomoko, Pa Pauhu, Ku, and Hirea.' They 'were as elder and younger brothers, and as fathers and sons to one another.' As with Tāmihana Te Rauparaha, he placed Ngāti Toa at the centre of the narrative, but unlike Tāmihana he referred to Te Pikinga, when he described boundary posts being left marking off Ngāti Toa interests south of Wangaehu. The establishment of Ngāti Toa mana over the land was identified by these witnesses as occurring early, before the main migration took place, but it did not extinguish the mana of the other iwi. Like other Ngāti Toa witnesses, they saw the Ngāti Raukawa non-sellers as refusing to recognise Ngāti Toa and its overarching but not exclusive interest.

Hohepa Tamaihengia

125. Hohepa Tamaihengia continued the description of mana as being layered, with ultimate authority being held by Te Rauparaha, and mana in his description was personal. He described Horowhenua as being handed over to Te Whatanui, not to Ngāti Raukawa. He described Ngāti Apa as being chiefs in their own right, and saw Nepia Taratoa's 'lifting up' of these rangatira as recognising their mana. He maintained that Ngāti Toa had a right of veto over land sales.

Ropata Hurumutu

126. Ropata Hurumutu was said to have been born in 1805 and was an adult by the time of Waiorua. He described Ngāti Raukawa as moving into Horowhenua after Te Kūititanga, in late 1839, living with Ngāti Apa as 'friends', and in the same places, until Ngāti Raukawa develop their own distinct settlements.

Rakapa Kakohi

127. Rakapa Kakohi was Te Whiwhi's sister and was annoyed with her brother for siding with Ngāti Raukawa. She saw the Ngāti Raukawa non-sellers as failing to acknowledge their relationship with Ngāti Toa, when they should acknowledge that Ngāti Toa had settled them on the land south of the Manawatū River. North of the Manawatū River, the mana was with Te Rangihaeata through his marriage with Te Pikinga. She said that Ngāti Raukawa had left Ōtaki for Rangitīkei after Haowhenua. However, she acknowledged she had once had what she described as 'mokai' of Ngāti Apa (p.415).

Kariri Tonoa and Wi Tamehana Te Neke

128. Kariri Tonoa of Ngāti Toa repeated a somewhat similar theme to others. He,

> …did not hear that they (Ngati Apa) were living under Ngatiraukawa 'mana' at Rangitikei – don't know and have not

> heard of any great battles between Ngatiraukawa and Ngati Apa – there were none.[11]

129. Wi Tamehana Te Neke was from Ngāti Awa and Taranaki, and he maintained that the mana of Rangitīkei Manawatū had been retained by Ngāti Apa, Rangitāne and Muaūpoko, arguing that Ngāti Raukawa's shift north into the Rangitīkei had occurred after their defeat at Haowhenua, 'the 'Ngatiraukawa went to Rangitikei to escape from their enemies.'[12]

Kāwana Paipai

130. Kāwana Paipai from Ngāti Ruaka at Whanganui focused on the Whanganui aspects of the story, although he described Ngāti Raukawa as badly mauled at Haowhenua and left as 'half-starved wretches.'[13]

Mete Kīngi Paetahi

131. Mete Kīngi Paetahi discussed Whanganui issues, but he implicated Muaūpoko and Whanganui in the decision to kill Te Rauparaha at Ōhau. He described a hui taking place at Kāpiti, prior Te Rauparaha's return, but before he had actually arrived.

> Te Rangihiwinui of Muaupoko proposed to kill Rauparaha if he came. Paetahi said "that is my word which I came here to speak that Rauparaha should be killed lest our island Kapiti be taken by him. If he - Rauparaha lives, our land will go". Paetahi thrust his 'huata' into the ground as a sign of his wish to kill Rauparaha. (p.437)

132. Relationships between Ngāti Toa and Ngāti Apa were cordial, and Ngāti Apa escorted the newcomers to the Manawatū. There Waimai, a Muaūpoko woman, was taken, and this became the catalyst for the attack on Ngāti Toa and Te Rauparaha at Ōhau. After the attack Te Rauparaha took Waikiekie and another unnamed pā, with Rangihiwinui's wife being taken. Makaraka and Tokipoto were also killed by Te Rauparaha, leading to the combined attack on Waikanae, when Te Pehi's children were killed. Then followed Waiorua.

133. After Waiorua, each of the three iwi returned 'to his own place', Muaūpoko 'stayed at' Horowhenua, Rangitāne at Manawatū and Ngāti Apa at Rangitīkei (p.438). Six

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[11] OMB 1D, 31 March 1868, pp. 417-418.
[12] Boast, Ngati Raukawa: Vol 2, p. 374.
[13] The *Independent* said it was Ngāti Apa who had come off badly, but the *Post* had him saying Ngāti Raukawa, which is consistent with the tone of his evidence, *Evening Post*, 3 April 1868, p.2, https://paperspast.natlib.govt.nz/newspapers/EP18680403.2.10; Richard Boast, *Ngati Raukawa: Custom, colonisation and the Crown 1820-1900: VOL 2: Appendices, Document Bank and Maps*, Waitangi Tribunal (Wellington: Crown Forest Rentals Trust, 5 December 2018 2018), , p. 424 and OMB 1D, 31 March 1868, p. 425.

months later, Te Rauparaha went by canoe to Te Rangihauku, of Ngāti Apa, and that was the end of the 'patu' (p.439).

134. However, when Te Pehi returned, with the guns that he had left to obtain after the loss of his daughters, he disapproved of the peace, and another battle took place when Ngāti Toa, led by Te Pehi attacked a Ngāti Apa pā at Rangitīkei, Pikitara.

Mātene Te Matuku

135. Mātene Te Matuku's evidence was focused more on occupation, but in cross-examination from Williams he dealt with the deaths claimed Te Pouepa, on their heke south. Some Ngāti Apa were killed, he acknowledged, but the numbers were small, and he debated whether any of them were rangatira. Te Whareki was a chief and he was killed, but that was murder. Ngāti Raukawa 'came upon some stragglers on the sand banks and killed them.' While Ngāti Apa did retreat, they did so within the block, on their own land.

3. Kukutauaki

136. The Kukutauaki hearing began in November 1872, following several years of intense conflict as different hapū, for Muaūpoko and Ngāti Raukawa, attempted to have their customary relationships to land turned into conflicting projections of survey title. The report covers this detail.

4. First Taua

137. Te Rauparaha's first visit to Cook Strait took place in 1820. He joined a group already well endowed with muskets which included Patuone and Tāmati Wāka Nene of Ngāpuhi and Tūwhare of Te Rōroa. The taua had left Northland no earlier than October 1819, and had returned by November 1820.[14] The taua travelled through Whanganui down the West Coast to Te Whanganui a Tara, and fought battles along the way, particularly when it arrived at Wairarapa. In many of the published accounts, including those of recent historians, it was an event of much slaughter, with hundreds if not thousands of the local iwi killed and eaten, as the taua exploited its technological advantage.[15]

138. The accounts provided by those opposing Ngāti Raukawa, because those presenting them represented Whanganui, Ngāti Apa and Rangitāne perspectives, focus on a much larger area than just the block.

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[14] Angela Ballara, *Taua: 'musket wars', 'land wars' or tikanga?: warfare in Maori society in the early nineteenth century* (Auckland: Penguin Books, 2003), p. 302.
[15] R. D. Crosby, *The musket wars: A history of inter-iwi conflict, 1806-45* ([Auckland]: Reed, 1999). https://research.ebsco.com/linkprocessor/plink?id=33d90c20-8527-380d-aba1-12e89c9f3647, pp. 62-68.

Te Keepa Te Rangihiwinui

139. Keepa provided a detailed account of the first taua, speaking initially as if it were entirely a Ngāpuhi affair. With guns, they came to the district under their leader Patuone and crossed to Kāpiti where fighting took place with Muaūpoko. Peace was made and a pounamu mere, Te Mangi, was presented to Tūwhare, the Te Roroa rangatira, who had accompanied Nene, Patūone and Te Rauparaha on the taua and was killed in Whanganui in 1820. When the taua went on to Pukerua, its Muaūpoko defenders came out and joined the taua unarmed but were then slaughtered by Te Rauparaha and Ngāpuhi, with around 100 killed by this deception. This is Keepa's first mention of Te Rauparaha and, by implication only, Ngāti Toa.

140. The taua then went on to Orongorongo in Palliser Bay and then to Whitiwhiti in the Wairarapa. Here the fighting was considerable, and Keepa described casualties on both sides, but in the end, despite fighting from 'morning up to noon' most of those 'killed were on the side of the people who only had Maori weapons' (p.24). He also described the war party as being made up of some thousands. These numbers need to be treated cautiously. Several of those killed are named, including Takawhairangi, a 'brave man' fighting with only wooden weapons against guns. Mata Roria was also named, presumably Ngāti Kahungunu. At this point, the taua turned for home, some going along the coast and others through Whanganui, where they were attacked and Turuhari was killed, possibly, in Keepa's description, 'their head General' (p.25).

Hākeke Kāwana Hūnia

141. Hūnia began his account of the taua saying 'I was not aware I was vanquished by the sword of Ngati Toa and by Tutihurio's war party or by Rori, Patuone —Ngati Whatuas' (p.58). What then followed was a long and extremely detailed recounting of the first taua into the region, going back to 1819 and to the subsequent migration of Ngāti Toa.

142. The people from Taranaki to Wairarapa had no idea of the calamity coming down upon them, people not only with Māori weapons, but with guns. Had they had only Māori weapons, the Northerners 'would never have set foot on this land' (p.58). Only when they got the most destructive weapons were they able to come down.

143. When they left Taranaki, they killed some 'defenceless persons as a relish for their food' (p.59). He said they 'caught stray people but fought no battles' (p.59).

144. When they crossed the Whanganui, and approached a pā called Pourua, they had their guns under dog-skins, tied their spears by flax to their ankles and dragged them along the ground, suggesting they were completely unarmed. When Te Hi came out to greet them, they fired upon him but missed, then took him captive.

145. In pursuit of Ngāti Apa fleeing the pā, those retreating were able to turn and kill some of the Ngāpuhi, but half the group was also killed. The other

> … ten escaped and went on to Wangaehu telling the people a war party of Europeans was coming, they came on to Turakina where

> they said the same thing. Wangaehu people came to Turakina and an old chief asked those who escaped if they understood their language, they say Emara Emara their weapons throw out fire from their mouths. (p.59)

146. They described that if you were wounded 'the first we know is when the blood spurts out' (p.60). And there appears to have been a discussion about how to counter these 'bad' weapons. In this account, the shock of the new weapons was mitigated as news of the taua was taken further south.

147. Kāwana Hūnia then described how Ngāti Apa built a pā at Piko o Meremere at the Rangitīkei, to await the arrival of 'Tuwhari and Rori.' But the group was overtaken by Ngāpuhi, with about 340 in the taua. After the first volley, they were forced to flee into the bush. A Taranaki rangatira, Teratutama, captured Te Rangihouhia, but did not kill him explaining that he was from Taranaki and was merely carrying provisions.

148. After this, Te Pikinga was captured, when Ngaupu and Ruatahi were killed. The pursuit was called off, but four were captured by Ngāpuhi and Ngāti Toa. Those killed were taken away and used 'as relish to their fern root' (p.61). But the object was not just to lay waste to communities, it was to obtain booty, pounamu, and cloaks. When the invaders reached Horowhenua, they captured Pikitararua, who was out 'strolling.' He looked like a chief so they did not kill him, instead asking him 'if he had any mere pounamu, perhaps you have plenty of mats' (p.61). They also captured Taheke but, again, did not kill him. Te Rauparaha guaranteed his safety, inviting him to stay the night and then return home the following day.

149. But the next day the two men went to Papaitonga where they were welcomed and Taheke told them to show 'hospitality to these strangers', unaware of how 'deceitful these people were' (p.62). He presented fine mats to Te Rauparaha. They moved as a small group down to Waikiekie, with the main group of Northerners travelling independently. But as they moved, the locals became increasingly uneasy. Word spread about the new weapons. Te Rauparaha stayed with them until an attack was waged by Ngāpuhi.

> Rauparaha ran to the bow of the canoe and jumped ashore first. The canoe went to the other side of the pa and landed there. The people were all driven from one side of the pa to the other. Those who were hit with shot were scratching their skins. Guns loaded with shot not with ball. (p.63)

150. The limited impact of the shot, fired from these muskets, indicates they were fired at too distant a range to be effective, a waste of valuable ammunition with a very small number of musket. Despite their inferior weapons, the defenders were able to push the attackers off the pā. The story provides some insight into the limitations of firearms, such as fear of spoiling powder. The defenders held the pā long enough to allow the women and children to be evacuated in waka, reinforced by waka from Waipata and Te Namuiti.

151. Bodies were taken by Ngāpuhi. Kāwana Hūnia explained that according 'to Maori custom they could not stop where they took no dead' (p.64). Muaūpoko fought to retrieve a particular body.

> Tuhari [Tūwhare] went away the same day. He did not stop to light a fire. He was sorry for some of his soldiers who were wounded and had bits of spears sticking in them. (p.64)

152. When Tūwhare arrived at Waikeikei, he asked Pikitararua for the pounamu mere, and gave him a severe blow when told that the pounamu was at Kāpiti.

153. At Kāpiti, the Ngāpuhi 'deceived the people there into giving their mere pounamu' (p.64).

> Pohau gave them a mere. Tūwhare ordered that nothing wrong should be done there. They came ashore and went along the beach to Pukerua where they found a pa occupied by Ngati Kahungunu and Muaupoko, Ngati Rangi and Ngati Ira. They deceived the people of the pa by performing hakas and songs and then murdered them. The people of the pa were singing and amusing themselves when they were murdered. Tinotahi was the name of the man who was first attacked. He made his escape and told Te Kekerengu. He is still alive and bears the mark of the axe.' (p.64)

154. Kāwana Hūnia's account painted the attack on the tangata whenua iwi as murder, because it was carried out by deception.

155. In the next engagement, Kāwana Hūnia described an unsuccessful attack at Palliser Bay. Leaving the body as a decoy on the ground, Kekerengu arranged an ambush. Rori was killed and his head removed, those 'armed with spears and guns ran off' (p.65). About 20 of the attackers were killed. Hūnia added a cutting postscript, 'So much for the guns.' But in the next engagement at Lake Wairarapa, things were much more in the open. 'We went wood against wood and guns until night' (p.65), but even so Ngāpuhi were overcome – significantly he makes no mention of Ngāti Toa. Success was achieved through close combat. But despite their achievement, when the Ngāti Kahungunu heard that their leader Whatahoro had been killed, they withdrew.

156. Kāwana Hūnia's account recognised the significance of guns and acknowledged that there had been substantial numbers of deaths, but undermines the suggestion that this was a binary conflict, where the invaders use their superior weapons to cause unrelenting havoc among the resident iwi.

157. The invaders were at times defeated, and his explanation about the limitations of guns appears credible. He placed great emphasis on the need for the invaders to use deception to win their battles. There is also attention to the differences between the alliance members making up the taua. He rarely mentioned Te Rauparaha as a military leader and almost never mentioned Ngāti Toa. Almost all the initiative is

with Ngāpuhi, while Ngāti Whatua are almost the good guys. This is a very different story from that told by Tāmihana Te Rauparaha.

158. On their return, the taua arrived by waka at Rangitīkei, and Ngāti Apa were at Awamate. Te Rangihaeata went inland to Awamate, taking with him Inia, Arapata, and Rangaheria, the men captured with Te Pikinga in the earlier engagement with Ngāti Apa. Once there, Inia asked for a waka, and one was sent to him. The man who had paddled it over asked who he was; he explained that he was with Te Rangihaeata and they came in peace, because Te Rangihaeata had slept with Te Pikinga. There had been a tangi for the men who returned, thought dead. While many of Ngāti Apa wanted to kill Te Rangihaeata, they agreed to meet him. Te Pikinga and Arapata remained hostages. Pauhu rose and said, 'I thought you had destroyed what you had caught with your own hands but you have taken her to wife' (p.67). Te Rangihaeata replied:

> I have come to visit you (the Ngati Apa). I have returned from Wairarapa. I have come to give back Inia and Pikinga and I will leave Inia with you. The one which has touched my skin Pikinga will accompany me to my place Kawhia. It will be for me to send her back quietly. If I get to Kawhia safely I intend to return here. This journey is not mine it is the Ngati Whatua expedition. When I come back I will bring the old men the women and the children. If I get to Kawhia the Waikato will fight against me. (p.67).

159. Rangihauku, described as an 'old chief', responded, accepting the peace proposal, and saying that 'Ngati Apa have no evil designs against you' (p.67). He confirmed the peace with several karakia, and Te Rangihaeata stayed with them for several days. When he left, they presented him with 'a slab of greenstone' and some 'Maori garments', 'on account of the woman' (p.67). They then returned to the taua encampment to see Ngāpuhi, where after a haka they were greeted by Te Rauparaha and Tūwhare. The ceremony over, the taua headed to Whanganui and Taranaki.

Te Whiwhi

160. Te Whiwhi began his 1872 evidence in a similar vein to that of four years earlier. He described 30 Ngāti Toa joining Tamati Waka Nene and Patuone in an expedition from Taharoa that went through Waitara and Taranaki and on to Wellington. It was the oft-repeated tale of them seeing Fabian Gottlieb von Bellingshausen's ship pass Cape Palliser in what we can date as June 1820. According to Te Whiwhi, following the standard narrative from the 1851 correspondence with Grey, they lit fires to attract the ship. Bellingshausen appears to have seen this, rightly interpreting its purpose, but sailing on, nonetheless. Te Whiwhi also recorded the advice provided to Te Rauparaha:

> This place, the pakeha's are great people and you are an important tribe if you continue to have at your place at Kawhia you will be killed. (p.136).

161. In his account, the advice was given by Waka Nene; in others, it was Tūwhare. Compared to 1868, and given that he had much more time on the stand, his account of the events surrounding this expedition was sparser. He described the Muaūpoko rangatira, Taheke and Taherere [Toheriri], as being captured at Ōhau and then released, but makes no mention of them being 'boundary markers.' But he described returning to Rangitīkei, on the way back up the coast, and releasing Rewanga and Iria, with Iria being described as a Ngāti Apa 'chieftainess.' He also noted that Rangihaeata had taken Te Pikinga as a wife.

Commentary

162. All three accounts acknowledge the dramatic impact of the introduction of muskets to the region, and the ability of the Ngāpuhi-led taua to attack those only able to resist with 'wooden weapons.' Te Whiwhi's account is more limited than was the case in 1869, and it needs to be put alongside his claims that they were already dividing the land amongst themselves, even on this visit. It is an observation also made by Tāmihana Te Rauparaha, in retelling his father's account of the expedition. When put alongside the 1851 letters, already discussed, in the notion that prisoners were released and left behind as 'boundary markers', then the evidence suggests that Ngāti Toa, in retrospect at least, regarded this taua as part of the process of acquiring the land, maintaining as Te Whiwhi had argued in 1869, that defeating the existing iwi in battle, and forcing them to retreat, even abandon their turangawaewae, provided at least preliminary evidence of taking over the land, even if that suggests a process rather than a single event.

163. Keepa and Kāwana Hūnia's evidence captures something of the devastation faced by those whose weapons of warfare immediately appeared obsolete, as they tried to understand how these new weapons could kill so effectively at a distance. They also acknowledged that this taua did on several occasions defeat those attacking them.

5. The Killing of Te Rauparaha's Children

164. The killing of Te Rauparaha's children, when he returned with his entire community of men, women and children, is one of the most important events in the narratives presented to the Court by witnesses from different iwi. In most accounts, beyond the evidence, these killings were 'treacherous', 'murders', which then were followed by years of Te Rauparaha's violent retribution. In many accounts, this retribution all but annihilated Muaūpoko, who were seen as the primary culprits. Ross Calman puts this as happening at the beginning of 1823.[16]

165. The heke from Kāwhia had been far from uneventful, as Ngāti Toa had had to fight their way down through Taranaki, pursued by Waikato and battling many of those

[16] Tamihana Te Rauparaha, He pukapuka tātaku i ngā mahi a Te Rauparaha nui. A record of the life of the great Te Rauparaha / by Tamihana Te Rauparaha; translated and edited by Ross Calman, ed. Ross Calman and Tamihana Te Rauparaha, Dual language edition, Te Reo Māori/English ed. (Auckland University Press, 2020), p. 292.

who resisted or feared their intrusion. As has already been discussed in the Rangitīkei Manawatū block evidence, the time Ngāti Toa spent with Ngāti Apa was a period of calm, without any evidence of conflict, and where Ngāti Toa were treated as guests for several weeks.

Te Keepa

166. Keepa said that Ngāti Toa had remained for two months with Ngāti Apa. Then Te Rauparaha went south, crossing the Manawatū. Some women were captured, killed, and Waimai, a Muaūpoko of rank, was eaten. When Te Rauparaha asked for a waka from Muaūpoko, Wharanui went to Te Rauparaha's encampment and he saw the human bones. Whether then or soon after, he realised what had occurred to Waimai. Due to this 'murder' Muaūpoko went to Te Whi at Ōhau and attacked Te Rauparaha, killing 60. Te Rauparaha's children were killed, although his son Poaka was 'spared.' In Tāmihana Te Rauparaha's account six went to Papaitonga.[17] Only Te Rauparaha and Rakuheria escaped. Keepa also commented that Pēhi Tūroa's instructions to kill Te Rauparaha had been handed on to Muaūpoko, linking Whanganui with the killings, as Mete Kīngi had done in his 1868 evidence.

Te Whiwhi

167. Te Whiwhi began by describing a hui at Kāpiti (as outlined in Mete Kingi's evidence in 1868), attended by Muaūpoko and Rangitāne, with both Paetahu [Paetahi] and Turoa, and they were told by Paetahu and Turoa to 'murder' Te Rauparaha if he went to Ōhau or Horowhenua.

168. After two months staying at Whanganui with the local people, they 'were on friendly terms at that time with those people' (p.137). He mentioned only Ngāti Apa as bringing them down to Manawatū. He suggested the reason for this move may not have been some master plan, but the need for food as 'there were no potatoes nearer than Rangitikei. We went up the Manawatu to get karaka' (p.137). While there they left their canoes to go inland. In one statement he said Nohorua's canoe was stolen, only to add that all the canoes were stolen by Rangitāne. After searching for three days, they came across a Rangitāne woman, whom he identified as Raka's sister, and killed her. There is no mention of eating her, as Keepa suggested. At Ōhau they met two Muaūpoko rangatira, Whakari and Paiwhana, who told Te Rauparaha to come with them to find the canoes.

169. At Ōhau Te Rauparaha was induced to go up to Te Whiwhare [Te Wi also Te Whi]to obtain a canoe, possibly one of those stolen but not necessarily. There they were attacked during the night, and he said only three escaped, Te Rauparaha, Rakaheria and Mōkai. An unnamed slave also survived, not worthy of being named or counted.

[17] P. 115.

Kāwana Hūnia

170. Ngāti Toa and Ngāti Apa then moved down to Rangitīkei, to Awamate. It was some years after their original visit. Kāwana Hūnia described Ngāti Toa as staying with Ngāti Apa for one summer. Ngāti Apa agreed to accompany Ngāti Toa south, seeking out a shipwreck that Nene had seen on the first visit. But while this was taking place, some Ngāti Toa killed some Rangitāne and Muaūpoko, including a woman called Waimai, who was killed by Naharua. She was a 'great chieftainess' and was eaten.

171. Kāwana Hūnia explained that this was the cause of the conflict between Ngāti Toa and 'these tribes.' Even while 'they were eating this dead one (Waimai)' (p.70), Te Rauparaha asked Tāheke and Whakaheke to escort them to Ōtaki and then to Waikanae. Te Rauparaha and his hapū, Ngāti Parakohatu, went to Ōhau, to the place they had camped. It was then that Whakaheke saw an arm bone, behind one of the houses. Hūnia did not cover the killings that took place.

Karaitiana Korou-o-te-rangi

172. Korou-o-te-rangi identified himself primarily as Ngāti Kahungunu, described one of his ancestors as killing a Ngāti Raukawa at Wia (Te Whi).[18]

Commentary

173. There is a general agreement that two factors initiated the killings, the first a prior discussion across a number of iwi assessing the threat of Te Rauparaha to their own interests, a threat that proved more than accurate. Whanganui and Muaūpoko were involved in this conspiracy. But both Ngāti Toa and the non-Ngāti Toa accounts also talk about the killing of Waimai. In the Ngāti Toa account, this killing was minimised, and in Tāmihana Te Rauparaha's telling, it was a response to the theft of a waka. But for those defending Muaūpoko and those from other iwi involved, the killing and eating of Waimai was a catalyst, all the evidence that they needed that Te Rauparaha could not be trusted, and that the drastic action previously discussed needed to be implemented.

174. There can be little doubt that the attack on Te Rauparaha had a major influence on his views on Muaūpoko and led to, or at least contributed to, other attacks on Horowhenua. In Tāmihana Te Rauparaha's account, this event took up more space in the telling than that of the original taua. But even in his son's telling of the story, Te Rauparaha awoke in the night, and 'did not speak a word to rouse the children', leaving them behind in his escape.[19]

175. There is a difference between the accounts. In Keepa's account, several women were taken prisoner, and he named the one eaten as a highborn Muaūpoko named

[18] Uia, he mentions it twice.
[19] P. 115.

Waimai, and it was Wharenui who met Te Rauparaha. It was at this meeting that Wharenui saw Waimai's remains. In addition, Te Whiwhi's account of the canoes being stolen provides an additional explanation of why Te Rauparaha was looking for canoes. Hūnia added the detail that Waimai was killed by Nohorua. The theft of the canoes and the killing of Waimai provides a more immediate reason for the attempt to kill Te Rauparaha, but evidence of the pan-tribal response is also strong.

176. There are other references during the hearing, both opposing Ngāti Raukawa's claims listed this as one of their victories against Ngāti Toa.

6. Ngāti Toa Response to the Killings

177. Tāmihana Te Rauparaha's account of the vengeance his father took against Muaūpoko is an unrelenting destruction. Immediately, they dragged their waka to the mouth of the Horowhenua River and attacked the island pā, Waikiekie. Muaūpoko fled on waka and by swimming across the lake, but were cut down, with 340 killed while the remaining 260 fled into the forest. When Muaūpoko came to Papaitonga every year, Ngāti Toa went on their waka and killed hundreds more. This became an annual event until 'they had been almost wiped out by Te Rauparaha.' The survivors were scattered to the mountains, to Wairarapa, or to Whanganui and beyond.[20]

Keepa

178. Keepa's account was markedly different, describing a series of tit-for-tat reprisals, rather than wholesale slaughter. Te Rauparaha attacked Otohiti [Hotuiti], killing Ngāti Apa and Rangitāne, who had originally befriended him. They sent him a canoe and Te Rauparaha killed those on board, including Tukipoto, Tamaraki and Te Oi. Te Rauparaha then went to Waikanae pursued by Muaūpoko, but they returned following Te Rauparaha's retreating to Kāpiti. From there, he attacked those at Waikiekie at Horowhenua, but only one was killed, and the rest escaped in canoes. Muaūpoko then attacked Ngāti Toa and defeated them at Waimapihi and again at Paekakariki.

Hūnia

179. Kāwana Hūnia was asked about his claims that he had fought and won eight battles against Ngāti Toa and Ngāti Raukawa. Hūnia made it clear that these had occurred before Waiorua, identifying a battle called Poutu, at Rangitīkei, as the final major engagement. He clarified that they had killed ten at Poutu. He described these conflicts as being 'fought in former days.'

[20] P. 119.

Karaitiana Korouoterangi

180. Korouoterangi identified himself with the Ngāti Kahungunu raid against Ngāti Toa, which led them to abandon the mainland in favour of Kāpiti.

Te Whiwhi

181. Te Whiwhi's overarching argument was clear.

> The space of five years Rauparaha was constantly killing the original proprietors of this Country. The first was when Taheke was killed then Wairarua – Toherere [Tohériri] - Paipai, Tokare [Takare], Te Rautakitahi. After this Watanui's mana was over the land at Horowhenua and over Muaupoko. That was all Rauparaha did. He did not kill any more after Watanui's mana was established over them. Watanui and Ngatiraukawa fought against the five tribes after they (Raukawa) came here. The five tribes never gave any land to the Ngatiraukawa.[21] (p.147)

182. His detailed account explained how the first part of this narrative had occurred.

183. He said that they pursued the attackers and had a 'fight' at Waipata. He said that 17 Ngāti Toa were killed at Te Whi. They then attacked Waipata, which he described as a pā on the lake. He said they swam to the pā and took it. But the pā appears to have been evacuated by Muaūpoko in canoes, though they managed to catch a woman attempting to swim to safety.

184. They returned to Ōhau, towing their canoes close to shore, as there was a rough sea. They went to Hokio and upstream to Horowhenua. There they found Waikeakea, [Waikiekie] a Muaūpoko pā. Although he said that the defenders left the pā, he claimed that Ngāti Toa had killed 40. He described the principal chiefs as Arahangi, Arohiti, Rangihiwinui, and Keepa's father Tanguru. But he did not claim that any of these had been killed. They had only one other pā at Papaitonga.[22] The defenders retreated into the hills, and he could not say whether they had settlements there or not. This is far less than or the hundreds Tamihana claimed his father had killed.

185. Travelling on to Waikanae, they killed ten Muaūpoko, naming their rangatira as Tipapa, although he did not claim Tipapa as being killed. They then settled at Pukerua and Porirua for three months because they could take mussels and paua.

186. He said that it was in January that they had 'collected together' at Kāpiti (p.138). From Kāpiti they came ashore to 'have a hunt for some people.' They attacked a

[21] Toheriri, Takari, Paipai are brothers from Papaitaonga.
[22] The six Muaūpoko island pa at the lake at the time were Waikiekie Pā and Te Roroha o Te Kawau Pa, near the Hokio Stream. Waipata Pa and Te Mou Pa are in the Southern part of the lake; Karapu Pa and Namuiti Pa are in the Northern part of the lake.

settlement at Pahitu,[23] located by smoke, where they captured Tangaru's brother,[24] when Tangaru ignored his brother's pleas to turn and fight. Ten were captured but not killed. Te Whiwhi said that he was not present, but that Te Rangihaeata was. After returning to Kāpiti, they again came ashore and captured Te Ratu[25] near Kukutauaki.

187. They then waited for Muaūpoko to attack them in the day.

> We frequently came on shore to hunt for these people at Horowhenua and other places and if we did not catch any return to the island. (p.138).

188. They went 'hunting' Muaūpoko, killing 20 in a surprise attack, suggesting that Muaūpoko had withdrawn from anywhere further south.

> They had all gone away to the middle island. I think they were afraid of us because the only attack they made upon us was at Waiorua. (p.138).

189. They were then attacked at night by Ngāti Kahungunu at Pukerua, who killed 20, including 'many chiefs' (p.138). Ngāti Kahungunu then retreated back to Wairarapa. Ngāti Toa did nothing because, 'there was no one about either at Horowhenua or anywhere else.'

190. Te Ratu, who had speared Te Pehi, then 'ran away' (p.140) to the South Island to start to gather a combined force against Ngāti Toa. He Kekerengu, who gathered the rangatira there, sent a message to those at Taitapu and Wairau, to Wairarapa, Manawatū, Rangitīkei, Whanganui, and Patea.

191. Ngāti Toa saw a waka fishing off Ohariu for hapuku, and fearing that this was a taua, they returned to Kāpiti.

192. They went to get karaka berries at Paekakariki, because they were hungry. Kāpiti did not provide sufficient food, even in summer and early autumn. Crossing to the mainland was still risky, and settling on there was an important step if Kāpiti had insufficient resources to feed them. When they went to get mussels during low tide at night, they were attacked and three were killed. The next statement is hard to fit into the narrative, 'there were three killed, one however got away, a woman' (p.140). They gave chase, but the attackers had fled. Te Whiwhi said they remained there for a week before returning to Kāpiti, reinforcing the impression that Kāpiti provided a secure fortress, despite its limitations, and living on the mainland was risky and therefore temporary.

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[23] In the minutes it looks like Pahiku, but could be be Pahiko is near Te Horo.
[24] This was Tangahoe, he was the youngest of the three brothers.
[25] Te Ratu, also known as Kotuku, whose father was Tairatu. Otaki MB 1 p 138.

193. Ngāti Apa lost three individuals in revenge for the killings at Te Wī Understandably, Ngāti Apa were not happy with these killings, and they called on Hamua[26] from Rangitāne. They brought a taua of 200 and attacked Ngati Toa at Waikanae. Ngati Toa were at Kapiti with the exception of a few at Waikanae. The taua attack Ngati Toa at Waikanae at night and killed 30 of us.[27]

194. Te Whiwhi described an attack on Rangitāne, which he then suggested took place two years later. Again, he prefaced this battle with the by-now mantra, 'our war party came on shore to hunt for people' (p.139). They went to Hotuiti and attacked their pā. It was another story of deception. He claimed that Te Pikinga had entered the pā and persuaded those there, including some of her Ngāti Apa kin, that they were about to negotiate a peace. This is the same action Keepa described above.

Commentary

195. This is a very different picture from that provided in Tāmihana Te Rauparaha's account. Even though Te Whiwhi was arguing that they were able to pick off Muaūpoko at will by identifying their fires, his evidence suggests a far more complex situation. Attacks upon Ngāti Toa in this period were dismissed as underhanded, because they took place at night, and the attackers immediately disappeared into the darkness. However, given the imbalance in military technology, these attacks were not only tactically useful, but they were also essential. If, as Te Whiwhi indicated, Muaūpoko should attack them during the day and in the open, then that would have been suicidal.

196. The use of Te Pikinga as an intermediary, and the deception used to bring Rangitāne out from the pā, also indicates that the military balance was not so dramatically out of kilter. If it had been, then retreat into the bush would have been the only option, and any contemplation of peace-making out of the question. If the original iwi could still negotiate a peace, whatever terms that might involve, they may have had some independent negotiating authority to do so. And secondly, the method that Ngāti Toa was applying, using a mediator to reassure the defenders, is a key part of the peace-making playbook.

197. That strangers would be fishing off the coast near Kāpiti, who was not Ngāti Toa, demonstrates how tenuous Ngāti Toa's position was prior to Waiorua.

198. For Te Whiwhi, after the killing of major rangatira, such as Rautakitahi or Takere, Muaūpoko retreated into the mountains. Using such an argument, attacks on Ngāti Toa could be discounted as not proper attacks, while the Ngāti Toa attacks on Muaūpoko were always legitimate. The test for Te Whiwhi was always the ability to prevent Muaūpoko from lighting fires in daylight. But at the same time, in all these discussions, Ngāti Toa were firmly located at Kāpiti, which, given the limited resources of the island, would have to be a defensive position. When asked about

[26] The hapu is just called Hamua, they are a Hapu of Rangitane.
[27] Otaki MB 1, p 129.

this in cross-examination, Te Whiwhi said that they chose 'to live at Kapiti because we could get shell fish as a relish for our fern root' (p.150).

7. Te Pēhi's Children

199. The attack at Waimea near Waikanae was another event which featured in witnesses' evidence. It was the last successful attack on an area near Kāpiti by any of the original iwi.

Keepa

200. A combined party of Muaūpoko, Ngāti Apa, Rangitāne, and Ngāti Kahungunu attacked Ngāti Toa at Waimea near Waikanae, where they killed 100, including Te Pehi's children.

Te Whiwhi

201. Ngāti Toa were now at Kāpiti and Waikanae, where they were attacked at night and 30 were killed. A canoe summoned reinforcements from Kāpiti, but the taua 'bolted' when they were seen. They retreated as fast as they could through Ōtaki. In this engagement four of Te Pehi's children were killed (Te Whiwhi later said four sons, in 1868 Mete Kingi had said daughters). Three 'great' Ngāti Toa chiefs were killed. Te Pehi went to England seeking guns.[28] Te Pehi hitched a ride on 28 February 1824 on the *Urania* and was away for three years.

Commentary

202. The evidence presented before the Court underlined the fragility of Ngāti Toa's place on this coast in its first years of residency. The iwi could threaten those onshore, but as shown by the attacks by Ngāti Kahungunu and at Waikanae where Te Pehi's children were killed, Ngāti Toa was also not safe on the mainland. In these court exchanges, this was a common example of general agreement about what happened, even as in this case on the rough number of casualties and their importance. They differed on the legitimacy of the attack, allowing the those attacked to dismiss the consequences as mere deception.

8. Waiorua

203. Waiorua was acknowledged by everyone as a major multi-tribal assault on Kāpiti which failed and allowed Ngāti Toa to consolidate itself in a way that had not been possible before, and to invite iwi from Taranaki and eventually Ngāti Raukawa from the central North Island to provide substantial reinforcements. Ngāti Toa and Ngāti

[28] Steven Oliver. 'Te Pēhi Kupe', Dictionary of New Zealand Biography, first published in 1990. Te Ara - the Encyclopedia of New Zealand, https://teara.govt.nz/en/biographies/1t55/te-pehi-kupe (accessed 11 April 2025)

Awa who were involved in the defence of Kāpiti were able to make migration south appear a much more attractive option. It was commonly accepted that Waiorua took place in 1824, soon after Te Pehi had left for England.[29] But Ross Calman now puts the battle considerably later, in late 1825 or early 1826.[30]

204. Tāmihana Te Rauparaha's account of his father's exploits should be largely discounted as colourful but exaggerated, with his father at the centre of the group of 60 who were able to rout all the attackers.[31] In Te Whiwhi's 1869 evidence, Te Rauparaha was not even present and arrived after the battle was over.

Keepa

205. On Waiorua, Keepa said little more than the tribes were defeated, including Whanganui.

> A battle was fought at Waiorua at Kapiti and these tribes who went off were defeated by the Ngati Toa and Ngati Awa. The attack was made by our tribe but we were beaten. (p.27).

Hūnia

206. Hūnia was similarly brief:

> N[gāti] T[oa] gained the victory at Waiorua (Kapiti) but I did not cease persisting to fight after that. (p.97).

Te Whiwhi

207. People came secretly from the South Island, hiding fires lit only at night, and they were joined by those from Whanganui, Wairarapa, and Rangitīkei. However, two of Te Rauparaha's children were up a tree and noticed the attackers' fires. Te Rangihaeata and Te Rauparaha decided to cross to the mainland in the morning, but in the meantime, 1000 attacked and crossed over to Waiorua on the northern edge of Kāpiti. They could hear a dispute taking place between those who wanted to wait until morning, led by Kekerengu and others.

208. Te Whiwhi spent no time describing the battle.

> The people who attacked were defeated. The canoes were close together and covered the space between Waikanae and Kapiti. Waiorua is the name of the battle. (p.140).

209. He also made this comment:

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[29] Ballara, *Taua*, pp. 334-335.
[30] Te Rauparaha, *He pukapuka tātaku i ngā mahi a Te Rauparaha nui*, pp. 293-294.
[31] Te Rauparaha, *He pukapuka tātaku i ngā mahi a Te Rauparaha nui*, 126-133.

> Some of the evidence I have given I have heard from my parents but the most is facts that have come within my own knowledge. I swear we were always attacked by the tribes at night, the only fair attack was at Waiorua. (p.148).

Commentary

210. All witnesses agreed that this was a major battle, and all witnesses accepted that Ngāti Toa had won decisively. Ngāti Awa, who were not claiming an interest in this block, were unrepresented in this narrative. While Tāmihana Te Rauparaha claimed hundreds killed, Te Whiwhi in 1869 claimed only 40 killed with 200 escaping in waka. While everyone agreed that this was a multi-tribal attack from both sides of Cook Strait, it is possible given the decisiveness of the victory, and the evidence that the defenders on Kāpiti were not massed where the attack took place, that the numbers involved were far less than usually attributed to the encounter. Yet, despite the numbers, Ngāti Toa and Ngāti Awa's ability to withstand the attack was significant and decisive in making Waiorua a major milestone in Ngāti Toa's ability to finally consolidate itself in the region.

211. One critical question was not just how decisive the battle was, but its legitimacy as a battle. Te Whiwhi described Waiorua as the only 'fair attack', all the others were conducted at night. This was a somewhat strange comment given that Waiorua may have been in Te Whiwhi's account 'at dawn', thus it was based on using darkness in a failed attempt to ensure surprise. All those attacking Kāpiti had by this time no difficulty whatsoever in night attacks, but freely accused Ngāti Toa of engaging in deception in their raids, delegitimising those attacks.

212. There is a real sense coming through these accounts was that the five tribes had not engaged properly with the invaders, choosing their own time for battles and withdrawing rather than fighting in the open. Even their pā came under criticism. Te Whiwhi acknowledged that they could not attack islands in lakes but did not consider these properly fortified positions. Pā were only pā if it was easy to take them.

> We had no canoes to take us to the Pahs therefore did not attack but those who were in the Pahs ran away into the bush. I don't admit that these were fighting Pahs. They were islands in the lake and not fortified merely heaps of rubbish about the size of this place. (p.149).

213. By disregarding those safely ensconced in the middle of the lake, victory could be claimed by forcing those not on the island pā to retreat into the bush.

214. For both sides in their retrospective retelling of these encounters, victory was the ultimate test of legitimacy.

9. After Waiorua

215. The impact of Waiorua was a matter of dispute. Some Ngāti Toa witnesses would argue that this success was the most important aspect of their claims of conquest.

On the other hand, those witnesses representing the 'five tribes' argued that while they had been defeated, they had returned to where they lived largely unaffected. After Waiorua, Te Rauparaha was successful in bringing down wave upon wave of migrants from Taranaki and eventually Ngāti Raukawa from the central North Island.

216. Witnesses described four consequences of Waiorua:

- Te Rauparaha began using peace-making as a way of neutralising opposition or celebrating his success.
- Raids on Muaūpoko and Rangitāne continued to some extent, with Ngāti Toa heading north attacking groups where they found them and returning to Kāpiti.
- Reinforcements migrated south responding to Te Rauparaha's invitation.
- Either Rangitāne, Muaūpoko and Ngāti Apa continued to occupy their original turangawaewae or they were dispersed into the hinterland, or out of the district.

10. Peace-Making

Te Whiwhi

217. After his brief description of the battle, Te Whiwhi made the following comment:

> Rauparaha thought as these tribes had joined to fight against him and as they had not succeeded he would make peace. (p.141).

218. He then described Te Rauparaha leading a peace-making delegation of 30 to the South Island, which seems to have included Te Whiwhi in what appears to be a separate negotiation.

> We made peace with them and came back with Ngatikahungungu and Ngatiapa who had been asked by Rauparaha to come. This is the peace making which Kemp [Keepa] states was made by Watanui. (p.141).

219. On peace making with Ngāti Kahungunu:

> I shall now speak of our going to Wairarapa to make peace. 20 Ngatikahungu's came to Kapiti to make peace. I was requested by Rauparaha to go to Wairarapa to make peace. After I went, Rauparaha called the Range Tararua, the back bone of Rangihaeita, to prevent any tribes interfering with Wairarapa people. (p.144).

220. Te Whatanui and Te Heuheu came down to see Te Rauparaha. They joined with Ngāti Kahungunu, who lived 'at Wellington Heads to Porirua and Kapiti' (p.145).

221. However, Te Whiwhi made it clear that this peace-making did not involve Muaūpoko and Rangitāne.

> Peace was not made with the people in their district on account of the murders committed at Te Wi and Ohau. (p.144).

Commentary

222. In Te Whiwhi's 1869 evidence, he said that following Waiorua 'Te Rauparaha thought he would make peace, as there were no more enemies to conquer.' Although not specifically identified, this South Island peace-making is almost certainly that involving Ngāti Koata and Ngāti Kuia.

223. Ngāti Koata and Ngāti Kuia both argued before the Native Land Court in the nineteenth century and before the Waitangi Tribunal that their relationship with each other was formed not by conquest but by the transfer of land as part of a gift of land after the battle of Waiorua.[32] More recent research in nineteenth-century Native Land Court records has provided further detail on this peace-making. The original agreement, which involved the exchange of prisoners from Waiorua, allowed for a transfer of land for Ngāti Koata to occupy Rangitoto and to allow Tu Tepourangi to be returned to his iwi while a Ngāti Kuia captive, Tawhe, was returned to Ngāti Koata. Te Rauparaha sponsored the exchange. Ngāti Kuia, Rangitāne and Ngāti Apa were all involved to different extents. The agreement, and the recognition of shared interests, was argued before the Native Land Court and before the Waitangi Tribunal, despite different interpretations of the event.

224. The mutual relationship has been sustained despite being to some extent subsumed by a later wave of violence, when Te Rauparaha wound up his campaigns on that side of Cook Strait. However, Native Land Court evidence demonstrates that the level of violence in the Nelson Bay area was considerably less than that recorded in Golden Bay and further west on the one hand and in Cloudy Bay on the other.[33]

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[32] Waitangi Tribunal, *Te Tau Ihu o te Waka a Maui: Report on Northern South Island claims*, Waitangi Tribunal report, (Wellington: Legislation Direct, 2008). https://ezproxy.massey.ac.nz/login?url=https://search.ebscohost.com/login.aspx?direct=true&AuthType=sso&db=cat09011a&AN=mul.oai.edge.massey.folio.ebsco.com.fs00001086.ee9f96d1.c918.55c3.9258.52be1d80eb88&site=eds-live&scope=site&authtype=sso&custid=s3027306https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_68199520https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_68199155https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_68199235 https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_68199155/Te%20Tau%20Ihu%20Vol%201.pdf, pp. 32-39.

[33] Michael Belgrave, *Interpreting Custom in the Nelson Native Land Court, 1883 and 1892: The 'Tuku' of Tu Tepourangi and the 'Conquest' of Te Tau Ihu*, HISTORY4TODAY (Mangawhai, 2024), .

225. Te Whiwhi's account of the peace-making with Ngāti Kahungunu corresponds very closely with Tāmihana Te Rauparaha's account, which identified Te Whiwhi as the leader of this mission.[34]

11. Post Waiorua Violence

226. Violence continued after Waiorua. Much of the account for this relies on Te Whiwhi's evidence which poses problems with chronology. Although talking about events that take place supposedly soon after Waiorua, the accounts are often intertwined with the various attacks Ngāti Toa made in the South Island, particularly against Ngāti Tahu.

Te Whiwhi

227. Later in his testimony, Te Whiwhi added:

> I have omitted something about the fight of Waiorua. After the fight we went to Rangitikei. We took a Pah called Awamate . We killed ten people. The chiefs Rangihauku and Kopeka were killed. All the rest of the chiefs made their escape (Hakeke and others). (p.143).

228. A Ngāti Apa pā (Pikitara) was attacked. Ngāti Whakatere killed Katea, a Ngāti Apa rangatira. They 'caught' Kāwana Hūnia's mother there and Moko Moko.

229. When they reached Karetana, they found some who had escaped from Waiorua and killed 40 of them. Those killed were Rangitāne and Ngā Rauru from Waitotara. But they spared a Ngā Rauru rangatira named Koukou.

230. When Ngāti Awa and Ngāti Whakatere came down, they killed Rangihiwinui,[35] whom Te Whiwhi described as 'the principal chief of Muaupoko.'

Commentary

231. There was little from other witnesses to confirm or contradict these accounts. According to Hūnia in 1868, he and his mother were at Karekare.

12. Waikato

232. Keepa described a major taua from Waikato which was repulsed.

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[34] Te Rauparaha, *He pukapuka tātaku i ngā mahi a Te Rauparaha nui*, pp. 154-155. Whanake and his son Kekerengu were rangatira of Ngati Ira. With their demise ended Ngati Ira as they were assimilated by their next of kin, Ngati Kahunungu. This is why is later court case they used Ngati Kahugnunu instead of Ngati Ira.

[35] Rangihiwinui was Tangaru brother, Keepa was his name sake.

Keepa

233. Keepa noted a series of substantial Waikato taua, one under Te Korehu, suggesting that the locals were weakened by these attacks, describing those remaining as 'remnants of us who were left were living at Waiwiri, Horowhenua and Papaitonga' (p.27).

234. He went on to describe a 'great war party' from Waikato which travelled to Wellington and then returned to Horowhenua. Keepa's own father, along with other chiefs, discovered the lakeshore covered with strangers. They killed and ate two, whom they found cooking food, Apiturangi and Rangiwhakakaki. Muaūpoko, concerned about how they had been defeated by treachery, invented a ruse of their own. They created a fake pounamu mere, made of wood stripped of bark and covered with bark lace leaves. Teasing the taua with a gift of the mere, they induced them out of their pā. Canoes of intruders crossed over to the pā at Waikeikei and were killed. Sixty Muaūpoko then attacked, with their waka being looked after by women so that they could bring the men out if necessary. Many were captured, but not his father, Tangaru, or Maunu.[36] His father called out for a band of reinforcements; Kahukore [Taukei's wife], 'the great general of the women heard it and chanted a ngere' (p.28). The enemy panicked, Tahitahi and 100 Waikato men were killed, and the rest retreated.

Ihakara Whakamaru

235. Ihakara Whakamaru described a piece of wood in an engagement that involved Marutūāhu, Waikato and Ngāti Tūwharetoa.

> About Takare at the time of the party called Hamewhenua on their arrival at Horowhenua a piece of wood wrapped up in leaves to represent a green stone and Pohutuhutu came he was killed by Muaupoko after this was the time of the heke of Ngatiraukawa. (p.131).

236. The killing of Pohutuhutu then contributed to the Ngāti Toa attack on Papaitonga.

> Pohutuhutu belonged to Ngatipaua, Ngatimaru, and Waikato tribes. Te Reu [37]a member of the same tribes who accompanied the expedition and when he saw the Muaupoko he said this is the tribe who killed Pohutuhutu, and he entered into a plot with Rauparaha and Rangihaita the Chiefs who were opposed to peace with Muapoko. Takere was killed in revenge for the death of Pohutuhutu. (p.131).

[36] He was later baptised Tamati Maunu.
[37] Te Reu Otaki MB 1 p 131; Note, Te Reu lived with Muaupoko and then helped Ngati Toa in their last attack on Muaupoko at Papaitonga. Takere was Paipai and Toheriri brother.

237. The event and Muaūpoko's part in it are acknowledged by evidence from both sides. It was also a conflict where Muaūpoko had the upper hand.

13. Relationships with Ngāti Awa and Ngāti Tama

238. One of the most important, if not the most important, consequence of Waiorua was Te Rauparaha's determination to bring allies south to join him. Waiorua may have been a success, but it also demonstrated Ngāti Toa's vulnerability, with a small population, able to be attacked on its Kāpiti fortress and vulnerable on the mainland despite demonstrating its capabilities.

239. As the new migrants began settling at Kāpiti, they put pressure on resources on the island and at Waikanae, until groups began using their superior numbers to settle elsewhere. Ngāti Awa would initially be located at Ōtaki, and on territory where Muaūpoko continued to claim interests. There are some indications in the evidence that Muaūpoko and Ngāti Awa came to some accommodation.

Te Whiwhi

240. A Ngāti Awa rangatira called Tuhaingane [Tuwainene] had come to Horowhenua and guaranteed Muaūpoko's safety there, telling them they could 'occupy your land without molestation', because no one could override his mana (p.144).

241. Both Keepa and Te Whiwhi described Ngāti Toa attacking Muaūpoko disrupting an exchange of food.

Keepa

242. At this point, Te Rauparaha looked for reinforcements. Te Pehi went to England for guns and Te Rauparaha went north for supporters. Ngāti Awa came down, killing isolated individuals along the way. Ngāti Toa sent some Muaūpoko captives 'with baskets of fish' to Horowhenua (p.27). They responded with a gift of tuna. Te Rauparaha then prepared a feast of fish and invited Muāupoko to Waikanae. They then took food back to Horowhenua and built a large hākari platform. They sent for Ngāti Toa, Ngāti Awa and Ngāti Apa to join them. These iwi came and collected the food and went on to Ōhau, but returned in the night and attacked Muaūpoko in several places, killing 400.

243. Keepa dismissed all these defeats as 'not fair', being through treachery.

Te Whiwhi

244. Te Whiwhi then described a rivalry over who could provide the best hākari between Rangihaeata and Te Rauparaha on the one hand and Nopera on the other. Te Rauparaha and his hapū collected food for a feast they called Te Hore Raumati. When Rangihaeata and Te Rauparaha heard that this was the name of the feast, a raiding party went to Ōhau and Poroutaowhao, where they killed 20 Muaūpoko,

including Tairatu,[38] and added them to the feast. But their culinary competitors could not match this, suggesting that catching their rivals was not as easy as Te Whiwhi was elsewhere suggesting. Te Whiwhi dated this as the fourth year. In his 1868 evidence, year four was the year that Ngāti Awa and Ngāti Tama arrived.

245. The arrival of the newcomers created tensions between them and Ngāti Toa.

246. Conflict then took place between Ngāti Tama and Ngāti Toa after Ngāti Tama murdered Karewa, despite Te Rauparaha not wanting to fight. Ngāti Toa then attacked a Ngāti Tama pā on Kāpiti, Maiene, and killed Ahetaka. The conflict escalated.

> There was another fight and we took the Pah. It was called Taipiro. Arare was the battle. Ngatitama collected in two Pahs, Kahikatea, and Oteho were the names. We attacked the Kahikatea and it was nearly captured when Pehitaka's daughter came to us and saw Rangihaeita, Rauparaha, and Topeora. Rauparaha told me to go into the Pah and stop the fighting. I went in and the fighting ceased and the war party outside dispersed. Ngatitama after this left Kapiti and went to Wellington. (p.145)

Commentary

247. The narrative of conflict that dominates this district inquiry tends highlight the contested histories of the Kurahaupo and the northern migrants. However, added to this this are the inter-iwi and inter-hapū relationships which seem to exponentially complicate these relationships. The arrival of Ngāti Awa and Ngāti Tama and their relationships with Ngāti Toa may well have complicated relationships between Muaūpoko and Ngāti Toa. The attack on Papaitonga, which was the last incident of violence between Ngāti Toa and Muaūpoko, appears to be far more than a continuation of the residual antipathy that Te Rauparaha had after the killing of his children. Placing this in the context of an evident after Karekare, Te Rangihaeata was asserting his mana in his relationship with Te Whatanuni and his commitment to the Kurahaupō rangatira.

248. In other evidence Ngāti Tama went to Te Horo. This is why Te Puoho / Ngati Tama were at Waikanae and invited Rangitane and Muaūpoko to the Mahurangi feast of pumpkins.

14. New Migrants

249. There are various accounts in the evidence on the layers of migrations that followed Waiorua. Te Whiwhi tried to map these chronologically.

[38] Tairatu was Kotuku father. In other narratives he is killed with Kotuku and Komako on the West Coast South Island.

Te Whiwhi

250. After Ngāti Tama went to Wellington, Te Whiwhi described the arrival of a party of 30 Ngāti Raukawa, including Ahukaramu, Kuruho, and Tuhainuku. They were welcomed by Te Rauparaha's sister, who was Ngāti Raukawa. All Ngāti Toa wanted them to come and join them, because of the 'murders' at Te Wī and Ōhau (p.145). It was then that Te Rauparaha allocated them the land between Ōtaki and Whangaehu. At this time, Ngāti Awa occupied the land at Ōhau, Horowhenua, and Ōtaki.

251. On the day when Ahukaramu had chosen to leave, to return home to Maungatautari, they were told 'not to stay away too long' (p.146). Te Whiwhi did not say how long it was before they came back permanently. When they came down, they went to Ōtaki where Ngāti Awa were living. Te Rauparaha, Hiko, and Tumia told Ngāti Awa that they wanted all the land 'between Otaki and Manawatu' for Ngāti Raukawa. Ngāti Awa had already 'cut up all the land' and Ngāti Awa rangatira, Taingarara, named part of the land after his 'belly.' Nonetheless, Ngāti Awa agreed to leave, providing Te Rauparaha with a gift of dolphins.

252. As in so much of the story, Ngāti Toa then returned to Kāpiti, but went back to Ōtaki to build a pā for Ngāti Raukawa. He described this as taking place in March, and the Ngāti Raukawa migration occurring the following summer. But instead of going to Ōtaki they went to Kāpiti where they stayed for 18 months.

253. Ngāti Raukawa call this Te Heke Karere, the messenger migration, but it was not a migration as such. The next Ngati Raukawa migration was Heke Whirinui, then Heke Kariritahi and then Heke mai raro.

254. Ngati Whakatere, Ngati Tama also came in a migration after Waiorua.

Hūnia

255. It was in the following year that 'the Taranaki tribes arrived' (p.75). Kāwana Hūnia then turned his evidence to describing the impact of this migration, beginning with Te Wharepōuri, who in 1832 led a migration of 400 in a heke called Tama-te-uaua.

> Wharepouri settled the trouble of these tribes on account of Karawa. (p.75).

256. He argued that their migration to Kāpiti took place in steps. They came down to Rangitīkei, but they also lived at Ōhau, Waikawa, Ōtaki, Ngawhakangutu, and down to Waikanae.

> Hokotirangi had stated that his tribes were to occupy all the land over which his father Te Pehi had travelled. (p.75).

257. Ngāti Haumea, a hapū of Taranaki under Kopeka, were cultivating at Rangitīkei. Others of the same 'tribes', he did not specify hapū or iwi, joined them. Taranaki and Ngāti Awa 'were in permanent occupation of the rivers' (p.75). There was

conflict in the Manawatū when the hapū Ngāmahanga arrived. Putakama killed some Ngāti Apa, including Te Pai and a woman, whose name he did not give. Nonetheless, Taranaki lived in peace with Hākeke and Ngāti Apa, agreeing to combine their forces should Waikato raid. However, Hākeke then told Kopeka to leave, because of the killings, even though he did not seem to have been involved in them.

15. Ngāti Raukawa Violence

258. The arrival of Ngāti Raukawa and Ngāti Kauwhata and the killings that took place, particularly during Ngāti Kawhata's inland journey through Ōroua and Manawatū, were key aspects of the 1868 and 1869 investigations. They also became linked to the peace-making associated with Ngāti Apa and Ngāti Kauwhata, and that initiated by Te Whatanui at Karekare.

Keepa

259. Keepa went through those killed suggesting, as he would later state, that the killing of commoners was of no account. Others, unlucky enough to be in the path of the heke, were also killed or taken prisoner. Hakaria Pouri, Kiori, and Tamatawhiti were eating birds. Hakaraia was a rangatira, but his killing was less significant because he was unaware of the taua until it overwhelmed him. At Ōroua, Hamuera's mother was caught, along with others. But Keepa did not hold Te Whatanui responsible for these deaths, as he 'did not see the work of Ngati Raukawa in catching and killing these people' (p.32).

Te Whiwhi

260. Te Whiwhi insisted that Te Whatanui had fought five times with Ngāti Apa, Muaūpoko and Rangitāne. But then he said that these attacks had not been battles against pā, because there were no pā to attack. They were attacked in the open, he 'hunted for them in the rubbish' (p.152). In addition, he referred to Karekare, saying 'where the women were killed was one of Watanui's fights' (p.152). Karekare was therefore, in Te Whiwhi's account, one of the five actions against the three iwi.

Araperi Tukuwhare

261. By the time they had arrived, Ngāti Toa 'had ceased fighting with the people in this district' (p.164). Te Rauparaha told them to 'come back and live on the land where your mother and sister were killed. We agreed to that and we went away and returned' (pp.164-65), a reference to the Muaūpoko at Ōhau. These events seem to have taken place early, prior to the Ngāti Raukawa migration.

Henare Te Herekau

262. Te Herekau stated:

> They came to Manawatu and stopped at Parekau. We found the Ngatiapa, Muaupoko and Rangitane here. The party went up the

> Manawatu to a place called Totara on the south of the river where they caught Rangihiwinui - a Muaupoko chief. They came then down to their encampment and then up to Orowa. They caught Mokomoko there a Ngatiapa man. His life was spared. They went on to the Orawa. Tekatea was the place. They took a Pa there. The people ran away from the Pa and two were captured - Rairua & Kaiawa (Hunia's mother). (pp.155-56).

263. In this account, the violence associated with the arrival of Te Whatanui is also connected to the killing of Takere at Papaitonga.

> Hakeke escaped from the Pa. The party then went to Kapiti. When they reached Ohau, they went inland. Rangitaiki was killed by Takare. They went on to Kapiti and came back and killed Taheke at Horowhenua. They killed many others but he was the principal chief. He was caught in the bush. The party then went away. (p.156).

264. This was not a one-sided encounter as the killing of Rangitaiki acknowledges.

265. Te Herekau described taking part in Te Heke Whirinui, the first Ngāti Raukawa heke, while the events just described were associated with the third heke, Te Heke Mai-i-raro. He also described himself as coming down in Te Whatanui's 'time.' In addition, he described killings taking place prior to Te Whatanui's arrival, and when those Ngāti Raukawa who were in the region were based at Kāpiti.

> All these killings were after the battle at Waiorua. At the time of the first expedition of Ngatiraukawa, we made another attack on Horowhenua and killed Te Haha. Others were killed but he was the chief and his slab of green stone called Peho Peho was taken.
>
> After that another attack was made. The party killed Mataphi and a lot of others at Horowhenua. There was no one in the Pa's at this time. These people were killed in the bush. The party then went on to Rangitikei by the beach. They attacked the Awamate Pa and killed Rangihauta. It belonged to Ngatiapa. They took a Pa called Pititara belonging to Ngatiapa.
>
> They then came back to Horowhenua and killed Tuwharopakiu at Wairarua. They had come out of the bush to catch white bait. The party then remained at Horowhenua where they sent out parties exploring the country. When they could find no more people they went back to Kapiti.
>
> They then came back to Horowhenua. The country about there was much broken with these expeditions. They could not find anyone. Not finding any one, they went to the base of the hill and followed it to Manawatu. They came to a place called Katihiku at Manawatu. They made an attack. Whareke escaped. Hinerangi saved him by coming in front of him. He was caught by Hori Waharoa. He is present now. The people who were in the expeditions are also present. (pp.156-57).

266. Then there was an attack on Rangitāne at Tokomaru:

> They went on to Tokomaru. The party were going up the river when they saw a duck. They judged a canoe, not be far off and had frightened it down. Puaho went on one side of the Pa and Tahoro on the other to watch for the canoe. When the canoe came in sight they seized her. Three women, their names were Toko, Motukara and Inahiria. The party then got into the canoe and went on to Makarahau and attacked it and captured 20. Awahi was spared. Kiori then ran into the water. Hori Waharoa spared him. These people were Rangitane.
>
> The party then left off killing and returned to Kapiti and then came ashore again. There, built their Pa on a hill on the south side of the river. They waited for some one to come and get satisfaction for the killings. Tapahaka was the name of the hill. Some portions of the Pa are still to be seen. Ngatiraukawa and Ngatiwhakatere built the Pa. They waited for years for some to come and drive them off they thought that Muaupoko would come but they did not.
>
> We then on board a canoe and went up the Manawatu. We cut up the land as far up as Tokomaru. It was all ours. The original owners were away in the bush somewhere.
>
> At this period, Watanui had arrived. He came out to Wangaehu and Turakina and found it reeking with the blood of Ngatiapa who had been killed by Mahuria. (p.157).

Commentary

267. Herekau of Ngati Whakatere. His sister married Whatanui Tuitaki. Ngati Whakatere first lived at Kapiti, then at Otaki, then went to Manawatu.

268. It is difficult to know how to treat Te Herekau's evidence. Unlike other Ngāti Raukawa witnesses, he did not stand up well in cross-examination, and conceded that he had no first-hand knowledge of these events. His position was more extreme but also more difficult to cross reference to the narratives of other witnesses. He seems to be drawing primarily from heke prior to Te Heke Mai-i-raro. Unlike the other major witnesses, Te Whitiwhi, Keepa, Te Aweawe and Hūnia he was not consciously trying to create a chronological narrative.

269. His evidence on the 'cutting up' of the land paralleled earlier Ngāti Toa evidence that such divisions occurred prior to even encountering Rangitāne, and were justified by the absence of any visible form of resistance. Given that at this time the attackers probably had some firearms, and the defenders none, the violence discussed here is low level.

270. Te Herekau is mixing Ngati Whakatere in with other allies of Te Rauparaha who he took on his raids post Waiorua.

271. The attack on Muaūpoko followed by the attack on Ngāti Apa at Awamate was made after Waiorua by Ngati Toa, as it was described in Te Whiwhi evidence. In other narratives the attack on Muaūpoko at Waitārere, (Wairarawa), was made by Ngati Toa. Prisoners were taken back to Kapiti, not all were killed. The attack up the Manawatu and killing the of Te Rangihiwinui, also mentioned by Te Whiwhi, and is part of the Ngati Whakatere migration story. Herekau lived at Manawatu, he went there in 1866. He is giving some evidence of the supposed conquest of Manawatu by Ngati Raukawa.

16. Papaitonga

272. The attack on Papaitonga was the last major conflict between Ngāti Toa and Muaūpoko. It involved hapū from Ngāti Raukawa. The reasons for this attack appear varied and complicated.

Keepa

273. According to Keepa, Te Rangihaeata became involved. Keepa suggests that some of the Ngāti Raukawa who had been living with Muaūpoko went to Rangihaeata and Aperahama Te Ruru, the Ngāti Raukawa rangatira of Ngāti Huia, who had been allocated Katihiku and Pahiko by Te Rauparaha.[39] These rangatira came to Waiwiri and ambushed the people in the pā. Te Ru, who was known to the Muaūpoko, called out for a canoe. Takari obliged, not anticipating any 'danger thinking the man who was calling out was the same as themselves' (p.33). When the canoe touched shore, all those on board were killed, 'a murder and a very foul one' (p.34). These killings took place after peace was reached with Te Whatanui at Karekare, but before that between Taueki and Te Whatanui at Namuiti. According to Keepa, 'it was not kept because Ngati Raukawa had no mana' (p.34).

Hūnia

274. For Kāwana Hūnia, between Ōtaki and Waikanae was the killing ground of Ngāti Toa and Muaūpoko. In a significant turn of phrase, he described watching Te Rauparaha 'from behind Te Whatanui's back' (p.72). Te Rauparaha was described as confined to Kāpiti, 'his fire did not burn on shore' (p.72). Te Pēhi was first driven off but eventually was able to get a foothold on the coast.

> Muaupoko considered Whatanui a good man, as he was living quietly with them. He entered into a solemn compact with the chiefs of Muaupoko. (p.72).

275. Te Rangihaeata came from Kāpiti behind his back, after three years of peace, and with Ngāti Huia attacked Papaitonga. Ngāti Apa and Rangitāne were alarmed, but

[39] OMB 1E, 9 April 1868, p. 576; Michael Belgrave, *Unravelling Historical Narratives and Customary Disputes: The Himatangi Hearings*, Bennion Law (Wellington, 2024), p. 155.

Kāwana Hūnia's father told Muaūpoko to remain quiet, so they could all get guns from the Europeans. But Rangihouhia replied 'the grief cannot be stopped' (p.72).

276. At this point in the hearing, it appears that Kāwana Hūnia sang a waiata, 'composed by Topiora on account of his daughter killed by me.' The 'by me' was most likely a tribal generation: Hūnia was a child at the time.

277. Later in his evidence, Kāwana Hūnia aimed to demonstrate that at least some Ngāti Raukawa were unaware of what had taken place and that some killings occurred afterward. At Pukehou, they met man from Ngāti Raukawa and told him what had happened. He then told Puke and Ahoaho, and a group of 20 Ngāti Raukawa set off to pursue Rangihouhia and kill him. They fired upon them in the bush, with one man up a tree being protected by the tree trunk, and then they left. Te Rangihouhia was one of those charged with the killing of Te Rauparaha's children, who had survived the various Ngāti Toa campaigns to kill them all, and escaped into the Rangitīkei.[40]

278. In cross-examination, Hūnia said he knew Papaitonga, the last place that Ngāti Toa and Rangihaeata attacked, noting that they made peace after that, although Kāwana Hūnia said that he, meaning his father or Ngāti Apa, would have otherwise continued the fight.

Te Whiwhi

279. In 1869 Te Whiwhi had described Papaitonga, suggesting that casualties were small, but significant because of who was killed.

> Then for the final time Muaupoko began while permanently at Horowhenua. They were still regarded with suspicion, and we were cautious when they met them. The Ngatiraukawa went to Rauparaha and Rangihaeata and said "Muaupoko are living at Horowhenua and Papitanga." A war party consisting of Ngatitoa and Ngatiraukawa. On arriving at Papitanga, they killed Tohiriri, a great chief of Muaupoko. It was a mere attack. His widow escaped. (p.38).

280. One of the reasons he gave for this attack was the relationship between the Ngāti Awa newcomers and Muaūpoko.

281. In his 1872 evidence, Ngāti Awa's willingness to coexist with Muaūpoko was unacceptable to Te Rauparaha, who then attacked Muaūpoko, killing Toheriri and other rangatira. Toheriri was remembered in a lament composed by one of his female relatives.

282. Tuhaingane was unhappy about this and started to interfere with Te Rauparaha's peace-making in Wairarapa. A Ngāti Awa taua went to Wairarapa and killed Te

[40] Some evidence says that Hākeke came to retrieve him after he killed some of Te Whatanui's pigs.

Maare, who had been summoned by Te Rauparaha. The fighting escalated with Ngāti Raukawa travelling to fight Ngāti Kahungunu because of Kiko ho te rangi?.

283. However, he changed the story that he told the day before, attributing the deaths of Paipai, Rautakitahi and Takare to Te Whatanui, not Te Rauparaha. But he immediately undermined the suggestion by saying that the chiefs involved were 'Te Puke and Aperahama Te Ruru' and that Te Whatanui was 'too old to go' (p.152).

284. In another version of the same event, a year after Ngāti Raukawa arrived, presumably while they were still at Kāpiti, they went to Papaitonga and Horowhenua, with Rangihaeata, and killed 'some' Muaūpoko, including Takere and Paipai at Papaitonga and Rautakitahi at Horowhenua. He also described Te Pukeroa as Ngāti Raukawa living with Muaūpoko, and who he claimed, 'ran away to Otaki' (p.146).

Commentary

285. Pita Pukeroa was married to Pirihira Arahura after Karekare. Pukehou was given Arahura in exchange for her mother Kokiri who was captured by Te Whatanui / Ngāti Raukawa. In one narrative they stopped shooting because he identified himself.

Ihakara Whakamaru

286. According to Whakamaru, the killing of Pohutuhutu, where a fake pounamu mere had been constructed, then contributed to the Ngāti Toa attack on Papaitonga.

> Pohutuhutu belonged to Ngatipaua, Ngatimaru, and Waikato tribes. Te Reu a member of the same tribes who accompanied the expedition and when he saw the Muaupoko he said this is the tribe who killed Pohutuhutu, and he entered into a plot with Rauparaha and Rangihaita the Chiefs who were opposed to peace with Muaupoko. (p.131)

287. Takere (Tohere and Paipai were his brothers) was killed in revenge for the death of Pohutuhutu. These two events did not necessarily follow each other immediately.

Henare Te Herekau

288. In his description Te Herekau conflated the deaths on the arrival of the Ngāti Raukawa/Ngāti Kauwhata heke with Papaitonga.

> The party then went to Kapiti. When they reached Ohau, they went inland. Rangitaiki was killed by Takare. They went on to Kapiti and came back and killed Taheke at Horowhenua. They killed many others but he was the principal chief. He was caught in the bush. The party then went away. (p.156).

289. In another part of his evidence, he does the same.

> Te Watanui killed the people he found on his way, as far as Manawatu. Ngatiawa, Muaupoko and Rangitane were the people he killed. Only these three tribes. The last he killed was Paipai and Takere. They were killed at Papitonga. (p.158).

Commentary

290. The last attack on Papaitonga is attributed to Te Rangihaeata, and the Ngāti Toa rangatira Te Puke and Aperahama Te Ruru. Most sources did not credit Te Whatanui as being involved in this, one described him as being at Karekare, and the attack was often described as a way of defying the relationship between either Ngāti Awa or Te Whatanui. The attack was significant because of the killing of Muaūpoko rangatira who were still tainted with the killing of Te Rauparaha's children the best part of a decade previously. As the last attack, Ngāti Toa witnesses argued that the inability of Muaūpoko to respond supported their argument that Muaūpoko had been conquered by 1840.

291. Te Rangihaeata, Te Puke and Aperahama Te Ruru would eventually claim land in the vicinity of where the attack took place, but their movement into this area was most likely after 1840. However, in evidence presented in 1872, conquest and occupation were not tied together.

292. The competing Ngāti Raukawa claims for Muhunoa, which included Waiwiri and Te Wera a whango claims, were based on Ngati Raukawa members being part of this attack. Claims from Te Rangihaeata, Te Puke, Te Ao, Aperahama Te Ruru and others, came much later.

293. The utu or reciprocity for this raid was the hohou i te rongo made between Te Rangihaeata and Taiwheherua which provided ea, or satisfaction for the grievance. Even Te Whatanui peace with Taueki was consider satisfaction for these grievances. Tanguru and Te Rangihouhia who were opposed to the peace left and went to lived with Apa at Rangitikei and Rangitane at Manawatu.

17. Feast of the Pumpkins

294. The killings of Muaūpoko and Rangitāne which took place near Waikanae were regarded both as one of the final acts of violence taking place between migrant and original iwi and used to reinforce an argument that Te Whatanui was looking after the interests of Muaūpoko. Just who was responsible depends on the teller of the narrative, as does any assessment of how many were killed.

Keepa

295. Keepa related that Ngāti Ruanui, Taranaki, and Ngāti Awa moved south to escape raids from Waikato. Keepa described them reaching Waitotara and Patea. Te Puoho was living at Manawatū, with his Rangitāne in-laws. His brothers-in-law were part

Rangitāne and part Whanganui.[41] They took food down to Waikanae at harvest time and prepared a feast with pumpkins, a newly introduced crop. An invitation was sent up to Māhuri at Karekare inviting them to Kukutauaki for the feast. Keepa then described the attraction of this feast, which drew many Rangitāne and Muaūpoko and some Ngāti Kahungunu to the festivities. But many voices warned against the folly of going. Keepa's father had attempted to prevent Muaūpoko from taking part, they 'would not listen to him but went' (p.35). Te Whatanui was adamant that Mahuri should not go and instead return home, but he too 'would not listen' (p.35). There were 200 who went down, and Keepa suggests that these were the men, and the women and children would have greatly increased the size of the ope. Keepa described them going to Kukutauaki, where Pihoi was, and then going on to Waimea, where they went into the houses and were 'captured and murdered' (p.35).

296. He claimed 200 were killed 'by Tamihana. I refer to him and his tribe' (p.35), but he also pointed the finger at Ngāti Awa. News of the slaughter and Mahuri's death was taken to Karekare by a rangatira named Te Ota, of a hapū he identified as Ngāti Hipokowhira [Ngati Upokoiri]. Keepa then admitted that our 'numbers were very much reduced' (p.35). In saying that Ngāti Toa, Ngāti Awa, and Ngāti Raukawa had guns, he seems to be admitting that at this time these weapons were unavailable to the original iwi.

Hūnia

297. Kāwana Hūnia then moved to the migration of Taranaki, Ngāti Ruanui, and Ngāti Awa tribes. Like Keepa, he emphasised the late migration of these iwi, following Ngāti Raukawa. Rangitāne, Muaūpoko, Ngāti Te Upokoiri and Ngāti Apa went to Waikanae. Hūnia noted that one member of Ngāti Awa lived with Rangitāne, describing this as the basis for the 'peace laid down' by Te Puoho (p.75). When they arrived at Waikanae they were killed, and he referred to Keepa's earlier evidence. He then said that he had forgotten to say that Te Whatanui 'told them to go back but they did not listen to him' (p.75). Both Hūnia and Keepa's evidence makes it clear that the group passed through Te Whatanui's location, most likely Ōtaki, on their way down.

298. He said nothing about pumpkins.

Hakaraia Rangipouri

299. Hakaraia explained how this extended exchange of food led directly to the feast of the pumpkins. Puaha [Te Puoho] and Ngāti Tama came and collected food and then went back to Waikanae where they prepared a feast of corn, vegetables, marrows, and pumpkins. Hakaraia said that the feast was prepared for Mahuri. On his way down to Waikanae, he ignored Whatanui's advice not to go because if he did, he would be murdered. Mahuri indicated that he preferred to accept Puoho's word that

[41] Keepa may be refering to Whakahinga of Muaūpoko had been a captive who was one of Te Puoho concubines. Her brother Ngawhakawa was a noted warrior.

he would not 'have his forehead smeared with blood.' But when they met Puoho, they were killed. However, he went on to say that Te Puoho was so ashamed of what he done, that he 'ran away' to the South Island, where Ngāi Tahu killed him. It is a rhetorical flourish, since Te Puoho's fateful raid to Muirhiku down the West Coast occurred in 1836, two years after Haowhenua, which itself occurred after the so-called feast of the pumpkins.[42]

Commentary

300. In the 1897 evidence Muaūpoko witnesses described the feast of the pumpkins in various ways, identifying Te Whatanui's warning, but also that of Taueki. Witnesses described being on the way to the feast and turning back for various reasons. Some like Māhuri were described as being killed. Keepa's evidence of 200 deaths seems extreme. There are more comments on the size of casualties later in the report based on a review of the evidence presented at the 1897. The question of why these iwi were even prepared to accept an invitation to go and feast with their 'masters' needs to be considered. It may well be that what was new was not the movements of people from one placed to the other to exercise commonplace rituals of hospitality, but the new food. Violence following feasting or as part of feasting had also been recorded for earlier in the multi iwi relationships following the early migration of Ngāti Awa into the region. Te Puoho, who does appear to have been a wildcard whereever he went, may also be part of this.

18. Haowhenua

301. Haowhenua was a series of engagements that demonstrated tensions between migrating iwi, indicating pressures being created by a new influx of Taranaki migrants from Ngāti Awa, Taranaki and Ngāti Ruanui following Waikato's attack on Pukerangiora. The conflict was, in most accounts, triggered by Ngāti Raukawa's killing of one of a group of Taranaki migrants who were plundering their potato beds. Ngāti Toa was split in the conflict between Ngāti Raukawa and Taranaki iwi. Waikato and Ngāti Tuwharetoa became involved on the side of Te Rauparaha and Ngāti Raukawa. But so also did Muaūpoko, Ngāti Apa and Rangitāne.

Keepa

302. Keepa began his narrative about the battles of Haowhenua in 1834 with a reprisal raid by Tureta, which attacked Waikanae.[43] A sister of 'Mr Kingi' (Wiremu Kīngi) had been captured. But they retired, and Keepa suggests that this was because a large wave of Ngāti Ruanui, Taranaki, and Ngāti Awa were on their way south. This group killed Te Raro of Ngāti Apa, before 'plundering and stealing as they went' (p.35). When Whakaheke of Ngāti Raukawa discovered the newcomers taking his food, he caught one, Tawhaki, and 'chopped him up for payment for his food' (p.35). Ngāti

[42] Atholl Anderson, *Te Puoho's last raid: The march from Golden Bay to Southland in 1836 and defeat at Tuturau*, Otago Heritage Books ; 16., (Dunedin: Otago Heritage Books, 1986).
[43] See Toremi's 1869 evidence.

Raukawa now faced the Taranaki threat and Te Heuheu and Ngāti Maniapoto came to their support, visiting Kīngi and Te Pēhi Turua at Whanganui on their way down. They then joined Ngāti Apa, Rangitāne and Muaūpoko and went to Rangiuru, at Ōtaki, 'to assist the Ngati Raukawa and save them' (p.36).

303. Haowhenua was a drawn-out, frustrating and tiring conflict that went well beyond its original purpose. Keepa captures this in his evidence.

> When the corn was filling out we were fighting. Papaka, a younger brother of Heu Heu was killed. He was a great chief. Our tribe the chiefs of the other party killed were Te Kautehoro, Mere and [blank]. There were many more fights going on every day. Some rested and fought. The people in the Pakatuka pah between the Whanganui and Ngati Raukawa had to give in on account of hunger. Rauparaha deceived Ngati Ruanui and killed [blank]. Pakatuka pah was abandoned. Wharepouri and others left in canoes. Those who remained were captured and killed by the Whanganui, Muaupoko, Ngati Apa. … Rauparaha was brought back from Ohau and he returned to Kapiti. The Ngati Awa retreated. Some went to the middle island and some to the Chathams. Afterward the Ngati Ruanuis returned home. (pp.36-37).

304. After the fighting had petered out, the iwi 'dispersed.' Ngāti Raukawa came north. Keepa was now talking from personal experience having 'grown-up' and being 'engaged in the fight' with his father (p.36). They return to Horowhenua, thinking that Ngāti Raukawa had left permanently, following Ngāti Tuwharetoa.

305. Keepa expressed no doubts about the outcome of Haowhenua; Ngāti Toa's mana had been 'overthrown' at Horowhenua and the same was true for Ngāti Awa, the other Taranaki iwi.

> We lived in a state of independence. These tribes never said anything about moving off separate pieces of land for us. (p.37).

306. Ngāti Raukawa had also been weakened and would have been beaten without the support of the other iwi.

Hūnia

307. When war came, it was not with Muaūpoko but between Ngāti Raukawa and Ngāti Ruanui, Taranaki, and Ngāti Awa. These iwi were plundering the food supplies of Ngāti Raukawa. Ngāti Raukawa began building defensive pā. Following Tahataha's example, one of the Ngāti Awa was 'very sore' and he killed Taurake (p.76). Then Kāwana Hūnia showed his contempt for Ngāti Raukawa in the Court, 'I have not heard that it was done by the parents of these people bouncing in the court (that is Ngati Raukawa).' (p.76).

308. At this point, the 'five tribes' went to Ōtaki to be 'beside Te Whatanui' (p.76), while the Taranaki tribes evacuated the coast. He then described attacks on several Ngāti

Awa pā, Pakatutu, Kopeka, Haowhenua and Kena Kena. They then dispersed, Ngāti Ruanui back to Taranaki, Ngāti Awa to the Chathams and South Island. Some remained at Waikanae, including Reretawangawanga and his son Te Rangitāke aka Wiremu Kīngi and Tuwainene, while others went to Te Whanganui-a-Tara and he named Wharepōuri, Te Puni, and Kopeka. With Ngāti Toa and Ngāti Tama defeated then 'all dispersed' (p.76), with Ngāti Ruanui returning to Taranaki, Ngāti Awa heading to the Chathams and the northern South Island and Wharepōuri, Te Puni, and Kopeka going to Wellington.

> I think other Ngati Raukawa would have been exterminated altogether during the fighting with the assistance of the five tribes and Heu Heu and Pohipi's people, they were saved. It was through Te Whatanui and chiefs of the five tribes that their assistance was given and by which they are alive to see this day. After the great fighting between all these tribes Whanganui and Taupo people went away. (p.77)

309. Like Keepa, Kāwana Hūnia suggests not only did Ngāti Raukawa's allies independently come to their support through their relationship with Te Whatanui, but they were critical to Ngāti Raukawa's very survival.

Te Whiwhi

310. Te Whiwhi also attributed the cause as plundering of food stores.

> Whakaheke went to Waitohu to see after his store of potatoes. He found Tawake in the hole where he kept his potatoes. This man was a Taranaki so he killed him. The Taranaki tribes attacked Ngatiraukawa and they fought at the place where Dodds house now stands at Otaki. The latter beat them and hung two of those they killed in the trees. The Ngatiawa were defeated at Waikanae and the fighting went on. (p.147)

311. Te Whiwhi described the fighting as coming to a stalemate, that 'neither party could be said to have gained the victory.' But after the fighting Ngāti Awa went to Waikanae and Ngāti Raukawa went 'back to Ohau.'

Ihakara Whakamaru

312. Whakamaru's evidence staunchly denied Ngāti Raukawa were a defeated people. He began by noting that Keepa claimed to have saved Ngāti Raukawa at Haowhenua. He blamed Keepa and Te Heuheu for the conflict. Te Heuheu and Turoa went down to Ōtaki, and he named the expedition as 'Tamati te U.' They went back to Whanganui, where they left their canoes, and found Ngāti Awa and Ngāti Ruanui on the other side, having taken the canoes. Turoa and Te Heuheu reacted against this and fought them. Popo of Ngāti Tuwharetoa was killed. Rangiopukia of Whanganui was killed. Hone Mihi of Ngāti Awa was killed. The Taranaki iwi then went to Ōtaki and took Ngāti Raukawa's food. Ngāti Raukawa then fought Ngāti Awa and Ngāti Ruanui and when Te Heuheu heard this, he came down to avenge Popo. Turoa came

down to avenge Rangiopukia's death. Muaūpoko joined to avenge Ngaweki and Tawhekerua [Taiweherua], killed by Ngāti Awa. Hoani and Puti of Rangitāne joined because of the killing of Mahari [Mahuri]. Muaūpoko were participating because of their anger over the feast of the pumpkins, an event that did not involve Ngāti Raukawa.

Commentary

313. The involvement of Muaūpoko and other original iwi on the side of Ngāti Raukawa was used by those iwi to demonstrate their independence and the retention of their mana. Unsurprisingly, they emphasised the critical role they played in 'saving' Ngāti Raukawa, while Ngāti Raukawa witnesses acknowledged their participation, but minimised their impact. Whakamaru's evidence is particularly significant given his staunch opposition to any suggestion that Muaūpoko had retained mana. But in his recounting of the participation of the other original iwi in Haowhenua, he attributed their motivation to events that were entirely within their own decision-making, and certainly not through any sense of allegiance or obligation to Ngāti Raukawa. He did add that none of them were killed and their assistance was not needed, but he had already conceded their independence.

19. Whanganui

Keepa

314. Before leaving his narrative of events behind, Keepa recounted a conflict between Whanganui and Ngāti Raukawa, where he was personally involved. Pehi Turoa invited Ngāti Raukawa to the opening of Pā Kāinga Manawanui. Keepa accused the Ngāti Raukawa of killing Amorangi, who had crossed the flooded river carrying clothing and fetching food. When he did not return, some thought he had drowned, but Keepa accused Ngāti Raukawa of having killed him, explaining that this had been confirmed after Ngāti Raukawa had embraced Christianity, identifying Parakeka as the killer.

20. Hotaki (Ōtaki)

315. The killing of Te Hotoke was one of those final acts used to argue ongoing resistance to the immigrant iwi.

Keepa

316. Keepa recounted that his 'grandfather' Te Rangiohea[44] and Kāwana Hūnia went to 'his place Pukehou above Ohau' (p.34). He continued by claiming that Ngāti

[44] Te Rangihouhia was not his grandfather but a elder relation, he was Kāwana Hunia's great uncle, through his mother Kaewa.

Raukawa 'went out again to hunt for people.' Te Rangihouhia caught Te Hōtoke,[45] a Ngāti Raukawa rangatira, and killed him. But then Keepa went on to say:

> This man went out to catch someone to eat and was killed himself. When Whatanui heard this he came to Horowhenua and took no notice of this man's death. (p.34).

317. It is possible that Keepa was saying that he ignored the killing, did not take offense and did not want this event to disturb relations between the iwi. Muaūpoko and Rangitāne lived quietly, and Muaūpoko and Ngāti Raukawa 'were on friendly terms and visited to and fro' (p.34). Keepa did not emphasise Ngāti Raukawa living amongst Muaūpoko and their allied iwi, although he did say that Te Whatanui at times resided at Horowhenua, and had been given a woman 'as a token of peace' (p.34).

Hūnia

318. After Takehe was killed, they had killed Hotoki of Ngāti Raukawa. 'We repaid the murder by committing another' (p.97). After Hatoki's death, Te Whatanui came to the pā, Waipata.

319. He later added a point of clarification on the killings that had taken place at Poutu on the Rangitīkei River[46], noting that one was spared and sent to Porirua.[47]He repeated that Hōtakē was killed as utu for the deaths of Takare and Paipai.

Hūnia

320. According to Hūnia, when Muaūpoko saw a group of Ngāti Raukawa, including Te Awaho, Te Puke and Te Hōtoke, trespassing at Pukehou, they killed Te Hōtoke when he strayed from the group.

321. Unaware of what had happened to Te Ōtaki, but suspecting that he had been killed, Awarata Puke and Waipata went to Horowhenua with Te Whatanui. Te Whatanui said that he had come to see Muaūpoko and Rangihouhia, to find out what happened to Te Ōtaki [Hōtoke] and why. Was it Muaūpoko or Rangitāne who were responsible? Was he being held and did they expect a ransom?

> Rangihohia stood up and said it is well you've come because my skin was sore Whatanui. We made peace together (you and I) and it is right you come. We killed Otaki [Hotoke]. You do come frequently to Horowhenua. But while you were engaged in peaceful relations with us Takiri[Takare] and Paipai were killed.

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[45] Hotoke was probably Ngāti Raukawa.
[46] Poutu Pā, was on Rangitīkei River. It was one of several signifant Pā in the area. After Waiorua and the deaths of Te Rangihauku and Koupeka of Ngati Apa. Ngati Toa attacked the Pā and lost. Hunia statement is that they sent the captive after Haowhenua to Porirua, I think is refering to returning the captive back to Ngati Toa
[47] Otaki MB 2, p 99.

> It is not clear to me that it was done by Ngati Toa. I thought it was done by Ngati Raukawa. You said to the tribes that you were a man of authority and would prevent disturbances between us and Ngati Toa but I do not consider you have carried that out. (p.74).

322. Te Whatanui then chastised his Ngāti Raukawa companions, complaining that while he was trying to keep the peace among the tribes, they were upsetting it. Evil needed to be left behind and replaced by peace. None of them responded to this. Kāwana Hūnia then commented that Te Whatanui remained at Horowhenua, declaring that 'my peaceful relations to you will not be abandoned' (p.75).

Ihakara Whakamaru

323. Ihakara related details of an attack on Putiki Wharanui, where he claimed they defeated the pā defended by a thousand men, Keepa's people, with some 'taken on shore by people' (p.128). The dead 'drifted out to sea.'

> Parematau Kurukahanga's mother was killed. Kemp and Tahana were put on board canoes like sharks and paddled away and then put on shore. I mean the Whanganui not these two individually. (p.128)

324. That victory was the last victory, and since then they had been unable to take revenge or come against him.

Commentary

325. The battle at Putiki Wharanui appears to be a major part in the Ngāti Raukawa narrative of conquest for the northern part of the district. To some extent their arguments were pointed at Keepa, as a rangatira from Whanganui. The critical question is are these raids and battles which also included Ngāti Apa on the side of Ngāti Raukawa evidence of anything else other than raids?

21. Other violence

Hūnia

326. Kāwana Hūnia talked about Ngāti Raukawa killing Putakarua as 'another evil thing' (p.79). This led to a 1200 strong taua from Taranaki, Waingangongo, Waitotara, and Whanganui, but 400 Ngāti Apa and 340 Upokoriri [Ngāti Ūpokoiri] refused to join them. Rangatira from Whanganui and Rangitīkei, his own Ngāti Apa, encouraged Hākeke to attack Ngāti Raukawa, but again he refused. They all had guns. The situation was very tense, but Hākeke insisted that it be resolved through discussion, 'you can fight it out by talking' (p.79). He also described the conflict as an intra-Ngāti Raukawa dispute, between Nepia Taratoa and those at Ōtaki. Again, he could not help but make a dig against Ngāti Raukawa:

> I did not see any of the parents of the Ngati Raukawa now in court were present at that time. They were out of sight. Some talking went on when Taratoa went into the presence of the Chiefs. If Taratoa and his party had been killed those of Raukawa living at Otaki and Waikawa would have bolted. (p.79).

327. Hūnia discussed further provocations following Kuititanga and debates about whether to act where Archdeacon Henry Williams was the peace-maker. Much of the discussion he described took place before or after a service held by the Archdeacon. Williams was at Whanganui on 23 May 1840, where he obtained ten signatures, including one from Te Tauri, identified as Ngāti Te Rangi-ita. All signatories were from Ngāti Te Rangi-ita, Ngāti Tūwharetoa, or Te Āti Haunui-a-Pāpārangi. Eight days later, he gathered another four signatures from the same iwi.

Wiremu Naera Pōmare of Ngāti Mutunga

328. During the debate, Wiremu Naera Pomare of Ngāti Mutunga interjected with a noteworthy comment.[48] Discussing the deaths of Putakarea and Arawaroa, he argued that they were entitled to take revenge, not because this was prior to the introduction of Christianity, but because the killing followed it.

Te Aweawe

329. Rangipouri testified that there were still killings. He noted that a Ngāti Apa rangatira called Rangiemaina was killed by a tomahawk wielded by a Muaūpoko 'brave', and he also described the killing of a high-born woman called Muriwhakaroto at Waikanae, without specifying which iwi she belonged to. The killing was part of a campaign to bring Te Aweawe and Tiwheta together to seek revenge for the killings at Waikanae. Hearing of this killing, Te Whatanui stepped in, telling them to let the fighting cease, saying 'when the Raukawa commenced their haka then you will join with us and we will act together' (pp.108-09)

[48] Note: the rangatira from Raglan had been heavily associated with Christianity and remained associated with the government during the wars as he had died in 1866. Wiremu Naera Pomare was Ngati Mutunga, had a lot to do with the chattams died in 1885.

6 Peace-making

330. If conquest was one of the major themes of these court cases, so also was peace-making. There are many references to peace-making throughout the evidence, but the most important of these involve five peace-making events: the role of Te Pikinga of Ngāti Apa in defining the relationship between Ngāti Toa and Ngāti Apa, a peace-making taking place at Karekare on the Manawatū River between Te Whatanui and Ngāti Apa and Muaūpoko, an agreement between Ngāti Apa and Ngāti Kauwhata (with Rangitāne involvement), an agreement between Te Whatanui and Taueki of Muaūpoko at Horowhenua, and finally an agreement between Ngāti Koata and Ngāti Kuia in the South Island which also involved Te Rauparaha.

331. Not only do references to peace-making occur at different hearings from 1868 to 1897, they come from witnesses from Ngāti Toa, Ngāti Raukawa and Ngāti Koata as well as from all three Kurahaupō iwi. Taken together, they present a very different picture of the way the migrating iwi were able to relocate themselves into the region, historical accounts which need to be seen alongside the conquest narrative we have just discussed.

1. Te Pikinga

332. Te Pikinga featured in the evidence of many witnesses from different iwi. Rakapa Kakohi, Te Whiwhi's sister described the marriage between Te Pikinga and Te Rangihaeata as maintaining the relationships between Ngāti Toa and Ngāti Apa. While Te Whiwhi himself in his 1868 evidence did not refer to her, in 1869 he too saw her as critical in that relationship, from the welcome Ngāti Toa received from Ngāti Apa on Te Rauparaha's return visit, to providing a place for Ngāti Apa with Te Rangihaeata, at a time when he argued they had been dispersed from Rangitīkei. He also argued that Te Rauparaha had used her as an intermediary in a later attack on Rangitāne at Hotuiti, emphasising her importance as an intermediary between the two iwi. Te Pikinga was described as one of the 'boundary posts', left by Te Rauparaha on the first taua. (Other accounts had her returning with Te Rangihaeata to Kāwhia.) Rapati Kakohi described Te Pikinga as ensuring that Ngāti Toa made 'friends' with Ngāti Apa. Kāwana Paipai described her as the source of 'good feeling.' Hohepa Tamaihenga said he 'placed Pikinga and our other prisoners to occupy the land for me, thus asserting our mana.'

Kāwana Hūnia Te Hākeke

333. Kāwana Hūnia Te Hākeke provided the most detailed account of how Te Pikinga was captured and became married to Te Rangihaeata. He described the battles which had taken place when Ngāti Apa had first encountered Ngāpuhi and Ngāti Toa. Whanganui had been surprised at Purua, where ten Ngāti Apa rangatira were killed. They were able to return and attack the invaders killing two Ngāpuhi rangatira. When the taua went on to Oroua they captured Te Pikinga and Arapata. Hūnia emphasised that despite these attacks, Ngāti Apa did not abandon their land but remained on it,

a response to Te Whiwhi's claims, 'the men of Whangaehu, Turakina and Rangitikei remained where they were.'

334. When the taua returned by canoe from the Wairarapa, there were tense negotiations between the two groups before they agreed to come together in peace. Eventually 'Te Rangihauku said to Te Rangihaeata "let your 'mana' to keep the maungarongo be equal to that of my father Te Ahuru whose 'rongo mau' could never be broken" – Rangihaeata assented and said "we will live in peace" – "I will take your daughter Pikinga, 'moea rangatiratia"'. When they left to return to Kāwhia, they took with them Pikinga and Te Whakahia moe , a 'slab' of pounamu, giving what Hūnia described as an 'affectionate leave.' Mātene Te Whiwhi denied the claim that the pounamu had come from Ngāti Apa, saying that it was from Taranaki.

335. Nonetheless, when taken together the relationship between Te Pikinga and Te Rangihaeata is used by witnesses to explain more peaceful relationships between Ngāti Toa and the other iwi, at least at different times.

2. The Karekare Peace-making

336. The most important of peace-making event took place at Kakekare on the Manawatū River.

337. In the Himatangi and Rangitīkei Manawatū Native Land Court investigations of 1868 and 1869, the peace-making narrative associated with events taking place at Karekare was presented by two witnesses. Both appeared for the Crown, the first was Kāwana Hūnia and the second Horomonia Toremi. The other narratives which followed tended to confirm key elements of these historical accounts, although some accounts do show variations. The key elements of both of their historical accounts are repeatedly referred to in later evidence presented in a variety of different inquiries. The major detailed historical accounts were later provided by Kāwana Hūnia again, by Keepa and Hoani Meihana in 1872 and in the 1890s, and by Kipa Te Whata for Ngāti Raukawa, Wirihana Hūnia (Kāwana Hūnia's son) and Kereopa Tukumaru of Ngāti Raukawa. Although Mātene Te Whiwhi in 1872 completely rejects the interpretations made by almost every other witness, he does acknowledge that the event took place.

338. The most important aspect of the Karekare events, for this inquiry, is the extent that key details, and even highly detailed narratives, can be found from Ngāti Raukawa witnesses as well as those from Muaūpoko, Rangitāne and Ngāti Apa.

339. There are several features shared by all these narratives.

- Karekare occurred soon after Te Whatanui relocated the whole community from Maungatautari, on Te Heke Whirinui.
- Karekare was a peace agreement.
- Te Whatanui initiated the agreement.

- The agreement was preceded by the capture of a group of women at Karekare, in some accounts Hotuiti.

- Te Hākeke of Ngāti Apa and Taiweherua of Muaūpoko were the rangatira who joined in this agreement with Te Whatanui.

- As part of the agreement, the women were released.

- The agreement was between Te Whatanui and the rangatira of the participating Kurahaupō iwi (some accounts differ on which iwi were involved) and allowed for ongoing peaceful relationships between those involved.

- Karekare was not the end of the violence. Killings that followed involved Ngāti Toa, Ngāti Awa and some other Ngāti Raukawa hapū, but not (by almost all accounts) Te Whatanui.

340. Most of the larger narratives described two rival taua, one led by Te Whatanui heading north along the coast, and the other heading south by an inland route thus missing each other. The taua heading south was intending to join up with Muaūpoko at Horowhenua, or already included Muaūpoko, to jointly resist the arrival of Te Whatanui. When Te Whatanui got to the Manawatū River he came across the women who had been left for their safety and took them prisoner. One or more of these women escaped or were released and warned those at Horowhenua that the women had been captured. The taua then rushed north. Te Whatanui sent one of the women as an intermediary to convince those leading the other taua of his peaceful intent. Te Hākeke and Taiweherua of Muaūpoko joined Te Whatanui in coming to a peace agreement.

341. But even those narratives that just mention the capture of the women inevitably imply that the men had left them behind to be able to engage in some form of military activity.

342. There are variations in the telling of these narratives, some of which are explained by the different context at the time they were given as evidence. The following review is what was said by different witnesses at different times and ignores the very different nature of the hearings undertaken between 1868 and 1897.

343. Variations include some differences of the iwi involved, in most accounts it is Muaūpoko and Ngāti Apa, but in others it was Muaūpoko and Rangitāne. Sometimes all three iwi were included.

344. In some accounts the taua coming south were seeking revenge for killings that had taken place at Rangitīkei, Ōroua and Manawatū and the captives taken along the way. These killings are usually associated not with Te Whatanui but with Ngāti Kauwhata. However, in more than one account, the killings are associated with Te Whatanui.

345. Almost all the accounts report that none of the women were killed, but a small number say that some of the women were killed.

346. The Karekare narrative is so substantially enmeshed in this voluminous fund of historical narratives it must be regarded as the memories of a real event, regardless of the different nuance witnesses gave this history at different times. If we take Māori oral history seriously at all, then these narratives must be taken seriously.

347. It is also important to note that features of the peace-making were not unique to Karekare. The use of intermediaries, a key feature in these histories, occur in other accounts of peace-making, with Ngāti Apa and Rangitāne with Ngāti Kauwhata, with Te Rangihaeata and Ngāti Toa with Ngāti Apa, and between Ngāti Koata and Ngāti Kuia in the northern South Island, also referred to in this evidence.

348. If the peace-making at Karekare took place in the way described, even on the points where everyone is agreed, then it has major consequences for the alternative explanation for Te Whatanui's relocation into this district. Under the Ngāti Toa narrative, the Rangitāne, Ngāti Apa and Muaūpoko had been conquered prior to the arrival of the other iwi. Under the mana of Te Rauparaha, the land from Whangaehu to Waikanae was allocated to these incoming rangatira. By the migration of Te Whatanui, Rangitāne, Muaūpoko and Ngāti Apa were defeated peoples, killed, dispersed or enslaved.

349. The Karekare peace-making demonstrates that at least two and most likely three of these Kurahaupō iwi were able to put together a joint taua to challenge Te Whatanui. This is not to say that they necessarily had the same military capacity as Te Whatanui, or even access to firearms. But they still posed a military threat.

Himatangi-Rangitīkei Manawatū, 1868 and 1869

350. Kāwana Hūnia and Horomonia Toremi provided the most detailed, even gripping, accounts. They were parallel accounts, confirming not only the details but even in evoking the tensions involved in the stand-off between the two taua before the discussions took place.

Kāwana Hūnia

351. In 1868, Kāwana Hūnia described some of the killings of individuals that took place on the Ngāti Raukawa/Ngāti Kauwhata migration through Turakina and Rangitīkei, naming individuals who were identified in Te Whata's evidence for Ngāti Kauwhata, rather than in the Te Whatanui group, which in Te Whata's account continue down the coast, rather than going inland.

352. When they reached Kāpiti, they were welcomed by Te Rauparaha who told them to go to Ōtaki where they could find good supplies of tuna. But, in Hūnia's telling, it was Te Rauparaha who told Te Whatanui to make peace with Muaūpoko.

353. He then described Ngāti Apa and Rangitāne coming down to join Muaūpoko to seek revenge for the killings that occurred as the Ngāti Raukawa/Ngāti Kauwhata migration came down through Rangitīkei. When the women were captured at

Hotuiti, two were sent as peace emissaries to Ngāti Apa, and the taua went north. There was a stand-off, and the drama was conveyed in the minutes.

> Muaupoko tried to surprise them – but the canoe got away – Turangapito was angry – nearly killed one of Muaupoko as they had put Te Whatanui and his people on their guard – after this Whatanui came down the river – came down the river firing on both sides – Ngati Apa passed up the river and let the canoes of Maukuingutu pass down the river – Te Whatanui called to say that he wanted to make peace – he let away two of the prisoners taken at the island – they (Ngati Apa) came out and met Whatanui – proposed peace – some of Ngati Apa agreed – my father said to Turangapito "let us return to Rangitikei" – Muaupoko stayed at Horowhenua and Rangitane went to their places – Ngatiraukwa then returned to Otaki – there was then peace – Ngati Apa did not give up an acre of their land (pp.517-18).

354. The peace was about coexistence, not about the transfer of land, which were parts of other peace agreements from this period. But the narrative does make it clear that Te Whatanui could peacefully settle on the land.

Horomona Toremi

355. Toremi's evidence, given in 1869, was almost identical to that of Kāwana Hūnia. He also described the two taua missing each other, one of the captives, in his account, escaping to let Te Hākeke know what had happened. When the taua returned he described the same stand-off, as both parties tried to sense each other's intent.

> On reaching the river they found two of Te Whatanui's men, Te Rangiata-ahua and Tuaipapa, who were seeking tawhara first. They tried to capture them but they escaped and gave the alarm to Te Whatanui. On the approach of the war party, Te Whatanui sent the captured women to Te Hakeke with an offer of peace. Te Hakeke agreed to this. A formal peace-making then took place between Te Hakeke and Te Whatanui at Te Karekare. (pp.484-85).

356. He also said that this was an 'unbroken peace' when he arrived, and it was 'never afterwards disturbed' (p.485).

357. He said that Ngāti Raukawa were scraping flax at Waiwiri. Muaūpoko were at their headquarters at Horowhenua but had joined the taua further north.

Other witnesses

358. Without conceding any recognition of Ngāti Apa interests, Parakaia Te Pouepa noted that there was a Ngāti Raukawa 'partial peace' with Ngāti Apa in around 1830.

3. Karekare, Kukutauaki 1872

Hoani Meihana

359. None of the witnesses presented the story of the peace-making at Karekare as vividly as in 1868 and 1869. Even Kāwana Hūnia's evidence this time round, while giving the same emphasis on the event, placed it in a much more extensive historical narrative, and lacked the drama of his earlier evidence and that of Horomona Toremi.

360. Hoani Meihana, in opening for the five tribes, offered a Rangitāne interpretation of the peace-making, linking it directly with the killings which had taken place in the Ngāti Kauwhata migration inland on their way to Kāpiti, while Te Whatanui went down the coast.

361. In 1868 the accounts had been given from a Ngāti Apa and Ngāti Kauwhata perspective, which identified tensions between Ngāti Apa and Rangitāne being played out in these events. Meihana's claim was that Te Whatanui came in peace and entered into friendly relationships with Kekerengu (Ngāti Ira at Porirua) and Taiweherua. According to Meihana, people were killed at three locations, where they were discovered *en route* (there were fewer killed in the earlier narratives).

362. But these killings initiated a taua from the north, he did not specify which iwi, coming down to join Muaūpoko at Horowhenua against the newcomers. In this account, it is worth noting that Muaūpoko were, at this time, were at Horowhenua. While this was occurring, Te Whatanui was on his way north along the coast. At a lagoon on the Manawatū, he came across the women who had been left behind at Hotuiti (Otuiti).[49]

363. One of the women escaped and went to Horowhenua to warn the taua of their capture. They started off with the intention of attacking Te Whatanui, but when they got there, they met another woman sent out by Te Whatanui to say 'Whatanui says it is peace, there is no evil' (p.21). When they reached the southern bank opposite Karekare, 'Whatanui then proposed that there be peace, that there should be no fighting and all the chiefs of Raukawa spoke to the same effect' (p.22). In Meihana's evidence, all the chiefs of Ngāti Raukawa agreed to the peace, and it included Rangitāne, Muaūpoko, and Ngāti Apa.

364. The key components of the narrative outlined earlier were still preserved. Anger at earlier killings led to a taua from the Manawatū, sent down to join Muaūpoko at Horowhenua. Te Whatanui heads north and the two groups fail to make contact, leaving Te Whatanui able to take captive the women at Karekare. After a tense stand-off, Te Whatanui initiates a peace agreement.

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[49] Hotuiti is sometimes spelt Otuiti etc. It had an Island pa in a swamp that lead into the Manawatu. The Pa was attacked by Ngati Toa where Tokipoto and Te Maraka and Te Oi were killed. It was latter reoccupied.

365. In his closing, he was far more strident, claiming that fear was the motivation for Ngāti Raukawa coming to an agreement.

Keepa

366. Keepa also tied what happened at Karekare to the Ngāti Kauwhata inland migration through the Manawatū, naming those killed and saying that Hamuera's mother was captured at Ōroua, but absolving Te Whatanui of any involvement in these killings. Kāwana Te Hākeke took a taua south to Horowhenua as a response to these killings, again Muaūpoko were at Horowhenua. Te Whatanui coming north captured the women at Karekare, by implication there were also children there, but he specified no men. Some escaped, and he named Arahura, who informed those at Horowhenua. They rushed north 'with the intention of fighting fairly in open daylight' (p.33). She had reported that none had been killed, and she had been sent out by Te Whatanui (somewhat contradicting the idea that she was one of those who had escaped). Konehi, the wife of Taiweherua, acted as the intermediary. Te Whatanui made peace and released the women. These iwi gave their consent to the peace-making as they looked upon Whatanui as a chief and thought the peace would be lasting.

Kāwana Hūnia

367. Compared with his earlier evidence, Hūnia only briefly dealt with the events of Karekare, referring to Kemp's earlier evidence. But the narrative here was somewhat different. Unlike the other two accounts, he had Te Whatanui involved in the inland heke, usually associated with Ngāti Kauwhata. There was no suggestion that the women were Ngāti Apa, despite his father saying that he was one of those captured as a child. Te Hākeke became involved, not because of the captured women, but because of those killed at Turakina.

368. It makes the narrative a little messy, with what looks like separate agreements with Taiweherua and Te Hākeke, with the result being the same, everyone returning to their own places, followed by a period of peaceful coexistence.

Pēti Te Aweawe.

369. Pēti Te Awawe of Rangitane describes the events leading up to and the peace made at Karakare. 'The tribes with whom Watanui made peace were Rangitāne, Muaūpoko, Ngātiapa'.[50] In his narrative the tribes gather a taua in response to killings made by one of the Ngāti Raukawa migrations.

370. The remaining five tribes' witnesses did not mention Karekare, with three of the five being Ngāti Kahungunu thus not being involved Hamuera Te Raikokiritia

[50] Te Aweawe, Otaki MB 1, 105 -106.

371. Te Raikokiritia described the conflicts with Ngāti Awa, Ngāti Toa, and Ngāti Rauawa as not fought out to a conclusion, because Te Whatanui had 'interceded to make peace' (p. 99).

Ihakara Whakamaru

372. Whakamaru was the first of the Ngāti Raukawa witnesses to mention peace-making, which, in the context of this hearing, implied agreements of which Karekare would seem to be included. His reference was brief.

> Whatanui came here on invitation by Rauparaha. The peace making between the Ngatirukawa and the five tribes was made as the five being the inferior and the Ngatiraukawa being the superiors. (p.131).

373. When taken together with his comments earlier in the hearing that Ngāti Raukawa had come peaceably, then he was accepting that there had been peace-making, although Ngāti Raukawa were in the superior position.

Mātene Te Whiwhi

374. Te Whiwhi also knew about Karekare and the claims that had been made for it as a place where Te Whatanui had made peace with Rangitāne, Ngāti Apa and Muaūpoko. He did not deny that something had taken place Karekare. He said that he had not heard of a Muaūpoko and Ngāti Apa party, going north to 'fight against Watanui' (p.152). However, he said:

> I heard of what was called a peace making at Karekare. It was not a peace making simply an act of kindness. I heard of the generosity of Watanui. I only admit that he showed kindness to these people. He could show kindness without making peace. (p.152).

375. Te Whiwhi clearly thought a point of legal principle was at stake, peace-making had to mark a ceasing of hostilities, but since the other iwi had already been conquered, this could not be the case. He would be equally adamant that none of the three tribes gifted land to Ngāti Raukawa.

376. Having described what he called the five times that Te Whatanui had fought with Ngāti Apa, Muaūpoko and Rangitāne, he included Karekare as one of these, 'where the women were killed was one of Watanui's fights.' (p.152). However, in making this list he said that none of these attacks were on pā, but hunting 'for them in the rubbish' (p.152), which suggests they may have included the deaths of those individuals killed or captured along the way. He had provided no detail of these complexities in his 1868 or 1869 evidence.

377. Whereas in 1868 in 1869 he described the killing of Te Rauparaha's children as entirely a conspiracy between Muaūpoko and Rangitāne, and a treacherous and

unprincipled attack. He acknowledged in this evidence the killing of Te Waimai was at least a factor in what took place.

Huru Te Hairo

378. Huru Te Hiaro was Rangitāne who appeared on behalf of Ngāti Raukawa. He accepted that Ngāti Raukawa had killed Rangitāne, but said after these killings peace was made, 'During the time they were friends, they obtained part of the land by conquest and part of it our parents gave them. They obtained part by conquest and part by gift.' (p.166)

4. Horowhenua 1873

379. There was no discussion of the events at Karekare in the Horowhenua hearing in 1873.

5. Horowhenua Commission 1896

380. In the Horowhenua Commission inquiry, Neville Nicholson acknowledged that he had heard that Te Whatanui had made peace with all the tribes at Karekare.[51] In the statement that he made to the Commission Kipa Te Whatanui also referred to Karekare as the place where Te Whatanui made peace with Muaūpoko, Ngāti Apa and Rangitāne, locating it if not as part of the southern migration, at least close to it. He did say that at the time Muaūpoko 'were scattered about in the bush.' There was little coverage of the pre-1840 events, other than that led by Kipa Te Whatanui, and it was his examination of Nicholson that drew his acknowledgement of the peace-making.

381. Alexander McDonald referred to Taiwherua as the man alleged to have 'made the general peace at Karekare.'[52]

Wirihana Hūnia

382. As in the version of his father's account, Wirihana had Te Whatanui come down through Manawatū, not down the coast. In 1868 Te Whata of Ngāti Kauwhata had made it clear that the two groups had separated, with his iwi going inland, and Te Whatanui's continuing down the coast.

383. Wirihana's version of this history was more or less compatible with his father's evidence in 1872, but included an attack on Muaūpoko at Karekare prior to the peace agreement, with some killed and others taken prisoner. But of those taken prisoner 'Te Whatanui saved them.' It could be noted here that even in Keepa's 1873 account some of the women were killed, although in his 1868 account there was no mention

[51] p. 218.
[52] p. 82.

of deaths among those captured. In 1869, Horomona Toremi was emphatic, none of the women were killed.

6. Native Appellate Court Individual Interests 1897

Kereopa Tukumaru

384. Kereopa Tukumaru appeared on behalf of Manihera te Rau, a Ngāti Raukawa living at Horowhenua who had been included in the 1873 list of beneficiaries and given evidence for Muaūpoko in Horowhenua. Although Ngāti Raukawa, he acknowledged Karekare as a peace-making, mentioned the capture of the women, identified Te Whatanui's determination to make peace, and identified Taiweherua as a Muaūpoko rangatira, and linked what happened at Karekare to the subsequent peace-making between Te Whatanui and Taueki. Hūnia confirmed some of the detail of this evidence, involving Manihere Te Rau and Pirihira[53] whose mother had been taken prisoner by Te Whatanui at Karekare. He also supported the inclusion of Te Rau in the list because he had been an ally of Hūnia in his dealings with Ngāti Raukawa during the 'troubles.'[54]

Raraku Hūnia

385. Raraku acknowledged the existence of Karekare (p. 37), then said that the peace agreement had been broken by Ngāti Toa and at Waikanae, distinguishing the peace between Te Whatanui and Taueki as being distinct from Karekare, because the agreement between the two men was about Horowhenua. But in cross-examination, she said that she had heard that Muaūpoko and Ngāti Apa had been defeated at Karekare by Ngāti Whakatere and others, and that Te Whatanui and his people had been involved.[55] Like Wirihana, she appears to be distinguishing between those defeated at Karekare and those who remained at Horowhenua. She also appears to be marginalising Karekare.

Te Rewanui Apatari[56]

386. Apatari also acknowledged Karekare 'and the fight that took place there.' He described it as a peace-making between Te Whatanui and his ancestor, Te Māhuri . Despite calling it a fight, he said that Ngāti Raukawa had not attacked Muaūpoko there.[57]

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[53] Pita Pukeroa captured Koriri and she was exchanged for her daughter Pirihira Arahura AJHR G2a, 1898, Kereopa Tukumaru p 53.
[54] Ibid., p. 54.
[55] Conflating earlier raid with Karekare taking of the women.
[56] Te Rewanui was a desendant of Te Aweawe, who was Mahuri's brother.
[57] Te Rewanui Apatari was Pēti Te Aweawe sister. They were Rangitane, and Pēti had been included in the Horowhenua Block in 1873. She was seeking to have Pēti included in the Block 11 of Horowhenua, which was being set aside for Muaupoko.

Kerei Te Panau

387. Te Panau was asked about Karekare and said he did not know anything about it, but thought that peace was made between Te Whatanui and Māhuri and that Te Whatanui had gone there from Ōtaki, but did not know why he had gone to Karekare or if any prisoners had been taken there. He then came back to the idea that the peace was broken with the attack on Papaitonga, by Te Rangihaeata and Ngāti Huia, of Ngāti Raukawa, where Toheriri, Takere and Paipai were killed.[58]

Ria Hamuera

388. Hamuera knew little about Karekare, but understood it was a peace that had been broken.

Wirihana Hūnia

389. In Wirihana Hūnia's account Papaitonga, where Takere and Toheriri were killed in an attack by Ngāti Toa and Ngāti Raukawa (but not Te Whatanui), occurred prior to Karekare. He also had the exchange between Te Rauparaha and Te Whatanui, where Te Whatanui announced that he wanted to spare Muaūpoko and Rangitāne. There was no mention of Ngāti Apa in this, as Wirihana appeared to be suggesting that they needed no saving. 'Only then' did Te Whatanui go to Karekare, at the same time as Ngāti Apa. Rangitāne, joining with Muaūpoko, were going south to attack Te Whatanui and Ngāti Raukawa. His narrative included the two groups missing each other. Te Whatanui took prisoners; most rather than all were women, but he did not kill any of them. Peace was made, Taiweherua and Te Hākeke were identified as the rangatira involved. He said that Te Rangihouhia wanted to kill Ngāti Raukawa, but was overruled. He then talked about this peace being down to Te Whatanui in good-faith aspect of what had been agreed at Karekare. There was no mention of Taueki in his evidence, although he had emphasised the agreement between Te Whatanui and Taueki when before the Horowhenua Commission. Unlike other witnesses, he said that the peace at Karekare had 'never been disturbed.'

Himiona Kowhai

390. Kowhai said that he had not heard from the old people that there had been an agreement between Te Whatanui and Taueki. The only agreement had been at Karekare between Te Whatanui and Te Hākeke and Taiweherua.

[58]Toheriri, Paipai and Takare are brothers. There are two different narratives. One is that Paipai and Takare are killed at Waiwiri / Papaitonga, and Toheriri is captured at Ohau, taken to Kapiti and killed (Wirihana Huni / Himiona Kowai / Rawinia Ihaia), or is killed at Ohau.

Ria Raikokiritia

391. Raikokiritia also said that peace was made at Karekare, but distinguish between that peace and that of Te Whatanui and Taueki. Later in her evidence, she said, like many others, the peace was broken.[59]

Rawinia Ihaia[60]

392. For Rawinia, Karekare was peace-making between Te Hākeke and Taiweherua, with Te Whatanui. She had not heard that Te Aweawe and Māhuri were involved.[61]

Kerehi Mitiwaha

393. Mitiwaha also confirmed that Taiweherua was involved.

Makere Te Rou

394. Talking about Karekare[62], she said she was sure that the agreement over Horowhenua did not occur immediately after Karekare, noting that there had been no mediator between Te Rauparaha and Muaūpoko.

Raniera Te Whata

395. Te Whata also said that Te Whatanui had not come from Karekare but from Ōtaki.

7. Ngāti Kauwhata and Ngāti Apa

396. Narratives of the Ngāti Raukawa migration which feed into the Karekare histories were also a key aspect of another peace-making narrative, that of Ngāti Apa and Ngāti Kauwhata.

Kāwana Hūnia

397. Kāwana Hūnia was the first witness to unpack Ngāti Raukawa's arrival, not just to explain what happened at Karekare, but to talk about Ngāti Kauwhata's heke, which in his account separated from Te Whatanui and his people, to go inland to Oroua and to Manawatū, on the way to Kāpiti.

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[59] Ria Raikokiritia was Hamuera Raikokiritia wife. Hamuera had given evidence in the 1872 Kukutauaki hearings.
[60] Rawinia Ihaia also known as Ngataahi married Ihaia Taueke. She was Tamati Maunu granddaughter and Ngati Pāriri.
[61] Rawinia Ihaia, also knwn as Ngātahi, was the wife of Ihaia Tauki.
[62] Makere Te Rou married Wiremu Te Rangimairehau. Her daughter married Kerehi Mitiwaha. Raniera Te Whata was he cousin.

Tapa Te Whata

398. Tapa Te Whata was described as Ngāti Kauwhata's 'head chief', by the *Wellington Independent*. He was the son of Te Whata, who had led the Ngāti Kauwhata heke south. His evidence stands alongside that of Te Whiwhi, Tāmihana Te Rauparaha and Kāwana Hūnia for its detail and strength of narrative.

399. Te Whata described how his father Te Whata led a party of Ngāti Kauwhata away from the main heke, going inland from Rangitīkei to Ōruoa, where they captured husband-and-wife Tumatauhiti and Moehau hoping to use them as guides along the way. But Moehau told them he was 'taungata kino he tangata makutu' and that if he was spared, they would all die, so they killed him. Moehau was taken as a wife by Taharoa. They then took three others prisoner, Kete Taonui, Makawhia and Te Kiore. (Ruakete was mentioned by Parakaia and Hūnia.) When Moehau was asked, who were the chiefs of this land, she answered 'Te Hawera, Te Anahi, and Te Raikokiri.' Te Whata went searching for them to negotiate land for the migrants but could not locate them. They came to Mangawhata (further down the Ōruoa) and Te Whata decided that this would be the place to settle.

400. On the way down to the Manawatū, they captured some Rangitāne and these were killed, not because Ngāti Kauwhata wanted to kill them, but because Ngāti Apa wanted revenge for earlier attacks from Rangitāne. Presumably on Ngāti Apa's suggestion they went upriver and surprised a Rangitāne 'kainga' where one person was killed for having the temerity to challenge them, and the rest retreated further up the river. While Te Whata's narrative in both hearings was almost identical in content, he omitted this part of the story in his evidence in the second hearing.

401. By the time they got to Ōtaki and Waikanae, the places were deserted, everyone had gone to Kāpiti. Then they caught up with Te Whatanui and the rest of the original heke. At Kāpiti, Te Rauparaha approved Te Whata's request to return to Ōruoa. When a delegation of Ngāti Apa came down to Kāpiti seeking the return of Ruakete, Te Whata agreed to accompany them back home. When they arrived at Ōruoa they were allocated land:

> They greeted us and Kete. Te Rai Kokiritia and Te Hanea and Te Auahi. Te Rai Kokiritia got up and said 'he oi ano te kopaki mou, ko aorangi". On the mountain side of Oroua, "and Whakaari". All the chiefs confirmed this gift. Te Auahi took a canoe and stuck it up as a 'pou' and called it "Te Hokowhitu o Ngati Kauhata". We accepted it. Ngatiapa had 'mana' at that time. They gave us this land. My father was friendly with Ngatiapa chiefs.

402. One of the most significant aspects of this narrative at this point was that, while Te Rauparaha had agreed to Te Whata's request that he returned to Ōruoa, it was not Te Rauparaha who did the allocating, but chiefs of Ngāti Apa, who in Te Whata's mind clearly had the mana to do so. These were two iwi negotiating the return of captured rangatira, taken on the journey south not through any battle, and Ngāti Apa gave up land for their return, but also admitted into their region an ally.

Hamuera Te Raikokiritia 1872

403. Te Raikokiritia described his mother as taken by Ihakara and Tapa as 'provisions to eat on the way down to Rauparaha' (p.103). When 'they got to Kapiti they changed their mind and showed their generosity and sent her back again in return for their good behaviour.' As a result his father had given them a small piece of land, which he then claimed was sold to the Government.

Pēti Te Aweawe 1872

404. Pēti refers to first peace being made between Kekerengu and Te Whatanui. He refers to three migrations of Ngāti Raukawa.[63] The last migration had captured and killed people. He described some degree of division within Rangitāne about whether they should accept a 'second peace', with Tiwheta, his nephew Māhuri (who would be killed at the feast of the pumpkins). Te Aweawe and Takawa were in favour, but 'Kaimokopuno [Kaimoko[una] was angry and he wanted Te Whetu to be killed' (p.107).

> Māhuri said to him you are wrong because Watanui's relative has brought back our mother, Kaimokopuna said it is right you are correct but I will not make peace with Te Whetu but my slave I will take to Watanui and make peace with him. (p.107).

405. Kaimokopuna went to Ōtaki taking a Ngāti Raukawa 'slave', Honataupo, with him. Whatanui welcomed him for his 'peacemaking for the sins of Raukawa after our first peacemaking' (p.107). Te Whatanui thanked him for coming, and suddenly committed himself to peace, 'Now that you have come to see me there is nothing to disturb my thoughts no evil behind.' Te Whatanui and Kaimokopuno then cemented the relationship with a hongi, and Te Whatanui 'fetched two guns and gave them to Kaimokapuna.' One of the guns was called Tipikai and the other was called Takiriwhitau.

406. Te Whetu asked Māhuri for a place to catch eels and Māhuri gave him a place called Taonui. Similar arrangements were made for Te Puoho and Purangi, another Ngāti Tama rangatira. Te Puoho was given a place called Hotoiti and Purangi Tokamaru. Following these arrangements, food was exchanged with Ngāti Tama at Maraikuta [Maraekuta][64] Ngāti Apa, Rangitāne and Muaūpoko were involved in these food exchanges and he named Mahurangi as a feast of eels and birds.

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[63] Pēti Te Aweawe, Otaki MB 1, p 105; Pēti states Ngāti Raukawa came in three migrations Hekewirinui [Hekewhirinui], Kariritahi and Terekukakuka. He states the last migration kille Tamakirunga and Kaihinu, and captured Hinetiti.

[64] Maraekuta was a Pā on the South side of the Otaki River. This was one of the places allocated to Ngāti Tama when they were forced of Kapiti Island by Ngāti Toa.

Keri Te Panau 1872

407. Te Panau described Te Whetu's people returning to Waikawa, with Te Kohu of Ngāti Wehiwehi the only one to remain at Manawatū.

> When Whetu knew how long he had to live he said Te Kohu you must go back to Waikawa. I am going to return Taunui [Taonui] to Rangitani. (p.116).

8. Muaūpoko and Te Rangihaeata

Keepa 1872

408. Keepa related a peace agreement with Te Rangihaeata at Horowhenua, where Te Rangihaeata and Taiweherua broke taiaha 'in the presence of all the people as a sign that there was no more fighting'[65]. This peace allowed Ngāti Raukawa to come to Ōtaki.

Hunia 1872

409. Kāwana Hūnia also described a peace emerging from the conflict, the first to involve Ngāti Toa and Muaūpoko, although it is likely that the peace was narrower, with Te Rangihaeata rather than Te Rauparaha. Hūnia says that Takare and Toheriri had been captured at Papaitonga, and this was one of the reasons for negotiating a peace. Fifty came with Te Rangihaeata to Karepo.[66]

9. With Taranaki Iwi

Hunia 1873

410. In 1873 Hūnia noted that one member of Ngāti Awa lived with Rangitāne, describing this as the basis for the 'peace laid down' by Te Puoho.

10. Te Whatanui and Taueki

411. A form of agreement between Te Whatanui and Taueki, made some time following Karekare, provides another peace-making narrative. It first appeared in Travers's interview with Kemp in 1871. Te Keepa told Travers that Te Whatanui had intervened to stop Te Rauparaha's aggressions to Muaūpoko 'it was on account of his making peace with one of the chiefs of Muaupoko… Te Watanui told Taueki that he would protect him, that nothing would reach him except the rain from Heaven".[67] He went on to describe Taueki's tuku to Te Whatanui: "Shortly after

[65] More Rangitāne than Muaūpko, WT, p. 101.
[66] Otaki MB 1, p 73; Karepo is at the northern end of Waipunahau, Lake Horowhenua
[67] 'Minutes of Evidence', p. 6.

this Taueki pointed out to Te Watanui the land at Horowhenua. He said to him 'If you want any timber there is the bush adjoining you, you can use that'." He recounted Kemp's exchange between Te Whatanui and Taueki in his 1872 lecture.[68]

412. In his closing address for the five tribes in Kukutauaki, Hoani Meihana referred to Raumatangi being given to Te Whatanui by Taueki, a major feature of this narrative.

413. But as evidence in an inquiry, it did not emerge fully until around 1890, with Keepa providing this description of the agreement between Te Whatanui and Taueki:

> When Te Whatanui came to Horowhenua he asked Taueki to live with him and assist him to make peace. Te Whatanui said he would be as a large rata tree to Taueki to protect him from danger. My father heard this, but he did not wish to make peace, he did not say anything as he was a young man. Taueki said there was a pah and eel weirs at Raumatangi for Te Whatanui. This remained in Te Whatanui possession until the land was put through the court.[69]

414. In 1896, before the Horowhenua Commission, Keepa presented a similar narrative, and in his telling, the entire quotation was attributed to Pomare:

> When Te Whatanui arrived here at Horowhenua he came to Taueki and said: "I have come to live with you – to make peace." Taueki said: "Are you going to be a rata tree that will shade me?" Whatanui said to Taueki: "All that you will see will be the stars that are shining in heaven above us; all that will descend on you will be the raindrops that fall from above."[70]

415. Kipa Te Whatanui, the advocate for Ngāti Raukawa, presented an almost identical narrative.

> After that Whatanui sent some slaves of his to call the Muaupoko together to come to him. The Muaupoko arrived; the chief of them was a man named Taueki, and he asked Whatanui whether he would be the sheltering rata over him. Whatanui said, "Only the drops of rain from heaven will come on you; my hand shall not touch you." After that, Rauparaha sent word to Whatanui that he had better destroy the Muaupoko, and Whatanui returned for answer, "No one must climb up my backbone," and the messenger returned and gave that message to Rauparaha.[71]

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[68] Travers, "The stirring times of Te Rauparaha ".; see also Travers and Stack, *The stirring times of Te Rauparaha (Chief of the Ngatitoa)*, p. 154.
[69] Otaki MB 1, p 163.
[70] 1896, p. 26.
[71] 1896, p. 225.

416. A few months later, Tāmihana Te Hoia, of Ngāti Raukawa, repeated the narrative, but with a very different purpose from that of Keepa or for that matter Kipa Te Whatanui.

> After Whatanui had taken the Muaupoko under his immediate protection do you know anything about the boundary defining the location? In the first place, when Te Whatanui called those Muaupoko out of hiding in the bush, Tawheke, one of the Muaupoko chiefs asked Te Whatanui whether he would be at rata of shelter to them, and he said, 'Yes, the rain of heaven will come on, but the hand of no man will touch you.' During this time, and from long time, Te Rangihaeata and Te Rauparaha were trying to persuade Te Whatanui to kill off the rest of the Muaupoko, but Te Whatanui declined to do so, and he kept them living with them as slaves, and there was no question of the boundary at all, they were living with him, and it was not to within late years that that boundary was spoken of it all.[72]

417. The following year, in 1897, Kipa Te Whatanui went so far as to say that Te Whatanui used the agreement to re-establish the independent mana of Muaūpoko, a very different interpretation.

418. While the exchange between Te Whatanui and Taueki, with its references to sheltering rata, and protection from the rain, only emerged in this form in the 1890s, witnesses' attempts to define the relationship between Te Whatanui and Muaūpoko went back to the very beginning of the Himatangi hearing. In his opening, Thomas Williams said:

> Of the conquered tribes some were living in captivity. Te Rauparaha's command was that all these people should be killed, but Ngatiraukawa saved them.

419. That a core of Muaūpoko remained in Horowhenua needed explanation to those witnesses appearing in the Court in the 1870s, or again in the 1890s, as it does to us today. If they were conquered then such an important resource would not have been available to them, unless they had been absorbed into the conquering iwi as captives. Some Ngāti Raukawa witnesses maintained that this was the case, but even such a hostile witnesses as Herekau, whose evidence in 1872 treated Muaūpoko with the utmost contempt, still conceded their residential independence, as did Ihakara Whakamaru.

420. By the 1890s, the relationship between Te Whatanui and Taueki had become critical to explaining Muaūpoko's survival at Horowhenua. In 1868, the explanation provided for the continued existence of the three original iwi was provided by Thomas Williams, and that was 'kindness', a form of tikanga that was undoubtedly overlaid by Christian theological understandings of human nature. In Williams'

[72] 1897, Legislative Council.

telling, and in several witnesses at the time, 'kindness' provided an explanation for almost any independent agency undertaken by any of the 'conquered' peoples, right up to 1868, and including the Rangitīkei sale of 1849.

421. Those opposing the Ngāti Raukawa non-sellers tended to emphasise the peace-making of Te Pikinga and Te Rangihaeata, and Te Whatanui at Karekare. They said nothing about Horowhenua, mote likely because the hearing was focused on land north of the Manawatū.

422. In the Kukutauaki inquiry there were few explicit references to Te Whatanui and Taueki. Kāwana Hūnia mentioned that:

> Muaupoko considered Whatanui a good man, as he was living quietly with them. He entered into a solemn compact with the chiefs of Muaupoko. (p.72).

423. But he gave no further details as to how this 'solemn compact' took place. Ngāti Raukawa witnesses continued this, to see Te Whatanui allowing Muaūpoko to continue on the land, but in a completely dependent situation, described by many witnesses as Te Whatanui's slaves. Keepa emphasised this arrangement as being far more equal, with Taueki providing land to Te Whatanui.

424. Henare Te Herekau also referred to Te Whatanui's sparing of Muaūpoko, but in very different terms.

> When the Ngatiraukawa captured Papaitonga and have remained in possession ever since, when they took all this land, they have kept it ever since. Had it not been for this interference of Watanui Muaupoko would have all been killed by Rauparaha. Watanui spared them so that they might be his slaves. Would slaves give land to a chief like Watanui? The Muaupoko, Rangitane or Ngatiapa never gave over land to Watanui. I swear these three tribes were taken prisoners and treated as slaves.[73]

425. Despite the intensity of his evidence against Muaūpoko, Rangitāne and Ngāti Apa, he said to the Court:

> Muaupoko were at Horowhenua in 1842. Ngatiapa were at Rangitikei and Rangitane were up the Manawatu river at Puketotara.

426. In this, he was admitting enough for the Court to conclude that Muaūpoko were living independently at Horowhenua.

427. In the Horowhenua Ngāti Raukawa evidence, there was much talk of the allocation of boundaries, none of which suggested that there was anything like an equal agreement between Taueki and Te Whatanui. However, many of the witnesses had

[73] p.158-59.

Taueki as a passive participant, a witness to the determination of the boundary made without his input. Where his agreement was acknowledged, the witnesses indicated that he had no opportunity to negotiate. Some Ngāti Raukawa witnesses denied that a boundary had even been determined between the two groups, rejecting any suggestion that Muaūpoko were entitled to any land at Horowhenua.

428. This was central to Keepa's argument that he had promised Pomare to look after Te Whatanui's interests, remaining true to that original gift. However, it was not until the 1890s that the idea of an exchange between Te Whatanui and Taueki became articulated in a form accepted by both Ngāti Raukawa and Muaūpoko, although they interpreted this exchange differently. It is important to note that in 1872 and 1873, none of the Ngāti Raukawa witnesses represented Te Whatanui, but in the 1890s the Ngāti Raukawa case was being led by Kipa Te Whatanui, whose evidence was deliberately designed to defend the interests of Te Whatanui and his direct descendants.[74]

429. By the time of the 1897 investigation into individual interests, many witnesses referred to a peace agreement between Te Whatanui and Taueki, or were asked about it in cross-examination. However, within that evidence there were different interpretations of the importance of the agreement and also, different interpretations of how independent Muaūpoko were at the time of the agreement.

Raraku Hunia

430. Raraku Hūnia was in her 20s when she gave evidence, extraordinary in its detail and its clarity. As has already been demonstrated in the Karekare discussion, her evidence, along with that of Wirihana Hūnia, placed Karekare as a defeat, but this did not undermine her argument that at Horowhenua, Muaūpoko under Taueki remained independent.

> The portion south of that stream was given by my ancestor Taueki to Te Whatanui, after Muaupoko were defeated at Karekare and fled to Horowhenua. My ancestor Taueki held the land against Te Rauparaha when others fled. He gave the land to Te Whatanui when they made peace. Taueki kept the land north of the stream for himself and. those with him. (p.34).
>
> My ancestor Taueki having made peace with Whatanui is my *mana rangatira*.
>
> An eel-pa in Hokio Stream; it belonged to Potangotango. I have seen his descendants working there. It is included in the gift by Taueki to Whatanui. (p.35).

[74] Kipa Te Whatanui was not adescendant of Te Whatanui, but his wife Heni was. At the time Te Whatnui sister, Hitau, descendants were seeking a share in Horowhenua block 9, which had been set apart fo Te Whatanui descendants.

> Taueki said he would take shelter among the rata trees on his own land, and he did so until Whatanui came, and they made peace. Then the others came back and claimed a share in the land that my ancestor had held against his enemies.
>
> The land south of Taueki's boundary was for Te Whatanui.
>
> Ngatitoa did not fight against Muaupoko again. That is Kemp's story. I am telling my own. Ngatitoa and Ngatiawa did fight against Muaupoko after Waiorua. I have heard of the making of peace at Karekare, but it was broken afterwards by Ngatitoa. I have heard of the massacre at Waikanae. [Vol. 13, fol. 164, Kemp, read: " There were about four hundred Muaupoko went," &c] I heard that Te Whatanui tried to prevent them going; this was an indication of his good faith. The peace between Whatanui and Taueki was about Horowhenua, not Karekare. Ihaia Taueki was taken prisoner by Ngatituwharetoa, and his father fetched him back on to the Land. (p40)
>
> Peace was made between Taueki and Whatanui at Te Kawiu. Te Aweawe was present when peace was made. I do not know where he came from to Te Kawiu, or where he went afterwards. Hereora and Noa te Whata told me he was present. (p.41)

Wirihana Hunia

431. Raraku was a daughter of Hereora Taueke and Kāwana Hūnia, therefore Taueki and Te Hākeke's granddaughter. Whereas Raraku had placed Taueki at the centre of her telling of the peace at Horowhenua, Wirihana had a very different interpretation.

> After peace was made Whatanui, accompanied by Muaupoko, came south by the old inland track. They arrived at Te Kawiu, and found Te Rangihouhia, Taueki, and others of Muaupoko there. Te Rangihouhia wanted to kill Te Whatanui, but was restrained by his friends, because peace had been made between Te Hakeke and Taiweherua. Whatanui went on to Otaki, but left his mokai with Muaupoko. His purpose in doing so was to test the adherence of Muaupoko to the peace that had been made. Whatanui returned to Horowhenua from Otaki. He was met at mouth of Hokio Stream by Muaupoko with his slave. As his slave had not been killed he knew that Muaupoko had adhered to the peace that had been made. He and his people — the Muaupoko — made a clearing at Te Watutua. (p.72)
>
> Whatanui, who had taken the land and stream, with the assistance of Rauparaha and his people. I never heard until this Court that Te Whatanui and Taueki made peace. I heard that Te Whatanui made peace with Te Hakeke and Taiweherua at Karekare. This peace was never disturbed. (p.76)

432. Wirihana's version was different from other versions in that Taueki and Te Whatanui made the peace directly after Karekare. He was presenting a very specifically

narrative in support of his mother's hapū, Ngāti Pariri. The argument, was not based on a whakapapa linked to Taueki. Denying Taueki's role was aimed at supporting Ngāti Pariri's claims to inclusion in the individualised blocks, a claim being resisted by some other witnesses.

Paki te Hunga

Paki Te Hunga was another witness supporting the Ngāti Pāriri claim.

> They did not take part in the peace-making between Taueki and Whatanui. Ngatipariri wanted to kill Te Whatanui, and he fled to Otaki. They did not live under the mana of Taueki. (p.64).
>
> Taueki may have been friendly with Whatanui, because they had made peace. I saw Taueki's people cutting raupo for Whatanui's house, and preparing the site. (p.65).
>
> I do not think the making of peace between Taueki and Te Whatanui did away with ancestral rights. If Te Rangihouhia had killed Te Whatanui the Muaupoko would not have been exterminated. The Rangitane and Ngatiapa would have assisted them to resist Ngatiraukawa. (p.67).

Himiona Kowhai

433. Himiona Kowhai was another witness supporting the Ngāti Pāriri faction. He connected the peace-making not to Taueki, but to Taiweherua and Hākeke at Karekare.

> I have not heard that it was owing to the making of peace by Te Whatanui and Taueki that Muaupoko lived in security at Horowhenua. The only peace I know of was made at Karekare between Whatanui and my ancestor Taiweherua. I heard that Taueki gave Te Raumatangi eel-pa to Te Whatanui; none of the others. (pp.83-84).
>
> I have never heard from the old people that Whatanui and Taueki made peace; the story has been invented lately. There was only one peace-making, and that was at Karekare, between Whatanui on one side and Te Hakeke and Taiweherua. (p.87).

434. In the Ngāti Raukawa narrative, from 1872, the relationship between Te Whatanui and Taueki was connected with the establishment of a boundary. Wirihana denied that such a boundary had been set, and in Keepa's and Raraku's accounts specific places had been set aside for Te Whatanui, rather than a dividing line placed between Muaūpoko and Te Whatanui's interests.

435. Other witnesses stressed the absence of any boundary being laid down and that the gift was limited and specific.

Kerehi te Mitiwaha

> There were no divisional boundaries by my ancestors; they owned in common. The alleged boundary set up by Wirihana and Rihipeti Tamaki's cases had no existence. I never heard it before. I never heard of any boundary between Whatanui and Taueki.
>
> Taueki did not start for the Waikanae feast (Mahurangi). He was at Horowhenua at the time. Taueki and many others suspected treachery. Whatanui and Taueki had made peace before the massacre. Whatanui went to Otaki after he made peace, and returned again after the massacre. I support Rawinia's statement that Taueki gave Whatanui Te Raumatangi and a small piece of bush only. (p.126).
>
> I heard the evidence about the peacemaking between Taueki and Whatanui; it is true; I was living at Te Namuiti at the time. All I can remember is that Raumatangi eel-weir and the bush at Te Mauri were given by Taueki to Whatanui. No one objected. I never heard of any boundary between Whatanui and Taueki, as alleged by Raraku, I can say positively that it was never mentioned at the peace-making. After peace-making Te Whatanui returned to Otaki; then came back and lived at Raumatangi. (p.120).

Hoani Puihi

> The only pa Taueki had that I know of was Raumatangi, and he gave that to Te Whatanui. It was originally given by Ruatapu to Potangotango because Te Horapoto had thrown Potangotango into the water there. Taueki gave Raumatangi to Te Whatanui as a reward for protecting him. It was not owing to that peace-making that Muaupoko were enabled to live here. My elders remained here with Taueki. Whatanui and Muaupoko each had mana over their own land. (p.105).

436. One witness was vague about the nature of the peace, but very clear about the gift to Te Whatanui of an eel weir and a karaka grove.

Hopa te Piki

> I have heard that Taueki made peace with Te Whatanui. I do not know the particulars, or why they made peace, but I have heard it talked about. (p. 95).
>
> Taueki gave Te Raumatangi and Te Mauru to Whatanui; he took possession of a much larger area, down as far as Rakauhamama, without the consent of Taueki. (p.96).

437. But other witnesses did see the agreement as laying down some form of boundary.

John Broughton

> It was a boundary between Muaupoko and Te Whatanui, and was laid down by Taueki. It was not our ancestral boundary. (p42)

Kerei te Panau

> I heard that Taueki asked Te Whatanui if he could protect him. Te Whatanui replied that he could. Then Taueki gave him some land, the boundary of the land from Tau-o-te-ruru to the sea. It included the Hokio Stream. I never heard from my elders that any of Muaupoko objected to the gift of land made by Taueki to Te Whatanui. I have never heard any one object to it. (p.48,49).

Raniera Te Whata

438. Te Whata took a more cynical view of the arrangement, arguing that there was a diversity of opinion among Muaūpoko, and that after Te Whatanui's death, the agreement had been 'violated'.

> I was present when Taueki and Te Whatanui made peace at Te Namuiti. Tanguru was there. It is not true that he was in Wanganui. I am certain that he was at Horowhenua. He objected to Taueki making peace. I knew Te Rangihouhia. I do not know where he was living when Te Atua brought me here. It was afterwards that I saw him. He was here before the peace-making; he wanted to kill Whatanui, as he had Hotoke. Whatanui came from Otaki. We did not approach him to make peace. It was he who came to us. After peace was made Rangihouhia went to Rangitikei — long before Kuititanga. He returned here and lived at Waipata.
>
> He attempted to take more than was given to him. Taueki and the first Whatanui adhered to their agreement. The second Whatanui departed from the agreement to some extent, and the third violated it altogether. That is why Taueki's descendants applied to the Court. (p.138).

439. Some Muaūpoko witnesses still saw the agreement as based on Te Whatanui's 'mana' over the whole area.

Te Rewanui Apatari

> At one time the Ngatiraukawa had the *mana* over the whole of the territory between Manawatu and Pukerua. Peace was made between Taueki and Whatanui, and Taueki invited the survivors of Muaupoko to return to Horowhenua. It was then that Taueki asked Whatanui if he could protect him, and Whatanui replied that he could, and added, "I am the rata that keeps off the wind; only rain-drops will fall upon you; the hand of man will not be raised against you." (p.45).

440. But others saw the agreement as an indication of Muaūpoko's independence.

Makere te Rou

> The Muaupoko were living as an independent people when Taueki made peace with Whatanui. It was owing to the making of peace that the Muaupoko remained in peaceful possession of Horowhenua.
>
> I was well grown when Taueki and Whatanui made peace. Muaupoko were all living together at Namuiti. Whatanui came from Otaki. Paora Potiira and others came with him. I am sure he did not come here from Karekare. There was no mediator between Rauparaha and Muaupoko. (p.135).

Rawinia Ihaia

> I have heard of peacemaking between Taueki and Te Whatanui. The bulk of Muaupoko were at Te Namuiti awaiting Te Whatanui. The Muaupoko were living independently; they did not go into Whatanui's house. Whatanui and his people came into Taueki's house at Te Namuiti. Muaupoko lived independently. (p.112).
>
> There was no serious trouble between Taueki and elder Whatanui. It was Te Whatanui who sought Taueki's friendship. Taueki gave Whatanui the Raumatangi eel-weir and Te Mauri, a piece of bush. (p.115).

441. This was also true of the other Ngāti Raukawa witnesses, who acknowledged both the peace at Karekare and that between the two rangatira.

Kereopa Tukumaru

> I knew Taueki. He was a chief of Muaupoko. I do not know that he was ever taken prisoner by the war-parties who attacked him at Horowhenua. He and Te Whatanui lived together on terms of friendship. They made peace. Taueki asked Whatanui if he could protect him, &c. [Repeats story given by other witnesses.] Taueki and Whatanui first made peace at Karekare. It was never disturbed by Ngatiraukawa. Ngatitoa caused complication by killing Takare. I think the final peace-making between Taueki and Whatanui took place here, but I am not sure. I cannot say who were living with Taueki when peace was made. I suppose Tawhati and the other Muaupoko chiefs were with him. (p.53).

Commentary

442. From the 1890s, the words attributed to Taueki and Te Whatanui became almost universally associated with attempts to describe the relationship between Te Whatanui and Muaūpoko. However, it was their ambiguity that made it so useful.

The narrative was sufficiently ambiguous to support either a peace-making narrative or conquest narrative.

443. In 1912, the Native Appellate Court applied the narrative to support its uncompromising conquest narrative.

> Had it not been for the peace made by Te Whatanui with Taueki, the chief of Muaupoko, at Karekare, the remnant would have been annihilated. By arrangement with Te Whatanui, who allotted them a portion of Horowhenua, Taueki gathered together all the fugitive Muaupoko who desired to return, but a number had fled to the South Island and did not again appear on this block till after Christianity had been established.
>
> Whatanui protected the Muaupoko from the attacks of Te Rauparaha and settled himself at Raumatangi on the shores of the Lake. During his lifetime the Muaupoko never attempted to dispute the boundary and were never in a position to do so.

444. The Native Appellate Court quoted Keepa's interpretation of the same event from the Horowhenua Commission, only to dismiss it in favour of their own interpretation, used to support a hard-line conquest argument.

445. That there was a relationship between Muaūpoko and Te Whatanui was almost universally agreed. Some, and as this evidence makes clear only some, Ngāti Raukawa witnesses dismissed any suggestion that this exchange involved two rangatira, rather than Te Whatanui and his conquered subject. But as the evidence of Kipa Te Whatanui and Kereopa Tukumaru demonstrates, some Ngāti Raukawa accounts recognised Taueki's independence. The evidence is very clear that the relationship between Te Whatanui and Muaūpoko was very different than that of Muaūpoko with Te Rauparaha or Te Rangihaeata, or for that matter any other Ngāti Raukawa rangatira. What the exchange does capture is a promise of protection, a promise to stand between Muaūpoko and other rangatira from any of the migrating iwi.

446. The relationship was personal and the promise limited, as the narratives over the 'feast of the pumpkins' demonstrate. Muaūpoko was sufficiently independent for Te Whatanui to be unable to protect Muaūpoko from themselves. However, after Te Whatanui's death, his mana was not matched by those of his sons, who increasingly found their interests challenged by other Ngāti Raukawa rangatira. That too was a challenge to Muaūpoko. The 'troubles' from the 1860s can be seen not so much as Muaūpoko reasserting rights that had been extinguished long before 1840, but as defending their relationship with Te Whatanui which was under threat.

447. For most witnesses the overarching agreement was that reached at Karekare.

7 Conclusions on the Evidence

1. Guns

448. The evidence on the limitations of muskets in the Kukutauaki hearing has a degree of authenticity. The 1820 Ngāpuhi/Ngāti Toa taua was early in the musket wars, and although this taua was, for the time, well-armed, the number of rangatira having weapons of their own must have been limited. Te Whiwhi's description of the whole taua being no more than 150 people, and only 30 of these Ngāti Toa, seems more realistic than estimates of over a thousand in later, often European, accounts. Once a volley had been fired, muskets had to be reloaded, and they were extraordinarily unreliable without practice, skill, and good powder. How much powder and shot the taua could carry with them for an expedition lasting the best part of the year is an open question. Powder also needed to be kept dry.

449. Until those firing had been able to reload, they were vulnerable to attack as accounts of the killing of Tūwhare at Whanganui demonstrated.

> Tuwhare, emerging from behind a whare, fired at the chief Hamarama. The shot missed and in an instant Hamarama had split the invader's skull with his mere.

450. When firing into a mass of people, accuracy mattered less, and the ensuing panic was quite sufficient for the attacking group to pursue and kill those retreating, particularly if they had access to iron axes. But as the evidence given here suggests, notice of the taua and their weapons went before them, and at times those with only 'wooden weapons' were able to get the upper hand, as was acknowledged in an attack at Heretaunga, on the Hutt River, where the taua was taken by surprise.

451. The violence described here was not reliant on the forces with muskets turning up, firing upon the defenders, and killing them in large numbers either in earlier volleys or in the fighting in the panic that followed. As both Keepa and Hūnia's accounts demonstrate, the taua often relied on deception, *faux* peace, to give the defenders a false sense of security, before unleashing the violence against them. This too make sense, because it reduced the reliance on valuable powder and shot.

2. Legitimacy in Warfare

452. Both sides in the Kukutauaki hearing made extravagant claims about the number of battles they had fought and won. Sometimes these so-called battles were no more than the killing of individuals, and, at times, single individuals. At other times they were larger affairs. Only on Waiorua was everyone agreed that this was a major battle and that the original iwi lost. There is considerable evidence that the original iwi engaged in a degree of insurgency as the best way of dealing with an opposition that was better armed. Attacking by night, withdrawing into the darkness and into the bush immediately after having achieved their objective was an understandable

modification in tactics. But for Ngāti Toa witnesses, not attacking in the open visibility of daylight removed any sense that this was a legitimate attack. For their part, the original iwi accused Ngāti Toa of using deception, bringing people out of pā with the promise of peace, only to kill them indiscriminately. Retreating into the bush, even defending oneself on an island pā, were also regarded as illegitimate forms of warfare.

3. The fragility of Ngāti Toa's position pre-Waiorua

453. Te Pēhi Kupe's departure for England to get firearms is telling. Ngāti Toa had migrated south partly to be free of the predatory attacks the Waikato were inflicting upon them, even though in Tāmihana Te Rauparaha's account, his father considered these of no importance. But one of the primary objectives, and the one suggested to him when Bellingshausen's expedition was seen in 1820, was to get access to European ships. Above all, access to firearms depended upon that. Bellingshausen's voyage was an expedition, a unique visit to the region, and not a sign of plentiful European trading opportunities. In Tāmihana Te Rauparaha's account, Te Pēhi had to pursue a sailing ship in a waka and jump aboard when it failed to stop. An earlier ship arrived, but took away a single pig, hardly evidence of a thriving trade.[75]

4. Occupation and Title

454. In exploring the mountainous body of material that was generated in the 1890s, it is striking that despite the 52,000 acres of the Horowhenua block, the area of that block in contention was the south-western extremity, from the Hokio stream to the Waiwiri stream. Arguments about boundaries, who had title to eel weirs, and who resided on the land were re-articulated almost incessantly. Despite the Legislative Council saying that the petitioners before it, led by Kipa Te Whatanui, were not asking for the whole block, this was not the case. They did want the whole block re-litigated, but were doing so through a very narrow geographical area. The problem here for those dealing with the Crown and the Court in the 1860s and the 1870s was that day-to-day occupation of the land, resource use, where people were cultivating, where they were fishing, if frozen in time, was often of a very limited part of the district. At Horowhenua, occupation was concentrated on Horowhenua Lake, Waiwiri and the Hokio. These were the areas that were contested, contested between hapū and individuals of Ngāti Raukawa and between these hapū and Muaūpoko. To suggest that residency was fixed at 1840, and that even though people lived peacefully between 1840 and the late 1860s, misses the whole dynamic relationship between people and the land. When Te Whatanui died, much of the authority associated with him was quickly dissipated. Other Ngāti Raukawa interests came in to fill the vacuum, coming to a head after the death of the last Te Whatanui, Te Whatanui Tutaki.

[75] Te Rauparaha, *He pukapuka tātaku i ngā mahi a Te Rauparaha nui*, p. 123.

455. While Ngāti Raukawa did provide evidence of occupation, which in 1873 the Court could have taken notice of more than it did, the problem was how to project occupation that was often seasonal like fishing, as it was for many of these Ngāti Raukawa claimants, to a title claim to a far greater area of land. Claiming by conquest allowed assertions of title to be made to areas of land and mountains never visited by the vast majority of those claiming interest in them. To successfully deny conquest, as Ngāti Apa did in Rangitīkei Manawatū, limited the claims of newcomers to specific and limited areas. In Kukutauaki, the Court was able to reject a conquest claim, while at the same time projecting almost entirely coastal occupation to all the area included in Kukutauaki, with very little evidence on which to base that decision.

456. Having disposed of conquest in its Kukutauaki judgment, the Horowhenua inquiry became entirely one of occupation and ancestry. Here Muaūpoko were able to dominate the arguments by demonstrating occupation of the whole block, while the Ngāti Raukawa witnesses still insisted that they had the authority, which could only be through conquest, to limit Muaūpoko's interests.

457. The Court, and for that matter the Ngāti Raukawa witnesses, treated forest lands and mountains as almost valueless, a form of *terra nullius*. Te Whiwhi in the 1860s and 1870s, and Kipa Te Whatanui in the 1890s, argued that Muaūpoko retreated into the forest, were scattered in the bush, and that this was the primary argument for demonstrating conquest over the whole block. Whenever Ngāti Toa had attacked Muaūpoko, right up to the last attack on Papaitonga, it was not in the forest, but at Horowhenua. Te Whiwhi's evidence made it very clear that Ngāti Toa had no intention of going very far in pursuit of Muaūpoko once they retreated into that bush.

458. By the late 1820s, with the arrival first of Ngāti Awa and then Ngāti Raukawa Muaūpoko were in an increasingly vulnerable position. As their own witnesses accepted, they had been mauled, many had left going to Arapaoa, across the strait, and they were in no position to directly confront the newcomers. But that does not mean that they could not engage in the kind of insurgency which they had adopted from the beginning of the introduction of firearms. By this time, if weapons were not directly available to them, they were to their allied iwi, such as Whanganui. Even in the 'bush' they were a threat, particularly if they were joined by allied iwi.

5. Numbers Killed

459. Te Whiwhi's evidence of those killed stands in stark contrast with the far more extravagant claims made for instance in Tāmihana Te Rauparaha's account of his father's life. Even at Waiorua he identified only 40 killed. It seems much more likely that his numbers are closer to reality, as they are in identifying how many took part in the original taua. In major attacks on Muaūpoko, on the islands of Papaitonga after the killing of Te Rauparaha's children, and then in the very last raid by Ngāti Toa, numbers are also likely exaggerated.

460. In this research, one major feature has reinforced this conclusion. In 1897, Muaūpoko went to court to claim what was described as ahi kā interests in Block 11.

In a hearing that lasted months, from February 1897 until the end of July, individuals took their whakapapa and their highly specific claims to the land to the Court to claim inclusion. Many of those giving evidence had been away from the land in Arapaoa across Cook Strait, where many Muaūpoko went facing threats from Ngāti Toa. Unfortunately, Ngāti Toa followed them. Some had stories of capture, release and return. The many whakapapa presented and debated before the Court extended to a period well before the arrival of Te Rauparaha and Ngāti Toa. Some individuals were recorded in these whakapapa as being killed at Papaitonga, at the feast of the pumpkins, or at Arapaoa. But the numbers are not large. There is no evidence of large-scale disruption in whakapapa which would have been expected had the iwi been so dramatically cut down in the numbers projected in what would become the dominant publicly available histories.

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