DUPLICATE

Wai 58 # A2
Wai 295 # A1
Wai 320 # A1
Wai 45 # R1

"A LAND FLOWING WITH MILK AND HONEY"

Aspects of the History of Kohumaru in the Vicinity of Kenana

A Report Commissioned by the Waitangi Tribunal for Wai 58, Wai 295 and Wai 320

Katherine Orr-Nimmo

May 1999

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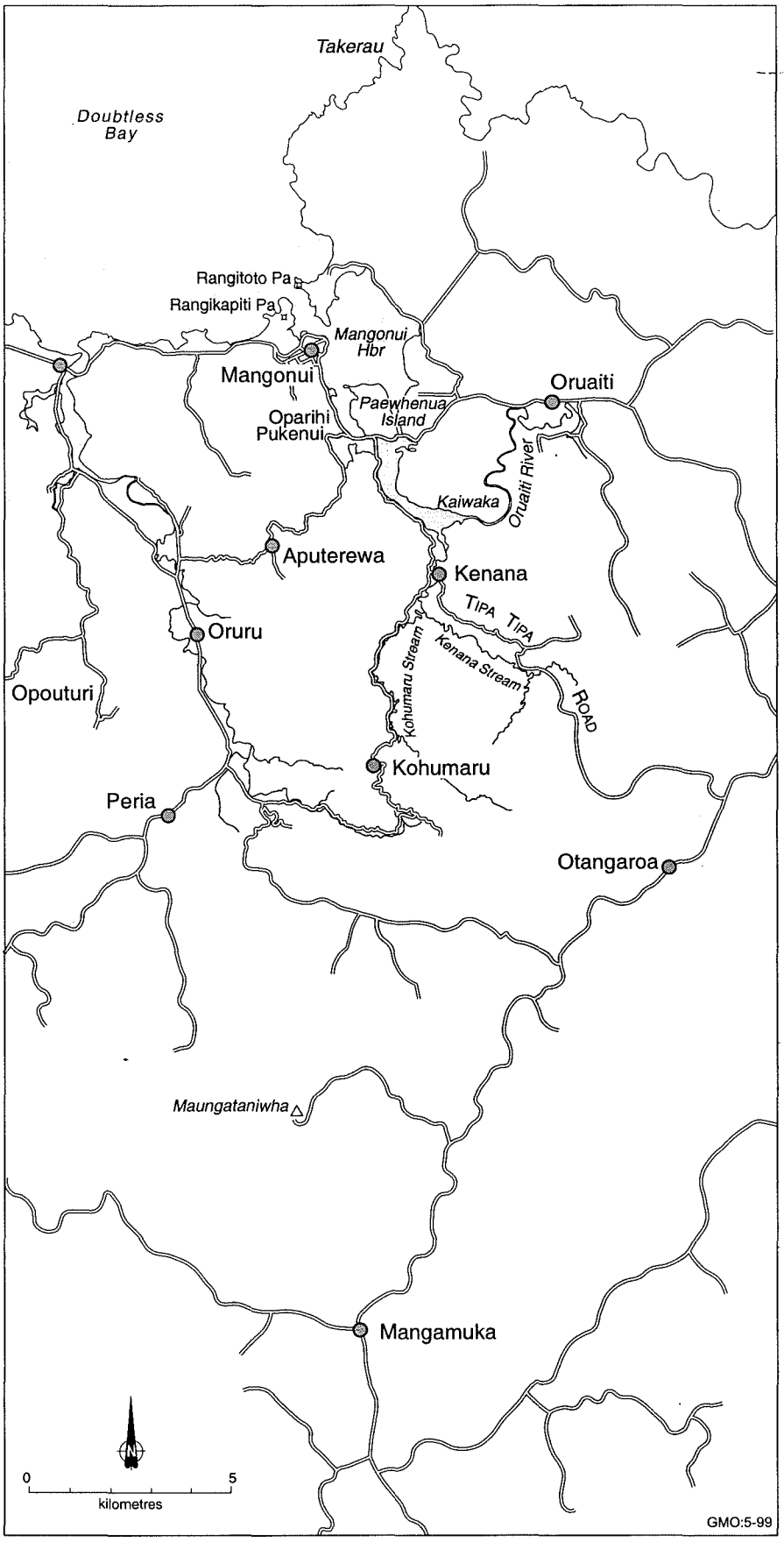
ABBREVIATIONS

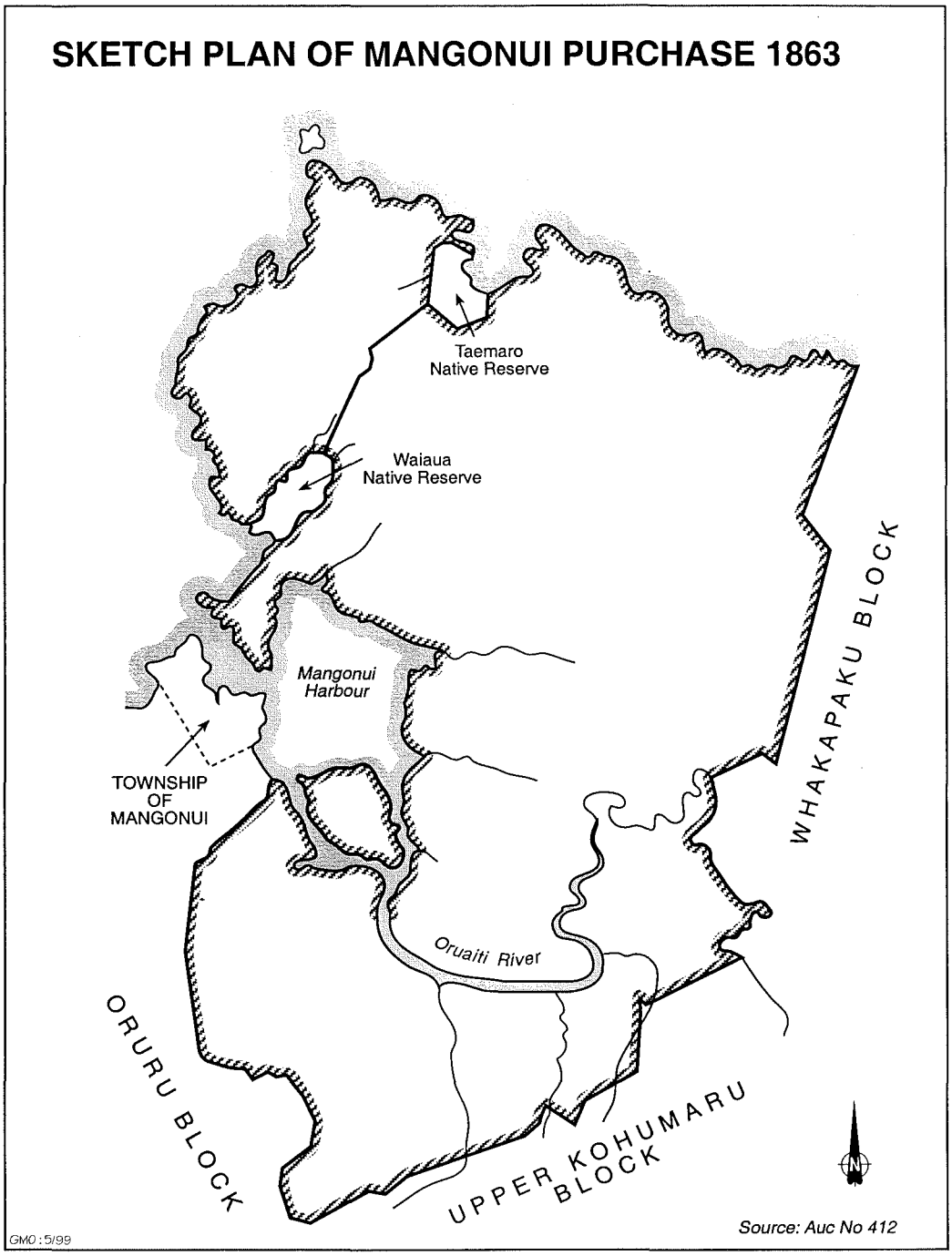
AJHR	Appendices to the Journals of the House of Representatives
fol(s)	folio(s)
ibid	ibidem (in the same book, etc)
LINZ	Land Information New Zealand
LS	Department of Lands and Survey
MA	Maori Affairs
MB	Minute Book
NA	National Archives
NLC	Native Land Court
op cit	opere citato (in the work already quoted)
p, pp	page(s)
s, ss	section(s) (of an Act)
Wai	Waitangi Tribunal claim

THE AUTHOR

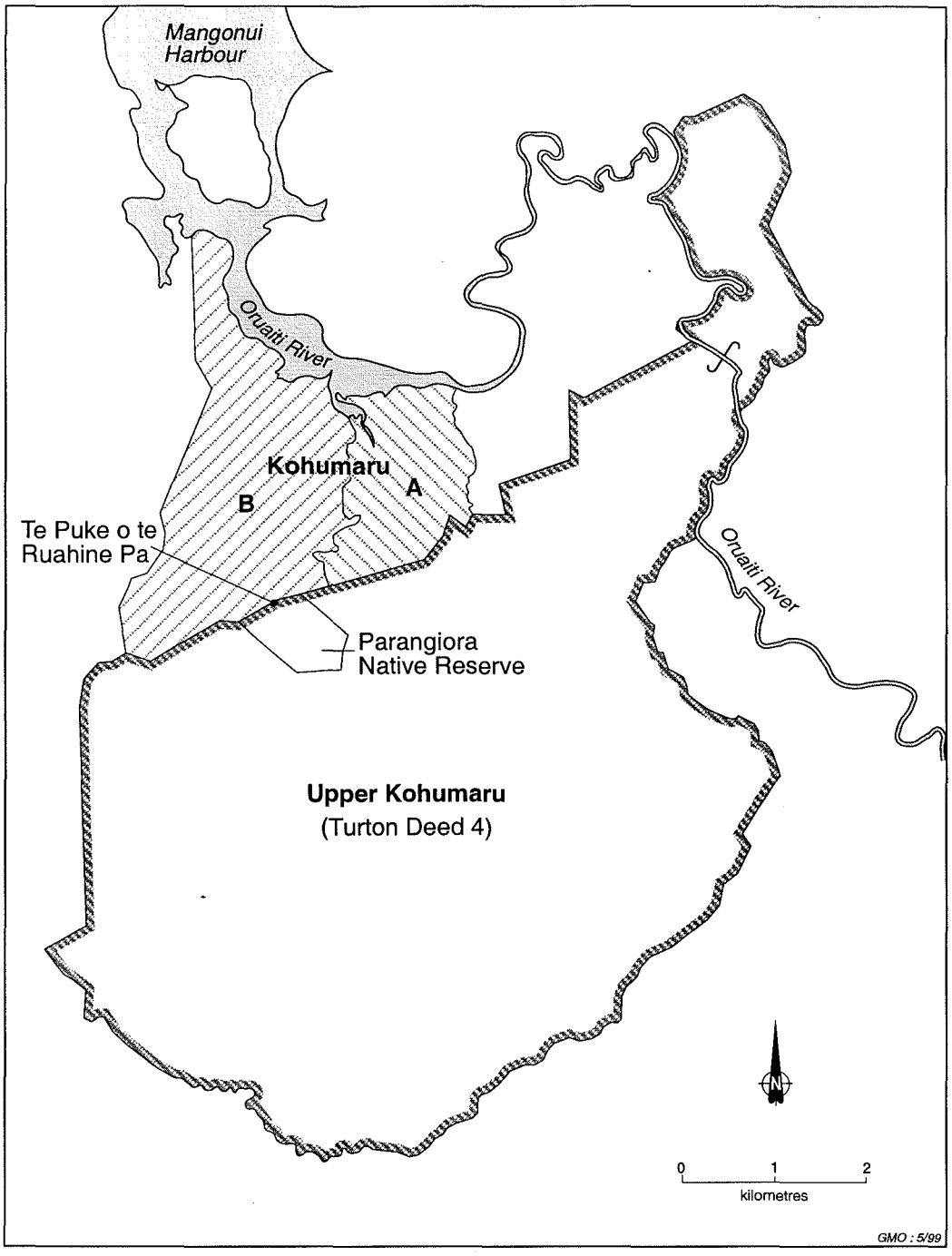
Tena koutou. My name is Katherine Orr-Nimmo. I am a Pakeha of Scottish, Irish and English descent. My family lives in Wellington. I have a B.Sc.(Hons) in Economics from the University of Canterbury, completed in 1977. From the University of Oxford I have a D.Phil in Modern History and a B.A.(Hons) in Theology, both completed in 1983. I am an Anglican priest. Between 1986 and 1995, I worked in parish ministry and as an industrial chaplain. I also contributed entries to volumes one and two of *The Dictionary of New Zealand Biography*. Between 1995 and 1997, I worked on a report for Crown Forestry Rental Trust on the East Coast Maori Trust. From April 1997 to April 1999, I was a Research Officer at the Waitangi Tribunal. During that time I was responsible for facilitating claims for the East Coast area above Poverty Bay. I also wrote 'The Land and the Blackberry: Aspects of the History of the Hereheretau and Kahaatureia Blocks with special reference to Hereheretau Station and the Maori Soldiers' Fund' (April 1998) and ' "A Matter of Bargain": Aspects of the History of Parish of Te Puna Lots 16 and 154' (September 1998). Since then, I have been working both on this report and on 'The Trustee and the Trees: A Report on the Leasing of Papatarata A2' (May 1999).



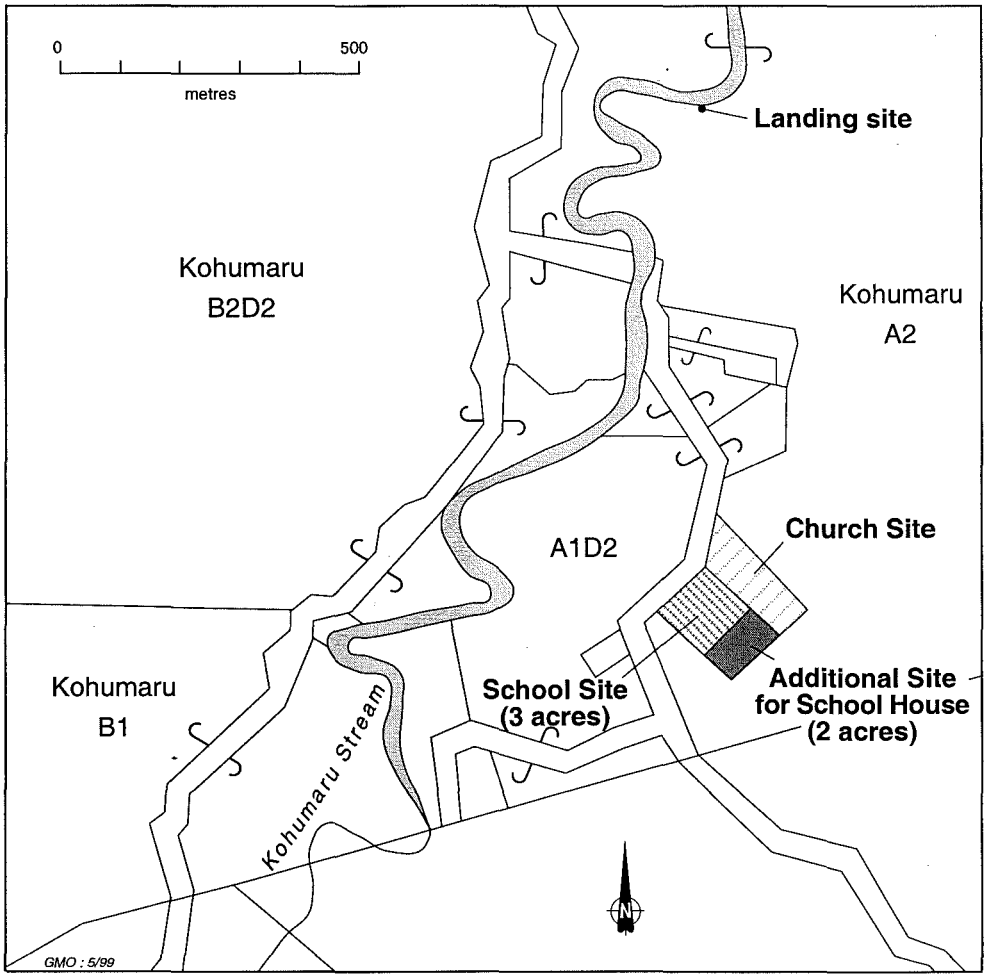
Map 1: General Location Map.



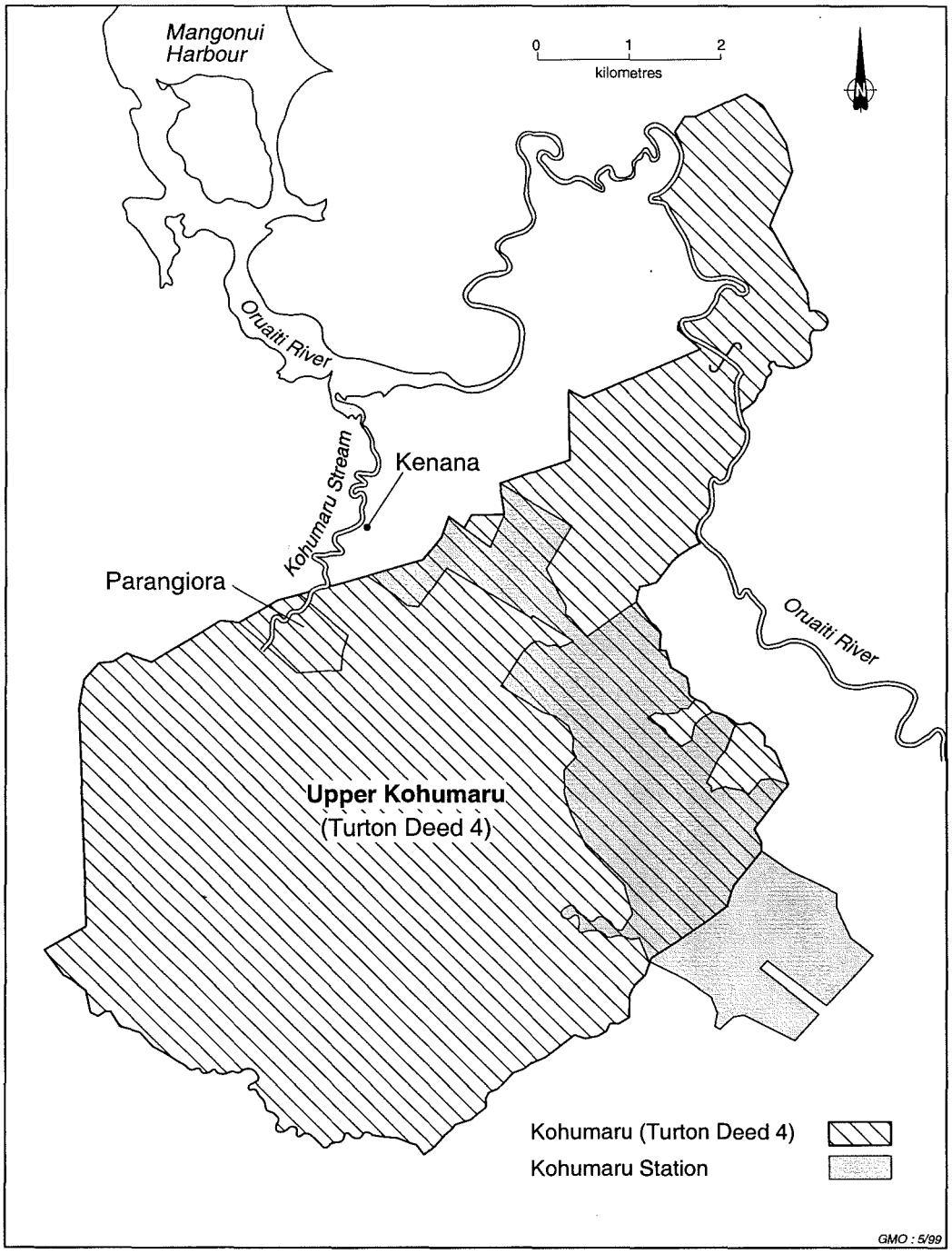
Map 2: The 1863 Mangonui "Purchase."



Map 3: The Upper Kohumaru "Purchase" and Kohumaru A and B.



Map 4: Kohumaru School, Church and Landing Sites.



Map 5: Kohumaru Station.

CHAPTER 1: INTRODUCTION

1.1 Claims for Kohumaru Station

In 1992, three claims were made to the Waitangi Tribunal in connection with Kohumaru Station. This was a station on the Tipa Tipa Road at Kenana, nine kilometres south of Mangonui. The area of the station was 944.7480 hectares. Landcorp intended to sell the station. Tenders closed on 24 June 1992.[1]

On 22 June 1992, Tarewa Rota and nine others, on behalf of the beneficiaries of the Mangahoutoa Trust, made a claim to the Waitangi Tribunal relating to the Kohumaru Station. They stated that they 'and the Te Tahaawai and Te Uri-o-te-Aho tribes' to which they belonged were being prejudicially affected by the Crown's decision to sell the station, then owned by Landcorp. They asked the Crown to cancel the proposed sale.[2] This claim was registered as Waitangi Tribunal Claim Wai 295 on 16 July 1992.[3]

On 23 June, Patricia Tauroa and Ihapera Mei Baker lodged a claim for the Kohumaru Station on behalf of 'claimants of Ngapuhi and Ngatikahu Ki Whaingaroa'.[4] This was registered on 16 July 1992 as an amendment to Waitangi Tribunal Claim Wai 58 (Whangaroa Lands and Fisheries).[5]

On 28 August 1992, Muriwai Tukariri Popata made a claim on behalf of the Trustees of the Kenana Marae situated on Kohumaru Road, and as a direct descendent of Tukariri, Huirama Tukariri, Pereene Huirama Tukariri and Hoone Pereene Huirama Tukariri. The claimant was the sister of Paki Tipene Hoone Tukariri, the Chairman of the Marae at that time. She lodged a claim for the Kohumaru Station.[6] The claim was registered as Waitangi Tribunal Claim Wai 320 on 20 November 1992.[7]

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[1] Wai 320 claims, claim 1.1, pp 1 – 2. See **Map 5** for Kohumaru Station.
[2] Wai 295 claims, claim 1.1, pp 1, 3
[3] Wai 295 papers in proceedings, paper 2.1
[4] Wai 58 claims, claim 1.1 Addition, Kohumaru, received 23.6.92
[5] Wai 58 papers in proceedings, paper 2.5
[6] Wai 320 claims, claim 1.1, p 1
[7] Wai 320 papers in proceedings, paper 2.1

Since these claims were made, the Kohumaru Station has been landbanked.[8] This report consequently does not look specifically at the history of the Kohumaru Station.[9]

1.2 Use of the name 'Kohumaru'

The focus of this report will not be on Kohumaru Station, but on other aspects of the history of Kohumaru. Since Maori contact with Europeans, traditional Maori names have sometimes acquired new usages. One such new usage of the traditional term 'Kohumaru' was as a designation for a block of land, 11,062 acres in extent, 'purchased' by the Crown in 1859. This was subsequently referred to as the Upper Kohumaru 'purchase'.[10] Part of this block is today included in what is called the Kohumaru Station.[11] The decision to use this term for the 'Kohumaru Farm Settlement' was made by the Department of Lands and Survey.[12] A meeting of Wai 320 claimants held on 19 February 1999 expressed concern that the station was not called by 'Tipatipa', a name previously used for a farm in the area. Neva Clarke McKenna in *Mangonui: Gateway to the Far North*, says that

> Tipa (sic) was a place to which Maori walked along a bridle track. Acquired by the Lands & Survey Department later, the track was up-dated, and is passable now to Otangaroa.[13]

The term 'Kohumaru' has also been used to name land of just over two thousand acres in the lower Kohumaru Valley that came before the Native Land Court in 1901 for

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[8] 'in 1995 the Office of Treaty Settlements 'landbanked' the property in anticipation of a Muriwhenua settlement.' p 1, 'Project Brief, Wai 58, 295, 320 Kohumaru', Barry Rigby 26 November 1998, Waitangi Tribunal file, Wai 320/4

[9] For files relating to the 'Kohumaru Farm Settlement', see
AAMX W3284 36/2606 Kohumaru Farm Settlement 1959 – 1971, NA Wellington;
AAMX W3427 2/2/36 Kohumaru Farm Settlement 1969 – 81, vol 1, NA Wellington

[10] See section **2.2**. See **Map 3**

[11] Another part of the Kohumaru Station is in the Pupuke Block. James Robinson, 'Whangaroa Archaeological Survey: A Report on Field Work in the Maungahoutoa, Pupuke and Muritoki Land Blocks' (Department of Conservation, Northland Conservancy, December 1992), copy of report on Waitangi Tribunal file Wai 295/4 vol 1.

[12] A W Conway for Superintendent of Land Development, Lands and Survey, North Auckland) to Director General of Lands, 2 November 1960, re naming Land Acquired from L.A.Savill & State Forest Land (Other less preferred names suggested were: Pirikaha; Aruru; Wainui);
illegible initials for Director-General, approving name Kohumaru, 7 November 1960, both in AAMX W3284 36/2606, NA Wellington

[13] Neva Clarke McKenna, *Mangonui: Gateway to the Far North* (Kerikeri: Northland Historical Publications Society, 1990), p 32

investigation of title.[14] Again, 'Kohumaru' was used to describe an area and a state school, now closed, in the upper Kohumaru Valley.[15]

A kainga in the lower Kohumaru Valley became known as Kenana. In 1901, Karena Kiwa said that one of his tupuna, the prominent rangatira Pororua, had a child, Hone Pororua. Karena Kiwa told the Native Land Court that when Hone Pororua died at Kohumaru, Pororua gave the land a new name, Kenana.[16] Neva Clarke McKenna says that Maori named the area Kenana. She also states, however, that:

> The name Kenana evolved from the missionary days when Reverend Joseph Matthews saw the flourishing settlement, flowing with milk and honey, and called it Canaan, the Maori interpreting this as Kenana.[17]

The Kohumaru Maori land was not surveyed until 1913. The surveyor, J W Harrison, described it to the Chief Surveyor:

> the block contains 2 classes of land, the major portion being of a hilly nature & mainly unploughable & of rather poor quality & mostly of a stiff clay nature. The balance along each side [of] the river being good alluvial flats.
>
> The native owners have practically done nothing towards the cultivation of the poorer quality of land, their cultivations being all on the river flats as shewn on plan.
>
> The hilly land is covered mainly with short fern & manuka & the uncultivated portions of the flats with high manuka the former being only of use for pastoral purposes.[18]

The stream, sometimes termed a river, that flows near Kenana has been termed the Kohumaru stream or river. With the adoption of the term 'Kenana', however, it has sometimes been known as the Kenana stream or river.[19]

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[14] See section **4.2**. This is the land that was later partitioned into Kohumaru A and B. See **Map 3**
[15] See **Map 1**
[16] Northern MB 31, fol 134
[17] McKenna, op cit, p 32
[18] J W Harrison to Chief Surveyor, Auckland, 27 June 1913, File 20/316, LINZ, Auckland, obtained through LINZ National Office
[19] For examples, see sections **2.2** (Upper Kohumaru Deed), **4.2.1** and Chapter 6.
Rather confusingly, however, on the relevant section of NZMS 260 Series Topographical sheets, the stream is shown as dividing south of Kenana, with the western branch being labelled as 'Kohumaru Stream' and the eastern branch being labelled as 'Kenana River'. See **Map 1**.

1.3 The Focus of this Report

This report is intended to focus primarily on three areas. The first of these is the issue of the Crown's protection of wahi tapu and other significant historic sites in the Kohumaru area (including sites of particular interest to the people of Kenana). In the time available for the preparation of this report, however, very little has emerged in this area.

A second area on which this report is intended to focus is the question of how the lower Kohumaru Valley, in the vicinity of Kenana, came to be within the jurisdiction of the Native Land Court in 1901, even though it had apparently been within the boundaries of the 1863 Mangonui Crown 'purchase'.

The third focus of the report is an examination of whether there were any specific local grievances associated with the series of petitions to Parliament signed at Kenana from 1878 to about 1960.

A traditional history report prepared by Claudia Brougham in connection with the Wai 58 claim does not provide information on Kohumaru. Its focus is on the nearby Whangaroa area.[20]

In 1992, James Robinson of the Northland Conservancy of the Department of Conservation prepared a report on an archaeological survey involving fieldwork in the Maungahoutoa, Pupuke and Muritoki land blocks. This survey was the result of the conviction of the trustees of the Mangahoutoa Block that such a survey would further substantiate the existence of significant traditional Maori occupation of the area.[21] One of the sites looked at in the survey was a pa site known locally as 'the pa of Chief Pororua'.[22] Pororua Wharekauri will feature repeatedly in later sections of this report.[23] Robinson comments, however, that

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[20] Claudia Brougham, 'Report to the Waitangi Tribunal on Whaingaroa Lands (Wai 58)' Under commission to Te Runanga o Whaingaroa (Waitangi Tribunal File Wai 58/4), fol 26

[21] James Robinson, 'Whangaroa Archaeological Survey: A Report on Field Work in the Maungahoutoa, Pupuke and Muritoki Land Blocks' Department of Conservation, Northland Conservancy, December 1992 (Copy in Waitangi Tribunal file Wai 295/4 vol 1), p 1

[22] Ibid, p 9

> The rest of the [Kohumaru] station is in the Kohumaru Block and is traditionally connected to the Kenana people; as yet they have not approved a survey of the area.[24]

Robinson's report consequently also does not assist with the issue of the protection by the Crown of wahi tapu and other historic sites in the Kohumaru area.

Witnesses who appeared before the Native Land Court at the time of the investigation into the title of the Kohumaru Maori land block spoke of numerous important sites. They mentioned sites of wahi tapu, sites of pa, sites of cultivations and sites of kainga. The survey plans of the Kohumaru Maori land and of the Parangiora block now held by LINZ show very little in the way of traditional sites. Apparently more information was entered on the special plan of Kohumaru prepared for the Native Land Court partition of lower Kohumaru in 1914.[25] If this could be located, it might well help identify at least some of the sites mentioned in the 1901 minutes.

In 1998, Rose Huru, nee Hapa, and also a descendant of Pororua, wrote about her upbringing in this area in the 1930s. Her life with her whanau took her to Kaiwaka, across the Oruaiti River from Kohumaru, to Paewhenua Island, and round the coast past Rangikapiti Pa.[26] About the Kohumaru block, or Tipatipa, she writes:

> My Nanny & all her mokopuna used to visit the area to rapu Kai, eeling, picking wild fruit like peaches mainly and the big Blackberry picking ventures which we regarded as a novelty or great adventure. Nanny used to cut harakeke which she used to strip immediately to make kete if she was so inclined or share the load on our way home.
>
> In the late thirties my father Kaewa Hunia Hapa-Shepherd commonly known as Sonny along with other menfolk (whanaunga) used to hunt for wild beasts & kukupa in the forest at Tipatipa.
> Our tupuna & later generations always regarded Tipatipa as part of a valuable food chain for the existence of the Matarahurahu Hapu.
> When Lands & Survey took over that block for farming cattle & sheep tanga[ta] whenua were never paid anything. When the whenua was Land

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[23] See especially chapters 2 & 4
[24] James Robinson, op cit, p 1
[25] See section **4.8**
[26] For these places, see **Map 1**

> Banked the farm was stripped. Did not know that the farm was vacant until three years later.[27]

This does not provide specific information about wahi tapu and other sites. It does, however, clearly indicate the importance to Maori in the 1930s of at least some of the land in what the Crown regarded as the Upper Kohumaru Crown 'purchase' of 1859. It strongly suggests that for at least part of the twentieth century some local Maori were unaware that the Crown considered that this area had passed out of Maori ownership in 1859.

Chapter 2 of the report provides some general background on the Muriwhenua area. It touches on the important rangatira Pororua, on the Upper Kohumaru and Mangonui 'purchases', and on various vigorous protestors from the Tukariri whanau. It indicates the more general areas of Muriwhenua protest in which members of the Tukariri whanau became involved over the years. The rest of the report then focuses more specifically on various developments connected more closely with the Kohumaru area, particularly in the vicinity of Kenana.

Chapter 4 of this report will look at the investigation of the title of the Kohumaru Maori land block in 1901 and some subsequent developments. This chapter, and Chapter 3, which looks at the Kenana Native School in the late nineteenth century, will indicate that the Crown apparently did not question in the late nineteenth or early twentieth century that the Kenana area was Maori land. It would seem that, for some reason that remains unclear, Crown officials were prepared to accept the apparent assumption of local Maori that this area was, in effect, a reserve from the Upper Kohumaru 'purchase'.

Chapter 3, along with Chapter 7, which covers the later years of the Kenana Native School, disposal of the site and buildings and attempts to re-establish it, cover one important area which, although not the subject of actual petitions to parliament, did

[27] Tipatipa (Kohumaru Block) ... - memories recorded by Rose Huru, in fax to Waitangi Tribunal, received 11 December 1998 (Waitangi Tribunal file Wai 320/0 vol 1). Quotation from p 1 of Tipatipa ...

generate much correspondence with Government officials, along with petitions to Ministers of the Crown.

Chapter 5 is a short chapter dealing with unsuccessful attempts by local Pakeha to get the Crown to establish a landing reserve at Kenana at a stage when members of the Tukariri whanau were choosing to prevent Pakeha from using a landing site previously made available by Huirama Tukariri.

Chapter 6 covers the issue of the provision of a bridge over the Kenana Stream. The lack of a bridge proved a problem for pupils and teachers at the Kenana Native School, as well as apparently for local Maori involved in the Mangonui Development Scheme.

The writer has benefited from meeting with members of the Wai 320 claimant group during the preparation of the report. Most of the sources used, however, have been written official records. In the time available for the project, it has not been possible to read all official records relating to the Kohumaru area. Further material that could be reviewed is noted at various points in the report.

The picture that emerges is of a Maori community that at times experienced great hardship. Yet it also produced leaders who were prepared to challenge the Crown to provide for Maori needs, both at the local level and on the broader Muriwhenua level. It is not at all surprising that the word 'agitator' appears from time to time in records relating to Kenana.

The Crown did not always respond positively to the requests that came to it from the Kenana community. The failure of the Education Department to respond positively to requests to cater specifically for the increased number of Maori children in the Kenana area in the later 1940s and early 1950s seems a particularly pointed example of the failure of the Crown to respond to Maori needs.

CHAPTER 2: SOME BACKGROUND ON MURIWHENUA, PORORUA AND THE TUKARIRI WHANAU

This chapter begins by giving some very brief background related to the history of Muriwhenua in the early nineteenth century. It goes on to look at two deeds by which the Crown considered that it had purchased land in Upper Kohumaru and Mangonui.

The chapter concludes by looking at some of the ways in which members of the Tukariri whanau, particularly Huirama Tukariri, Pereene Huirama Tukariri and Hoone P H Tukariri, were involved in the wider history of Muriwhenua and Muriwhenua land protests in the late nineteenth and mid twentieth centuries.

2.1 Some Background on early Nineteenth Century Muriwhenua

The decades immediately preceding the signing of the Treaty of Waitangi were a tumultuous period for the lands lying around the Kohumaru area. The events involved were very complex. This section is not intended to provide a full account of them, but rather to give some background that will assist discussion of the investigation of the title of the Kohumaru Maori land block that began in the Native Land Court in 1901.

Evelyn Stokes, in her review of Muriwhenua evidence, points out that the terms hapu and iwi need flexible definition The relationship of various whanau, hapu and iwi groups showed great complexity and fluidity.[28] It can be argued that in the 1820s and 1830s, initially under Hone Hika, Nga Puhi were expanding and consolidating their influence out from the Bay of Islands area into Whangaroa and Mangonui. Much of this expansion took place at the expense of Ngati Kahu.[29] The traditional occupants of the Kohumaru area were Ngati Kahu.[30]

But the pattern should not be over-simplified. Evelyn Stokes points out that two rangatira stood out in the area around Doubtless Bay during the 1830s: Nopera Panakareao of Te

[28] Evelyn Stokes, 'A Review of the Evidence in the Muriwhenua Lands Claim', Waitangi Tribunal Review Series 1997 No 1 (Government Print, Wellington) vol 1, p 229
[29] Stokes, pp 230 – 232, and Figure 21, opposite p 230
[30] See section **4.2.2** and **4.2.3**

Rarawa and Pororua Wharekauri of Nga Puhi. Both men, however, had close kinship links with Ngati Kahu through their hapu.[31] 'The Whangaroa people, Nga Puhi, had not displaced Ngati Kahu, but some intermarriage had occurred.'[32] The history of the Kohumaru area will also indicate the importance of such intermarriage.[33]

Nopera Panakareao was much involved with pre Treaty transactions in northern and western Muriwhenua and in the Oruru Valley - Mangonui area.[34] In the Oruru Valley, however, he came into conflict with the mana of Pororua of the expanding Nga Puhi. In 1840 – 1841, Crown officials negotiated to purchase the interests of Nopera Panakareao and Pororua in the Mangonui area.[35]

In 1843, Land Claims Commissioner Colonel Edward Godfrey went to Mangonui. His investigations apparently brought to a head the simmering tension between Panakareao and Pororua. There were skirmishes in the Oruru Valley. Several fatalities occurred. Eventually two rangatira, Tamati Waka Nene and Mohi Tawhai, persuaded Panakareao and Pororua to stop fighting and to withdraw from the Oruru Valley.[36]

Rigby notes that in this conflict, Pororua won the support of Hone Heke.[37] Hone Heke had been the first to sign the Treaty of Waitangi on 6 February 1840. He signed as 'no te mata rahurahu'.[38] When Pukenui was before the Native Land Court in March 1877, Huirama Tukariri was a claimant. Other claimants included Maraea Pororua, Hone Pororua and Karena Kiwa. At this hearing, Huirama Tukariri described himself as belonging 'to the Matarahurahu a hapu of Ngapuhi'.[39]

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[31] Stokes, op cit, vol 1, p 221
[32] Stokes, op cit, vol 1, p 254
[33] See section **4.2.1** and **4.2.2**
[34] Stokes, op cit, vol 1, pp 222 - 224
[35] Stokes, op cit, vol 1, pp 232 - 236
[36] Stokes, op cit, vol 1, pp 249 - 251
[37] Barry Rigby, 'The Oruru Area and the Muriwhenua Claim' (Wai 45 record of documents, doc C1), p 30
[38] Miria Simpson, *Nga Tohu o Te Tiriti Making a Mark* (Wellington: National Library of New Zealand/Te Puna Matauranga O Aotearoa, 1990), pp 2 - 3 .
[39] Northern MB 1, fol 164 Huirama Tukariri here gave whakapapa that indicated that he, Hohepa Kiwa and Pororua Te Taepa were all descendents of Mihi. The other claimant in this case was Pene Te Kaitoa.

Panakareao subsequently returned to the area. According to Stokes, this had happened by 1846.[40] Pororua had gone to Whangaroa when he left the Oruru Valley. He also later returned to the area, and went to live at Kenana.

Stokes dates the return of Pororua to the Oruru Valley to 1847.[41] There was to be a great deal of controversy in 1901 at the time of the investigation of the title of Kohumaru both as to the time when Pororua came to live at Kenana, and as to the right by which he did so.[42] Evidence quoted by Stokes from earlier Native Land Court cases confirms that Pororua did go to Kenana. Several witnesses seem to indicate that it was soon after – one specifically says a year after – and in reaction to, the return of Panakareao to Oruru.[43] Pororua himself stressed that he claimed Ngati Kahu lands by right of conquest, take raupatu.[44]

On the other hand, some earlier witnesses testified that the movements of Pororua were connected with his Ngati Kahu wife, Ngaurupa.[45] There were also indications in the earlier evidence that some of the rights of Pororua were related to his kinship links with the Te Rarawa leader Poroa. According to a witness cited by Stokes, the mother of Pororua was 'a "Tuahine" (sister) of Poroa's'. A further witness cited by Stokes is said to have described Pororua's mother as 'a sister of Poroa'.[46] This issue of rights of Pororua coming through Poroa was also to arise in 1901, although by that stage those who mentioned Poroa seem to have been unclear as to the nature of his links with Pororua.[47]

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[40] Stokes, op cit, vol 1, p 365
[41] Ibid, p 278
[42] See sections **4.2.1, 4.2.2**
[43] See particularly evidence of Tipene Taha, Hohaia Pahau, Pene Te Waitoa, quoted by Stokes, op cit, vol 1, pp 239 – 240, 241
[44] See evidence of Pororua Wharekauri, quoted by Stokes, op cit, vol 1, pp 237 - 238
[45] See evidence of Tipene Te Taha and Hare Reweti, quoted by Stokes, op cit, vol 1, pp 238, 240
[46] See evidence of Papahia and Wiremu Kingi, quoted by Stokes, op cit, vol 1, pp 238, 240. Note, however, that a 'tuahine' can also be a female cousin. Herbert W Williams, *A Dictionary of the Maori Language*, (6th ed, revised, Wellington: Government Printer, 1957), p 444
[47] See section **4.2.1**

2.2 The Upper Kohumaru Purchase

From 1848 to 1878, William Bertram White was the Resident Magistrate at Mangonui. The role of Resident Magistrate was extremely wide. In the 1850s, one aspect of White's duties was close involvement with Crown land 'purchasing' in the area. H T Kemp, the District Land Purchase Commissioner for the far north, had primary responsibility for Crown 'purchasing' activity north of the Bay of Islands after 1855.[48]

Quotations are used around the terms 'purchase' and 'purchasing' to indicate that there is a highly complex debate as to how Maori understood what they were doing in signing what the Crown regarded as Crown purchase deeds.[49] The *Muriwhenua Land Report* argues, with respect to the Crown's purchase programme, that the main issue involved for Maori leaders at the time was the recognition given to them when they were included in a contract.[50] The *Muriwhenua Land Report* sees Maori support for the deeds as reflecting a concern to retain existing settlers and attract more, along with a desire to affirm an alliance with the Crown.[51]

> Because there were so many sales, it could be argued that traditional philosophies and policies, especially those involving a close feeling for the land, were in abeyance. We do not accept that view. Rather, we believe that, in pursuit of the new social and economic goals, the traditional Maori views about their status and authority in the land, their relationship to the land, and the way people should relate to one another, continued to be important to Maori, just as they are important to Maori today.[52]

The debate over the Maori understanding of deeds signed in the middle of the nineteenth century will not be reviewed in detail here. Sections **4.2.1** and **4.2.2** seem to suggest that Maori did not question in 1901 that the Upper Kohumaru 'purchase' had occurred, although it is possible that the fact that the Land Court minutes were recorded in English may have affected the accuracy of the minutes at this point.

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[48] Stokes, op cit, vol 1, pp 278 - 279
[49] For a summary of the arguments over 'tuku whenua' during the period of Crown 'purchases' from 1840 to 1865, see Stokes, op cit, vol 2, pp 642 - 646
[50] Waitangi Tribunal, *Muriwhenua Land Report* (Wellington: GP Publications, 1997), p 193
[51] Ibid, pp 191 - 194
[52] Ibid, p 194

As a Resident Magistrate, White had to work together with Maori Assessors in dealing with disputes related to Maori. Nopera Panakareao and Pororua Wharekauri both became leading Assessors.[53]

The 'purchase' process in Muriwhenua was extremely complex. Stokes provides a table summarising no less than twenty-four transactions that took place between 1856 and 1865.[54] This section and the next section, which deals with the 1863 Mangonui 'purchase' are included to give background to developments more specifically related to Kohumaru, in the vicinity of Kenana, that will take up the remaining chapters of this report.

By September 1858, Kemp and White were negotiating to buy land that included what became the Upper Kohumaru 'purchase'. The object, Kemp told the Land Purchase Department, Auckland, was 'to buy up the whole of the available land between the Oruru and Victoria plains, and by this means to connect the Blocks as soon as possible.'[55] By January 1859, Kemp told the department that he and White had set a price of £350 for an estimated 10,000 acres that he described as the 'Kohumaru block'. He also reported that Maori did not then wish to proceed. The £350 purchase price was authorised in August 1859, although the Crown agreed to pay £400 in the Upper Kohumaru deed, signed on 29 August 1859.

The English translation of the deed stated that the land involved was:

> All that piece of our Land situated at Mangonui and named Upper Kohumaru the boundaries whereof are set forth at the foot of this Deed and a plan of which Land is annexed thereto ... . These are the boundaries of the Land commencing at the line of the Whakapaku Block – from thence to the Stream Patupokopoko – from thence to Putakaka Tarawatangata – Te Tiki o Pokerehu – te Wai o te tawa-puku – Te Pa o te Pakaru – Otangaroa-O-Matai crosses the river Kohumaru until it joins the boundary of Bergham's [sic] claim on the Oruaiti stream from thence until it meets the line of the Whakapaku Block where it first started.
>
> ...

[53] Stokes, op cit, vol 1, pp 280, 281
[54] Ibid, p 287
[55] Stokes, op cit, vol 1, pp 388 – 389. Quotation on p 389

> The map of the Survey hereunto annexed will point out clearly the boundaries of this Block, and of the Reserve made for the Natives.[56]

The list of Maori signatories to the deed was headed by Pororua. Te Huirama Tukariri was also a signatory.[57] This deed, as copied by H Hanson Turton, was to be regarded as a very important piece of evidence by the Maori involved in the investigation of title to the Kohumaru Maori land block in 1901.[58]

A surveyed plan showing the various points mentioned was attached to the 1859 deed. The reserve to be made for Maori, however, was not shown on the plan.[59] This may well have contributed to the confusion that, in 1901, was to exist in the minds of both Maori and Judge Edger as to the status of the lower Kohumaru Maori land. The latter was confused with the Upper Kohumaru 'purchase'. Judge Edger quite explicitly stated that 'the land now in dispute is a part reserved from that sale.'[60]

In 1862, a 'Return of Native Reserves' in the *Appendices to the Journals* recorded a reserve of unspecified area in the 'Kohumaru' block, made for 'Residents at Kohumaru'. A plan number for this reserve was given on the return, but no plan was included in the return.[61]

In 1871, Native Land Court Judge Maning dealt with the Parangiora block, the area apparently reserved in the 1859 purchase. The minute books of Judge Maning have unfortunately not survived.[62] At any rate, on 16 September 1871, a Certificate of Title was ordered to be issued by the Native Land Court at a Court held at Ahipara, Mangonui District. The owners were: Te Huirama Tukariri, Ihaia Tukariri, Reihana Te Ahumakiri, Anikiha Te Umuroa, and Poni Te Kanohi. The area of the block was given as 160 acres 1

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[56] Upper Kohumaru Deed, AUC 16 (Wai 45 record of documents, doc D13(a)). See **Map 3**
[57] same document
[58] See sections **4.2.1**, **4.2.3**
[59] Upper Kohumaru Deed, AUC 16 (Wai 45 record of documents, doc D13(a))
[60] Northern MB 31, fol 213
[61] 'Return of Native Reserves', AJHR, 1862, 'Return of General Reserves for Natives, which have been made in Cessions of Territory to the Crown', p.4
[62] Claudia Geiringer, 'Subsequent Maori Protest Arising from the Crown Purchases in Muriwhenua 1850 – 1865', 20 April 1993 (Wai 45 record of documents, doc H7), p 13

rood 12 perches in two places, but as 156 acres and 2 roods in another place on the Certificate of Title.

The map included in the Certificate of Title showed that this Parangiora block was part of what had been described as Upper Kohumaru. This seems to suggest, as the *Muriwhenua Land Report* assumes, that the Parangiora block was therefore the promised reserve.[63] Rather confusingly, given what will be indicated in the next section about the 1863 Mangonui 'purchase', the map attached to the Certificate of Title shows 'Native Land' across the boundary from Parangiora where what was later to become the Kohumaru Maori land block was located. Parts of what had been involved in the Upper Kohumaru 'purchase' are not labelled as 'Upper Kohumaru Block', but rather 'Kohumaru Block'.[64] These terms are the same as those used on ML Plan 2343, which was produced at the Court. This Maori Land plan was the plan on which the Certificate of Title plan was based.[65]

2.3 The 1863 Mangonui 'Purchase'

The description in 1871 of what became the Kohumaru Maori land block as 'Native Land' is interesting because it might well have been expected that in that year the Crown would have regarded this land as part of the Mangonui 'purchase' of 1863.

The Mangonui 'purchase' has been described by Rigby as 'the shoddiest of all Crown purchases in Muriwhenua history.'[66] The *Muriwhenua Land Report* describes it as 'the massive and dubious Mangonui transaction of 1863'.[67]

The transaction and the reasons behind these critical verdicts are summarised by Stokes:

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[63] Waitangi Tribunal, *Muriwhenua Land Report* (Wellington: GP Publications, 1997), p237
[64] Copy of Certificate of Title for Parangiora, supplied by LINZ National Office, Wellington
[65] ML Plan 2343, Parangiora, held at LINZ National Office, Wellington. This plan makes it clear that the different areas on the Certificate of Title depended on whether roads were included in the area of the block. The ML Plan number is cited on the plan on the Certificate of Title.
[66] Barry Rigby, 'A Question of Extinguishment: Crown Purchases in Muriwhenua 1850 – 1865' 14 April 1992 (Wai 45 record of documents, doc F9), p 69
[67] Waitangi Tribunal, *Muriwhenua Land Report*, p 237

> On 19 May 1863 H T Kemp signed on behalf of the Crown an agreement, witnessed by W B White and three others, with Pororua, Poni, Te Rakena, Te Paeara, Peropero and Kaiapa, to extinguish all outstanding claims in the area between Mangonui Harbour and the Whakapaku Block (Turton 1877, deed no 16). ... There was no recital in the deed of specific areas such as Kopupene where Maori title had not been extinguished. The signatories were described in the Maori language version of the deed as 'nga Rangatira me nga Tangata o Te Matetaroha', translated as 'the Chiefs and People of the Tribe Te Matetaroha'. It is not clear just who was included within 'Te Matetaroha' as this does not seem to be a hapu name that was in use generally. No other reference to it has been found. ...
>
> This transaction ... was described in the deed as 'he Pukapuka tino hoko hoatu tino tuku whakaoti atu' – 'a full and final sale conveyance and surrender' (Turton 1877, deed no 16). Payment was £100. Reserves at Taemaro and Waiaua were to be granted, but the names of grantees and areas involved were not specified in the deed, although the reserves were 'distinctly laid down and marked off by the Government Surveyor'.
> ...
> A sketch plan of the area described in the Mangonui Purchase deed was published in Turton (1877 deed no 16) but there is no evidence that this plan accompanied the deed when it was signed on 19 May 1863.[68]

It has been argued that the plan was added to the deed after it was signed. Furthermore, it is 'not known what plan, if any, was available ... when the deed was signed.'[69]

This report does not seek to clarify these issues further. What is significant for the purposes of this report is that, in the plan accompanying the 1863 deed, the area of the Mangonui purchase is shown as including the land that was subsequently included in the Kohumaru Maori land block in 1901.[70] The writer has found no explanation as to why the Crown did not lay claim to the Kohumaru land that had been included in the map apparently added to the 1863 deed. It is possible, however, that the Crown did not attempt to exercise rights to the lower Kohumaru valley because it was conscious that its claim to have extinguished 'Native Title' in the area was weak.

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[68] Stokes, op cit, vol 1, pp 395 - 396
[69] Ibid, p 396
[70] See **Maps 2** and **3.** Mangonui plan, Deed of Conveyance, Claims at Mangonui, AUC 412 (Wai 45 record of documents, doc D13(a))

Maori and the Crown did not understand the area purchased in the same way. White, the Resident Magistrate, thought that only two reserves at Waiaua and Taemaro had been excluded from the purchase. Maori signatories to the deed, such as Pororua and Te Paeara, saw the area involved in the transaction as much smaller. This misunderstanding helped to produce decades of subsequent controversy over the Eastern Muriwhenua area.[71]

Not all Maori, however, seem to have been equally unfortunate in their dealings with the Crown. There was minimal provision for reserves in the deed relating to the Mangonui 'purchase'. Yet Geiringer has pointed out that there were quite a number of occasions on which Maori claimed land within the alleged boundaries of pre-1865 'purchases' before the Native Land Court. While Crown agents sometimes opposed Maori claims, this was not invariably the case. Some of the land that came before the Court in this way was awarded to Maori, and part of this land is still in Maori ownership.[72] The situation of Kohumaru is consequently not unique.

2.4 The Tukariri Whanau

When the Kohumaru land was investigated in 1901, the name of Pororua was mentioned repeatedly by witnesses. One party in the case involved the descendants of Pororua. The other party, however, was asssociated with a group in which Huirama Tukariri was the dominant figure, as well as the main witness.[73]

Section **2.2** indicated that, back in 1859, Te Huirama Tukariri was one of those who signed the Upper Kohumaru deed. Since then, Huirama Tukariri and his descendants have played a significant part, not just in the Kohumaru community, but also in protests related to the Muriwhenua area more generally. To conclude this chapter, this section will look very briefly indeed at the more general role played by members of the Tukariri whanau over the years in the wider history of Muriwhenua.

[71] Stokes, op cit, vol 2, Chapter 15
[72] Claudia Geiringer, 'Subsequent Maori Protest Arising from the Crown Land Purchases in Muriwhenua 1850 – 1865', pp 6 - 7

On 20 November 1862, Te Huirama Tukariri was one of 38 signatories of a petiton sent to the Governor protesting about a land transaction involving White. The petitioners said that

> Formerly we used to hear the word of the chief of our Runanga Pororua Te Taepa. Now we do not listen to his voice because the evil comes from his friend Mr White.[74]

Stokes states that the land involved seems to have been an area north west of Taemaro Bay.[75] White accused Pororua of being 'at the bottom' of this 1862 protest, but of being afraid of compromising his salary as an Assessor.[76] Whether this was indeed the case, or whether the petitioners were genuinely suspicious of Pororua because of his link with White, for instance because of Pororua's role as an Assessor, the form of the petition is interesting from the point of view of the later Kohumaru investigation. It indicates that Huirama Tukariri, among others, had acknowledged, at least to some extent, the mana of Pororua up to this time. On the other hand, the involvement of Huirama Tukariri in the matter is a first indication that he felt it was appropriate for him to take an active role in protesting against the actions of Crown officials in the Muriwhenua area.

Geiringer notes that there are limitations to the extent to which the history of protest in Muriwhenua has been documented. There may well have been a substantial amount of protest at the local level that was not reported to central Government.[77]

It may still be significant, however, that the reappearance of Huirama Tukariri in the written record seems to date from very shortly before the death of Pororua at Kenana in 1875.[78] From 1874, Huirama Tukariri wrote frequent letters to the Native Department,

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[73] For some whakapapa given by Huirama Tukariri, see section **4.2.2**. But note that in 1877, Huirama Tukariri had joined with some of the descendants of Pororua to claim Pukenui. See section **2.1**.
[74] OLC 558 – 566; Doc D5, pp 1353 - 1354; Doc J2, p 273 - cited by Stokes, op cit, vol 1, p 392
[75] Stokes, op cit, vol 1, p 392
[76] OLC 558 – 566; doc D5, pp 1344 – 1347, cited by Stokes, op cit, vol 1, p 394
[77] Claudia Geiringer, 'Subsequent Maori Protest Arising from the Crown Land Purchases in Muriwhenua 1850 – 1865', pp 2 - 3
[78] For death of Pororua in 1875, see section **4.2.3**

and to various other Government officials. Most of the letters of Huirama to the Native Department have been destroyed by fire. Nevertheless, entries summarising his letters have survived in numerous departmental registers of inwards correspondence, and in indices to these registers.

The first such entry located by the writer dates from 1874, when Huirama Tukariri wrote to ask for an interview with the Native Minister.[79] In February 1875, Huirama Tukariri and unspecified others wrote to complain that a land court case in which they were interested had been adjourned by Judge Maning because the other side was drunk.[80] Later in 1875, Huirama Tukariri sent a letter about the manner in which land courts were conducted.[81] He also sent a petition asking that Sir Donald [McLean] be appointed 'their permanent Minister.[82]

In the meantime, he had also written to ask that a Native Assessor be appointed out of the Matarahurahu hapu.[83] This letter was referred to W B White, the Resident Magistrate. Later, Tukariri wrote again in response to a reply from the Native Department. He indicated that he wished an assessor to be appointed in place of Pororua, who had died.[84]

This flurry of correspondence may indicate that, to some extent at least, Huirama Tukariri saw the need for somebody to succeed Pororua as the person who related to the government on behalf of those Maori living in the Kohumaru/Kenana area, and that he saw himself as filling that role. By 1880, Huirama Tukariri was asking to be appointed an Assessor himself.[85]

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[79] MA 2/12 (NA Wellington) Maori Affairs Department Register 1874, 1874/1866, letter dated 25 March, filed 24 April 1874

[80] MA 2/13/5 (NA Wellington), 1875/1084, Maori Affairs Department Register 1875, letter dated 27 February 1875, filed 9 April 1975

[81] MA 2/13/5, 1875/5087, letter dated 22 September 1875, filed 18 October 1875

[82] MA 3/8 (NA Wellington) Index to General Register no 3 1875 Native & Defence Department, p 547, letter dated 1 September 1875

[83] MA 2/13/5, 1875/1886, letter dated 22 March 1875

[84] MA 2/13/5, 1875/5080, letter dated 2 September 1875, filed 18 October 1875

[85] For example, see MA 3/13, Maori Affairs Deparment Register 1880, 1880/3936, letter dated 26 October 1880. Ihaia Tukariri was also involved in the campaign to get Huirama Tukariri appointed an Assessor. See, for example, MA 3/13, 1880/1634, letter of Ihaia Tukariri dated 28 April 1880.

Meanwhile, however, he had raised other issues with the Native Department. Some of these may have involved significant grievances. In February 1878, Huirama Tukariri asked for a copy of new laws and indicated that he wished to see Sir George Grey about his lands.[86] He later acknowledged receiving 'law books', but wished to know whether there was a subsequent one.[87] Later again that year, he asked that 'a portion of land facing Mangonui Harbour be given back to him.'[88] Then he wrote again, 'In explanation of reasons why they asked to have Mangonui returned to them.'[89]

In the same year, Huirama Tukariri also petitioned parliament:

> The petitioner prays that the half of certain lands at Mangonui, being old Government purchases, may be given back to him, on the ground that they were not paid for in money, but by pots and pans and fishhooks.[90]

The Native Affairs Committee reported that it had no recommendation to offer about this petition.[91] As neither the petition nor Huirama Tukariri's letters from this year have survived, it is unclear whether the petition and the letters were about the same issue.

Geiringer notes further occasions later in the nineteenth century when Huirama Tukariri became involved in the on-going protest that was generated by the 1863 Mangonui 'purchase'. In 1881, Huirama Tukariri wrote to the Native Department, alleging that White had put pressure on Maori to surrender the certificate of title for the Taemaro grant by threatening to imprison Maori for seven years.[92] In 1890, he wrote to the Under Secretary of the Native Department, asking him to inform Tukariri whether the Crown Grants for Taemaro and Waimahana had been issued in accordance with the special legislation passed about them in 1874.[93]

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[86] MA 2/16 (NA Wellington), Maori Affairs Department Register 1878, 1878/952, letter dated 13 February 1878
[87] MA 2/16, 1878/1669, letter dated 15 May 1878
[88] MA 2/16, 1878/2724, letter dated 10 July 1878
[89] MA 2/16, 1878/3206, letter dated 28 August 1878
[90] AJHR, 1878, I-3, p 3
[91] Ibid, p 3
[92] Te H Tukariri to Rolleston, 28 September 1881 (Wai 45 record of documents, Pangari Document Bank H1(a) 1875 – 1980s Folder II, pp 3 - 7), quoted in Geiringer, 'Subsequent Maori Protest Arising from the Crown Land Purchases in Muriwhenua 1850 – 1865', p 16
[93] Huirama Tukariri to 'The Under Secretary, Native Department', 27 November 1890 (Wai 45 record of documents, Pangari Document Bank Ha(a) Folder II, p270, quoted in Geiringer, op cit, p 22

In the late nineteenth century, Huirama Tukariri also contacted the Native Department about numerous other issues. In 1879, for instance, he requested that he might have the rights over the "Pipi banks" in Mangonui Harbour.[94] Earlier in the same year, he also wrote twice to ask for the appointment of a Resident Magistrate to Mangonui.[95] He objected to sheep and dog tax.[96]

In 1880, he sent a letter claiming compensation for a road, apparently from Oruaiti to Mangonui, 'that is about to be taken through their property'.[97] This correspondence about compensation for roads continued on into 1881.[98] Given that the actual letters have not survived, however, it is unclear precisely on whose behalf Tukariri was writing at this stage.

During the mid 1880s, the indices to the Native Department registers suggest a gap in Huirama Tukariri's letters to the Native Department. Instead of approaching Native Department officials, however, he was petitioning parliament. In 1885, he complained

> of the action of a Mr. Rhodes, who is in the habit of obstructing the navigation of the Mangonui River by throwing booms across, thereby preventing them from taking their canoes up and down the river.[99]

When the Native Affairs Committee finally considered this and a similar petition, also apparently from Huirama Tukariri and others, in 1886, the Committee was stirred to

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[94] MA 2/17 (NA Wellington), Maori Affairs Department Register 1879, 1879/5308, letter dated 2 November 1879

[95] MA 3/12 (NA Wellington) General Index 1879, 1897/2133, letter dated 13 May 1879;
1879/3813, letter dated 17 September 1879

[96] MA 2/17, 1879/4259, letter dated 2 October 1879

[97] MA 2/18 (NA Wellington), Maori Affairs Department Register 1880, 1880/1748

[98] MA 2/18, 1880/3647, letter dated 30 September 1880;
1880/4011, letter of J S Clendon dated 27 November 1880;
MA 2/19 (NA Wellington), Maori Affairs Department Register 1881, 1881/198, letter dated 11 January 1881;
1881/2006, letter dated 8 June 1881;
1881/2546, letter dated 6 July 1881 (All letters from H Tukariri unless otherwise stated. This correspondence filed 16 August 1881)

make an unusually energetic response. The relevant entry in the *Appendices to the Journals* summarises the position thus:

> Petitioners complain that the booms placed in the creek at Mr. Roberts's sawmill, Mongonui, interfere with the navigation of the creek. They ask that the matter may be considered,[sic]
>
> I am directed to report as follows: That the booms referred to were erected in 1884, and are essential to the proper working of the timber-trade of the district. The inconvenience to the navigation of the creek has not hitherto been great, but it might become serious were there not promptitude in clearing away the timber. The Government is recommended to draw the attention of the Native Agent in the district to the subject, and instruct him to report every case of obstruction so that action might be taken in case of need. It seems that "The Timber-floating Act, 1884" has not been translated into Maori. This ought to be done forthwith.[100]

Huirama Tukariri also wrote several times to the Native Department in 1886. He wrote, for example, applying for a pamphlet containing Acts in Maori.[101] He reported 'on industrial pursuits of [Maori] in his District'.[102] He also wrote 'Re a piece of land known as Kopaewhenua'.[103]

In 1887, there are signs of tension between Huirama Tukariri and Karena Kiwa over a proposed survey of lower Kohumaru. Karena Kiwa was a son of Hohepa Kiwa, the brother of Pororua.[104] In the last years of the nineteenth century, much of Huirama Tukariri's energies went into matters related to the Kenana Native School. These will be dealt with in Chapter 3. From 1901, in addition to his continuing strong interest in the school, Huirama also put considerable effort into the issue of the title for the Kohumaru Maori land. This will be dealt with in Chapter 4. Huirama Tukariri died on 20 April 1916.[105]

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[99] Petition 366/1885, AJHR, 1885, I-2, p 33
[100] Petitions 366/1885 & 156/1886, AJHR, 1886, I-2, p 14
[101] MA 2/22 (NA Wellington), Record Book 1886 – 87, 1886/4053, letter dated 24 November 1886
[102] MA 2/22, 1886/4124, letter dated 24 November 1886
[103] MA 2/22, 1886/4158, letter dated 24 November 1886
[104] See sections **4.1**, **4.2.1**
[105] Application to Succeed Huirama Tukariri, dated 22 Maehe 1917, BAAI A131/229M, NA Auckland

But this was not to be the end of attempts by members of the Tukariri whanau to influence the Crown. During the 1930s, Pereene Huirama Tukariri and Tepana Matthews, sons of Huirama Tukariri, seem to have been leaders of the campaign to get the Education Department to re-open the Kenana Native School. This question will be covered in section **7.2**. In 1938, Hoone P Tukariri and others of Kenana petitioned parliament for improvement to a bridge over the Kenana River. This issue will be dealt with in section **6.2**.

Again, however, the Tukariri whanau were not concerned only about issues directly related to Kenana. Some confusion had been created for Muriwhenua Maori by the various Crown 'purchases', particularly the Mangonui 'purchase'. These were also on-going grievances, however, related to what became known as 'surplus lands'. Michael Nepia points out that, in the years after the Treaty, Maori in Muriwhenua expected to resume any surplus areas that resulted from old land claims.[106] Commissioner Bell assumed, however, when he looked at the issue from 1856 to 1862, that these surplus areas belonged to the Crown. Maori disagreed. This resulted in a prolonged conflict between Muriwhenua Maori and the Crown.[107]

Claudia Geiringer argues that Muriwhenua Maori were not always clear as to the precise nature of the grievance that they had.

> Often, Maori petitioners felt they had a grievance relating to land which they believed they had never alienated, without knowing the specific details of how that land loss occurred. For generations of Maori, the issue was thus often simply one of landlessness.[108]

During the mid twentieth century, members of the Tukariri whanau were prominent in trying to get this murky situation sorted out.

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[106] Michael Nepia, 'Muriwhenua Surplus Lands Commissions of Inquiry in the Twentieth Century', October 1992 (Wai 45 record of documents, doc G1), p 5

[107] Ibid, p 6. See rest of Nepia's report for inquiries into Surplus Lands up to the Report of the Royal Commission that reported on 18 October 1948. (Date from AJHR, 1948, G-8, p 18)

[108] Claudia Geiringer, 'Subsequent Maori Protest Arising from the Crown Land Purchases in Muriwhenua 1850 – 1865', 20 April 1993 (Wai 45 record of documents, doc H7), p 5

In 1939, Pereene H Tukariri and 104 others of Mangonui petitioned parliament, 'Praying that the question of surplus lands and Tangonge Lake be reopened'. The Native Affairs Committee recommended that a Commission of Inquiry be set up to deal with all petitions about North Auckland surplus lands.[109] But the Commission did not eventuate during the war.

In 1944, Pereene H Tukariri and 163 others of Kenana petitioned parliament again, 'Praying that outstanding Native land claims in the Tokerau district be referred to a Commission.' The Native Affairs Committee referred the matter to the Government.[110] In 1946, after a Royal Commission had finally been set up, Hoone P H Tukariri of Kaikohe petitioned, asking that Oruru, Kohumaru, and Maungataniwha blocks should be 'placed on the schedule of the Royal Commission'. The Native Affairs Committee saw this as part of 'the surplus-land problem' and referred it to the Government for consideration.[111]

The Surplus Lands Commission was to prove very limited in the attention it gave to Maori. It sat no further north than Kaikohe. In October 1947, Pereene Huirama was one of a group who unsuccessfully asked Sir Michael Myers, the Chairman, to have the Committee adjourned to inquire into various petitions in Mangonui and Kaitaia respectively.[112] The Royal Commission also virtually ignored Maori when hearing evidence. The only exception was Pereene Huirama [Tukariri]. He was able to give evidence briefly about Aurere in 1947.[113]

In that same year, Hoone P H Tukariri and several others sent another petition. This began by emphasising the signing of the Treaty by Maori and their subsequent loyalty through two World Wars. It went on to complain that between 1841 and 1865, the New Zealand Government had confiscated various Maori lands in the Mangonui District. The

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[109] Petition 24/1939, AJHR, 1939, I-3, p 7

[110] Under Secretary to Clerk, Native Affairs Committee, 19 October 1944;
Petition 80/1944 (Maori) & English translation, all in LE 1/1944/17, NA Wellington;
Petition 80/1944, AJHR, 1944, I-3, p 10

[111] File of Native Affairs Committee on petition 69/1946 is LE 1/1946/14, NA Wellington;
For Committee's summary of subject of Petition and their recommendation, see AJHR, 1946, I-3, p14

[112] [translation] Pereene Huirama & others to Sir Michael Myers, 9 October 1947, MA 91/15,
NA Wellington. Translation in Michael Nepia, op cit, pp 50 – 51, also asks for a sitting at Russell

blocks listed began with Mangonui, but did not include Kohumaru. The petitioners apparently wanted these matters to come before the Royal Commission.[114] The Under Secretary of Maori Affairs was to claim in 1951 that many of the blocks were surplus lands and had been reported on by the Royal Commission.[115]

In 1948, the Royal Commission reported, but the Tukariri whanau were clearly not convinced that the grievances that gave them concern had been addressed. From 1948 to 1955, Tukariri led petitions were to continue. One of these related specifically to Kohumaru. This petition is discussed in section **4.9**. The other petitions, once more, ranged more broadly.

In 1948, Hoone P H Tukariri and 19 others sent a petition relating to the Opouturi block and a number of others.[116] The Government did eventually set up a separate Royal Commission to inquire concerning the Opouturi block. In 1950, Pereene Huirama seems to have both welcomed and farewelled this Commission. He was described in the Report of Proceedings as 'representing the Ngatikahu, Aupouri and Te Rarawa tribes'.[117]

In 1950, Hoone P H Tukariri and Pereene H Tukariri were among the thirteen signatories of a petition complaining about the operations of the Department of Maori Affairs and the Maori Land Court. The petition said that the department and the court 'have acted as if the lands and the monies belonged to them and we are mere servants.'[118] T T Ropiha, the Under Secretary of the Department of Maori Affairs, reacted very defensively to this petition.[119] The Maori Affairs Committee made no recommendation about it, on the grounds that it involved 'a matter of Government policy'.[120]

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[113] Report of Proceedings [of Royal Commission on Surplus Lands], pp J.1 – J.2, MA 91/2, NA Wellington
[114] Copies of Petition No.39/1947 in LE 1 1947/16, box 1025A, NA Wellington. One copy has Hoone P H Tukariri and 8 others, another has Hoone P H Tukariri and 10 others.
[115] Under Secretary to Hoone P H Tukariri, apparently sent 12 June 1951, MA 1 5/13/208, NA Wellington
[116] Blocks did not include Kohumaru. Copy of Petition No 37/1948, LE 1 1948/18, NA Wellington
[117] Report of Proceedings ...Royal Commission ... Opouturi Block, unnumbered page giving information about location and people; pp A.1, N.1, MA 98/2, NA Wellington
[118] Translation of Petition of Lou H Parore & Others, section (3), LE 1 1950/15, NA Wellington
[119] Ropiha, Under Secretary, to Clerk, Maori Affairs Committee, 22 November 1950, LE 1 1950/15
[120] Petition 56/1950, AJHR, 1950, I-3, p 7

In 1950, Hoone P H Tukariri and 48 other Ngati Kahu also petitioned, asking for the Supreme Court to investigate the Takerau and Taemaro blocks. Stokes comments that because the Commission relied on official documents that emphasised conflict between Pororua and Panakareao, the interests of Ngati Kahu 'remained invisible'.[121] The Maori Affairs Committee made no recommendation on either this petition or on a further 1954 petition from Hoone P H Tukariri and 9 others of Mangonui, asking 'that the titles of various lands in the Mangonui and Hokianga Districts be referred to a Court for inquiry.'[122] Thus, nothing was done to address the grievances of Ngati Kahu. And round about this time, the protests of members of the Tukariri whanau about both general and more local Kenana issues finally seems to have come to something of a halt.

2.4 Conclusion

This chapter is intended to provide a background against which the more detailed history of the Kohumaru area can be considered. It has indicated that the history of early nineteenth century Muriwhenua is a highly complex one. Two important figures were Nopera Panakareao and Pororua Wharekauri. The former was of Te Rarawa and the latter of Nga Puhi. Both, however, had close links with Ngati Kahu through their hapu.

Pororua was to prove a very important figure for the history of the Kohumaru Maori land block. He lived in the Kohumaru area for some years. He signed the deeds for both the exceptionally dubious Mangonui 'purchase' of 1863 and the 1859 Upper Kohumaru 'purchase'. Other signatories of the latter deed included Huirama Tukariri. Huirama Tukariri was also involved in signing a petition protesting about the actions of White, the Resident Magistrate, in 1862.

Huirama Tukariri was of Ngati Kahu. He was one of the traditional occupiers of the Kohumaru area. On occasion, however, as at the 1877 investigation into the title of Pukenui, Huirama Tukariri described himself as of the Matarahurahu hapu of Nga Puhi. The last part of the chapter has indicated how, from around about the time of Pororua's

[121] Evelyn Stokes, op cit, vol 2, p 675
[122] Petition 55/1950, AJHR, 1951, I-3, p 5;Petition 32/1954, AJHR, 1955, p 5

death in 1875, Huirama Tukariri seems to have become very involved in bringing a wide variety of matters, many of them apparently Maori grievances, to the attention of either various Crown officials or Parliament.

In the middle years of the twentieth century, later members of the Tukariri whanau, most notably Pereene Huirama Tukariri and Hoone P H Tukariri, continued to protest against what they perceived as injustices over matters related to Maori land in the Muriwhenua area.

CHAPTER 3: THE KENANA NATIVE SCHOOL TO 1904

This chapter looks first at the campaign led by Huirama Tukariri during the 1880s to get a Native School established at Kenana. It then turns to the building of the school and the acquisition of the three acre site by the Crown. It touches on the continuing involvement of local Maori, particularly Huirama Tukariri, in the life of the school in this early period. Lastly, the chapter looks at how the school acquired a house for the teacher just after the turn of the century. The house was sited on a further two acres of land given freely by Maori, but taken under the Public Works Act 1894.

3.1 The Campaign for a School at Kenana

Claudia Geiringer discusses the Native School System in Muriwhenua in her report on 'Historical Background to the Muriwhenua Land Claim, 1865 – 1950'. Geiringer points out that there were some attempts to provide state education for Muriwhenua Maori in the 1860s. Local Maori were apparently not very enthusiastic about these.

It was only with the Native Schools Act 1867 and, in particular, the Native Schools Amendment Act 1871, that the Crown made what Geiringer describes as 'any real effort to create a workable education system for Maori.'[123] Muriwhenua Maori were enthusiastic about the new education system. In 1871, Mangonui County had one village school at Pukepoto. By 1874 there were six native schools. This included one at Peria, about four miles away from Kenana.[124]

In 1882, a campaign began to establish a Native School at Kenana. Huirama Tukariri, Karena Kiwa and eight other Maori wrote to 'te minita o nga Kura'.[125] In 1883, James Pope, who was responsible for the inspection of Native Schools, met 'Wiremu the chief of Kenana' at Mangonui. Here, as elsewhere, 'Wiremu' seems to have been an alternative

[123] Claudia Geiringer, 'Historical Background to the Muriwhenua Land Claim, 1865 – 1950' (Wai 45 record of documents, doc F10), pp 133 – 134. Quotation from p 134
[124] Geiringer, op cit, p 134. For distance between Kenana and Peria, see Memorandum, J Pope to Secretary for Education, 6 July 1883, BAAA 1001/281a 44/4 part 1, NA Auckland
[125] Huirama Tukariri & others, Kenana, Mangonui, to the Minister, 6 September 1882, BAAA 1001/281a

name for Huirama.[126] Pope certainly saw 'Wiremu' as the 'prime mover' in the campaign for a Kenana school.

Pope considered, however, that the distance between Kenana and Peria made a school at Kenana unnecessary and undesirable. He thought that Kenana Maori could arrange to send their children there, and that opening a school at Kenana would adversely affect the Peria school. Bishop, the Resident Magistrate, was at this stage highly negative about the prospects of running a successful school at Kenana.[127]

Consequently, what Pope had termed the 'agitation' to get a school proved protracted. In 1884, Huirama Tukariri pressed to know why they had not been allowed a school. He apparently thought that they had arranged to have one when they met Pope at Mangonui. It is clear that they had offered what they considered a good site for the school.[128] In 1886, Bishop was still opposed to erecting a school at Kenana.[129]

In 1888, however, Bishop admitted that children from Kenana were not attending the school at Peria. Supporting the Peria School had been the principal reason for refusing the repeated requests of Kenana Maori for a school. Bishop now conceded that the distance between Kenana and Peria was 'quite impossible' for children to walk daily. He also reported that sending Kenana children to board at Peria during the week had proved unsuccessful.

> The children were neglected, - I will not say ill-used, and it resulted in a feeling of slight bitterness between the two places.[130]

In the absence of Kenana children, the Peria school was declining in numbers. Bishop therefore proposed that a 'side school' should be set up at Kenana. The couple who were

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[126] See Chapter **5**

[127] Memorandum, James Pope to Secretary for Education, 6 July 1883, BAAA 1001/281a, NA Auckland On James Pope, see William Renwick, 'Pope, James Henry 1837 – 1913', pp 393 – 395, *The Dictionary of New Zealand Biography. Volume Two. 1870 – 1900*, ed Claudia Orange (Wellington: Bridget Williams Books & Department of Internal Affairs, 1993)

[128] Huirama Tukariri, Kenana, to Lewis, 7 August 1884, BAAA 1001/281a

[129] Bishop, RM, to Secretary for Education, 26 July 1886, BAAA 1001/281a

[130] Bishop, RM, to Secretary for Education, 8 October 1888, BAAA 1001/281a

teaching at Peria had agreed to teach the two schools between them. Each would be run full-time. Kenana Maori were eager to support the new school.[131]

3.2 The School Site and the School Building

Kenana Maori offered to supply labour and materials to erect the necessary school building, provided that they received a grant of £25 from the Education Department. The Department granted this, along with an extra £10 for Bishop to use if he thought further expenditure necessary 'to secure the comfort of the Teacher.'[132]

In November 1889, Bishop reported that he had visited Kenana and selected a site for the building.[133] By 25 March 1890, the building was finished and Bishop had passed a voucher for the £25. In the meantime, however, there had been a change of teacher at Peria. The Jeffcoat sisters who had taken over the Peria school were so unpopular that no children had attended school that year. Bishop could see no reason for the unpopularity of the sisters. He was somewhat reluctant to open the Kenana School with the same sisters teaching, in case Kenana Maori adopted the same attitude.[134]

Despite this, later in 1890 the Kenana Native School did finally open, with Jessie Jeffcoat and her sister as teachers. At this stage, there was a school, but no house was specifically provided on site for the teacher. Two streams between their home and the school meant that the teachers could not reach the school when it rained.[135]

The Education Department had decided to open the school, and had subsidized the building work of local Maori, without doing anything to gain a legal title to the site. The Native Schools Sites Act 1880 laid down that

> Whenever any Natives consent to appropriate for the site of a school any land owned by them not exceeding ten acres, the title to which has not

[131] same letter, same file
[132] quotation from Bishop, RM, to Secretary for Education, 1888, 30 October 1888;
see also Education File Cover 88/977, both in BAAA 1001/281a
[133] Bishop, RM, to Secretary for Education, 12 November 1889, BAAA 1001/281a. See **Map 4**
[134] Bishop, RM, to Secretary for Education, 25 March 1890, BAAA 1001/281a
[135] By 24 June 1890, Jessie Jeffcoat was writing to Bishop, RM, about her difficulties getting to the Kenana School in the winter. BAAA 1001/281a

been determined by the Native Land Court, the Governor may appoint a competent person to ascertain the title of such Natives to the land, and their consent to such appropriation.

Such person shall hold an inquiry respecting the matters aforesaid, as near the land as may be, after notice published in a local newspaper.

The report of such person, if adopted by the Governor, shall be final and conclusive as to such title and assent, and the publication of such report in the Government *Gazette* shall be evidence thereof.

From the date of such publication such land shall vest absolutely in Her Majesty, her heirs and successors, for the purpose of a site for the school referred to in the report, and for no other purpose whatsoever.

In June 1890, the Governor appointed Bishop under this legislation to ascertain the title to the land offered for the school site [136] A survey was made of the school site in 1890.[137]

In April 1892, Bishop reported that he had made three attempts to complete the title for the school site. But the prolonged absence in the south of 'huirama principal owner' had meant that Bishop had not felt justified in going ahead with his inquiry.[138] In September 1892, he reported that he had been further delayed, firstly because 'the natives were all away', and then by the need for him to leave the area to settle a Maori dispute.[139] Finally, on 31 December 1892, Bishop reported that:

> in accordance with the provisions of "The Native Schools Sites Act, 1880", I have made full inquiry respecting the matters mentioned in the said Act, and am satisfied that the natives who propose to appropriate the land described in the plan attached hereto are the proper owners thereof, and that they consent to such appropriation.[140]

Bishop gave absolutely no indication as to how he had gone about conducting his 'full inquiry'. It is interesting, however, that nobody associated with the Crown questioned that Maori at Kenana had a right to appropriate the three acre site in this way. There is certainly no suggestion of Crown ownership of the land at Kenana as a result of the 1863

[136] Advice to the Governor to make the appointment, 4 June 1890, with the subsequent appointment minuted, 10 June 1890, BAAA 1001/281a
[137] Claim by surveyor for payment for surveying School Site, Kenana, '1890', BAAA 1001/281a
[138] Telegraph, H W Bishop, RM, to Secretary for Education, stamped 14 April 1892, BAAA 1001/281a
[139] Memorandum, H W Bishop, RM, to Secretary for Education, 12 September 1892, BAAA 1001/281a

Mangonui 'purchase'. The Governor adopted Bishop's report, which was published in the *Gazette* in 1893.[141]

Meanwhile, Jessie Jeffcoat and her sister had apparently established significantly better relationships with children at Kenana than had been the case at Peria. At the time of the 1891 inspection, there was a total attendance of 24 children, all Maori. The School Committee was chaired by Huirama Tukariri. Karena Kiwa was one of the other members.[142] *Nga Kura Maori* states that

> Native School Committee members, particularly in the initial phase of establishing a school, were rangatira ... . The chairman was often a chief of considerable standing. The Committee needed to have some authority in order to designate a piece of land and be assured that the wider whanau or hapu was agreeable to having the land set aside for the purposes of schooling.[143]

The Chairman of the Committee was elected by the other members.[144] The membership of these men on the Committee, and the chairing role of Huirama Tukariri in particular, therefore point to the very significant mana they held in the Kenana community.

It was not only adults who were sometimes absent from Kenana. In October 1892, A Harris, a subsequent teacher, reported that many pupils were returning from 'the Coast Settlements'.[145] Where Maori children were at the northern gumfields, it would seem that, as late as 1914, they were often not provided with education.[146]

Kenana Maori, particularly Huirama Tukariri, seem to have been keen to be actively involved in the running of their own school. In 1894, when the possibility of erecting a fence at the school was under discussion, James Pope referred to 'Huirama' as 'the tino

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[140] H W Bishop, RM, to Secretary, Education Department, 31 December 1892, BAAA 1001/281a
[141] *New Zealand Gazette*, 19 January 1893, p 86
[142] Inspection Schedule for Inspection, Kenana Native School, 6 April 1891, BAAA 1001/281a
[143] Judith Simon (ed) & others, *Nga Kura Maori: The Native Schools System 1867 – 1869* (Auckland: Auckland University Press, 1998), p 23
[144] Ibid, p 32
[145] A Harris to Inspector General of Schools, 5 October 1892, BAAA 1001/281a
[146] Geiringer, 'Historical Background to the Muriwhenua Land Claim, 1865 – 1950', p 138

rangatira of Kenana'.[147] In 1896, the Chairman of the School Committee – presumably still Huirama Tukariri – had another Maori brought before the local court for keeping his child away from school.[148] Attendance was not always as high as the Education Department would have liked. This made the department wary about spending money, even on matters such as fencing.[149]

3.3 The School House and the School House Site

In 1901, there were a total of 14 Maori and 3 Pakeha children on the roll. In the light of a good inspection report, James Pope recommended the building of accommodation for the teacher.[150]

This was apparently not before time. While plans were being prepared, the teacher of the day moved to live at the school. The department understood that she had erected a two-roomed cottage for herself. It eventually emerged that she had been living in a tent.[151] When this teacher had a 'break-down', the department temporarily postponed its building plans.[152]

The school now needed a new teacher. Huirama Tukarari, still chairing the School Committee, and his fellow committee members took this opportunity to ask for the appointment as teacher of a former pupil at the school, Sarah Matthew. Sarah Matthew had 'attended this school regularly from the time it was opened down to the present time'. The committee argued that this appointment would avoid the need to provide a house.

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[147] First Minute of 4 May 1894 by J H Pope on File cover Education 94/282 223, BAAA 1001/281a

[148] A Harris to Habens, 4 May 1896, BAAA 1001/281a

[149] Second Minute of 4 May 1894 by J H Pope on File cover Education 94/282 223, BAAA 1001/281a

[150] Inspection Schedule, Kenana Native School, Inspection 20 July 1901, Sections 1, 9, BAAA 1001/281a

[151] Secretary for Education to Under-Secretary for Public Works, 31 October 1901;
Secretary for Education to Mrs Stewart, Kenana, 31 October 1901;
Assistant Secretary to Mrs Stewart, Kenana, 22 January 1902, all in BAAA 1001/281a

[152] Memorandum "Kenana", 5 July 1902, BAAA 1001/281a

They said that Sarah Matthew was known to Pope. They suggested that a young Pakeha female teacher might be sent to give her two month's guidance.[153]

The Department, however, did not follow this suggestion. *Nga Kura Maori* notes that

> The Department, at an early stage, adopted the policy of appointing uncertified 'junior' assistants – mostly young Maori women – to the Native Schools, largely to provide a bridge between the community and the school.[154]

The appointment of a young Maori woman as the head teacher was quite a different matter. The ideal of the Department was the appointment of a married couple.[155] In line with this, a married male teacher from outside the Kenana community was appointed.[156]

Huirama Tukariri subsequently wrote to the Secretary for Education applying for a house for the teacher on the three acres set aside for the school. He pointed out that:

> The house occupied by the teacher is some distance off, the road is very bad, and the river when it rains the flood prevents the teacher from attending, sometimes he is stopped for two days by the flood and the rain[157]

A month later Huirama Tukariri wrote again, notifying agreement to give two acres to increase the school land so that the teacher could have a school house. He did not specify who the 'we' who were giving consent were. The Secretary for Education acknowledged Tukariri's letter and promised a survey and erection of a residence – although he did not thank him for the offer of the land.[158]

Although Maori were giving the land, it was the teacher, F Paul, who was instructed to choose the site in conjunction with the surveyor of the area. It was to lie along one of the

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[153] Huirama Tukarari & 4 committee members to General Inspector of Native School [sic] Wellington, 21 May 1902, BAAA 1001/281a
[154] Judith Simon (ed) & others, op cit, p 61
[155] Ibid, p 54
[156] illegible signature to Chairman, Native School Committee, Kenana, 17 June, BAAA 1001/281a
[157] [Translation] Huirama Tukariri, Chairman of the Committee, to Secretary for Education, BAAA 1001/281b 44/4 part 2, NA Auckland
[158] Huirama Tukariri to Secretary for Education, 22 October 1902;
Hogben, Secretary for Education, to Huirama Tukariri, 11 November 1902, both in BAAA 1001/281b

sides of the existing school site. Still, the Secretary for Education told Paul to take care that the piece of land selected 'meets with the approval of the Natives.'[159]

It took over a year to finalize the transfer of the additional two acres of land to the Crown. The delay was apparently caused by the surveyor deviating from his instructions after he had met on site with 'the Chief Native and School Teacher.'[160] It is impossible to discern, however, whether it was the views of Tukariri or Paul or both that led to this attempt to overrule the surveyor's instructions.[161]

Eventually, on 2 March 1904, the Governor signed an Order in Council taking two acres of land for a Native School under the Public Works Act 1894. The Order in Council did state, however, that the land was a 'free gift' to the Crown by the Maori owners. The owners were said to be those declared to be owners of Kohumaru 1 by an order of the Native Appellate Court dated 24 June 1902.[162]

The house for the teacher was built in 1903.[163] The Education Department seems to have taken it for granted on this occasion that payment for the materials and labour for the school house was a departmental responsibility. This was to affect the way in which the school house, as opposed to the school itself, was treated when the disposal of the site and buildings was under discussion after 1931.[164]

3.4 Conclusion

This chapter indicates that in the last decade of the nineteenth century and the first decade of the twentieth century, various Crown officials were not conscious that the Crown had supposedly acquired land in the Kenana area through the Mangonui 'purchase' of 1863.

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[159] Hogben to Paul, Kenana, 11 November 1902, BAAA 1001/281b, NA Auckland
[160] Quotation from Asst. Surveyor General to Surveyor General, 4 May 1903;
see also cover sheet of file Education 1902/2260 "Kenana" , both in BAAA 1001/281b
294
[161] For plan of the site, see ML Plan 7019
[162] Copy of Order in Council, BAAA 1001/281b
New Zealand Gazette, 10 March 1904, pp 812 - 813
For Appellate Court Decision, see **4.3**
[163] History of Kenana Native School Site, stamped Action complete 28 August 1936, BAAA 1001/283b, 44/4 part 6, NA Auckland

Instead, the Crown acquired three acres for the school itself through a gift from local Maori. This gift was accepted through the Native Schools Sites Act 1880 and gazetted in 1893. The precise nature of the investigation made into the title to the land under the Native Schools Sites Act 1880 remains a mystery.

The Crown acquired a further two acres for the teacher's house through a further gift made under the Public Works Act 1894 and gazetted in 1904. By this time, however, the title to Kohumaru block had been investigated by both the Native Land Court and the Appellate Court.

Local Maori built the school, although the Education Department made a £25 grant towards the cost. The house for the teacher, on the other hand, was built by the Education Department.

This chapter indicates that, at least where education was concerned, Huirama Tukariri seems to have been the most important figure in the Kenana community at this stage. Bishop, the Resident Magistrate, described him in 1892 as 'huirama principal owner'. James Pope, Inspector of Native Schools, referred to him in 1894 as 'the tino rangatira of Kenana'. Up to and well beyond 1904, Huirama Tukariri continued to press for improvements in school facilities. When it came to the issue of staffing the school with a local Maori, however, the Education Department did not listen to Huirama Tukariri and the rest of the School Committee.

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[164] See section **7.3**

CHAPTER 4: KOHUMARU AND THE NATIVE LAND COURT

This chapter begins with a section indicating that there was some tension over the title to the Kohumaru Maori land within the Maori community in the late nineteenth century. This led to three applications in the late 1890s for the investigation of the title of Kohumaru, along with one for the investigation of the title of Kenana.

The chapter then looks at the 1901 investigation of title in the Native Land Court. Two main witnesses, Karena Kiwa and Huirama Tukariri, gave extensive evidence about the history of the land. A third section of the chapter looks at the Appeal that followed the Court's 1901 Decision to uphold the claim of the party associated with Huirama Tukariri.

The next section looks at three petitions organised by Huirama Tukariri. The petitioners protested the 1902 Decision of the Appellate Court giving a substantial proportion of the Kohumaru Maori land to the party associated with Karena Kiwa. The chapter goes on to look at the consideration of the block by the Stout-Ngata Commission, in face of the objection of Huirama Tukariri, who wanted the petitions dealt with. A further section deals with the belated 1910 re-investigation into the title by Chief Judge Jackson Palmer.

The chapter then touches on the legislation passed later in 1910 to amend the title once more, and the implementation of this legislation through the Native Land Court in 1912. The next section reviews the survey and valuation of the block. The last section of the chapter refers to a last protest by Huirama Tukariri, along with a 1949 petition by Pereene Huirama and others. They may well have been aggrieved because the high valuation of the Kenana river flats, when applied to the decision made by the Court in 1912, left the group associated with Huirama Tukariri with less land after March 1914 than they had obtained under the 1902 Appellate Court Decision.

4.1 Applications for Investigation of Title

The Applications Files for Kohumaru and Kenana do not record any attempt to investigate the title of what became, in terms of the Native Land Court, the Kohumaru Block, before the late 1890s. In 1887, however, there seems to have been some tension

over the status of land in the Kohumaru area. Huirama Tukariri wrote reporting the action of Karena Kiwa, who claimed Kohumaru Native Settlement. It seems that Karena Kiwa was trying to have the land surveyed, and that Huirama Tukariri wanted the survey stopped.[165]

In September 1892, Hone Hapa wrote to James Pope, the Senior Inspector of Native Schools, asking for the removal of the teacher at the Kenana Native School.[166] The teacher, in trying to explain problems over school attendance to the Department, claimed that there had been, during the previous few months, considerable tension between the Hapa and Tukariri families 'over the division of the Kenana lands.'[167]

In the late 1890s, three applications for the investigation of title of 'Kohumaru' and one for 'Kenana' were made over a three year period. Evidence later given to the Native Land Court suggests that the issue came to the fore at this time because of a dispute about the ownership of 'floatage rights' to be paid by Pakeha taking timber out through the land.[168]

The earliest application for the investigation of the title of what became the Kohumaru Maori land is dated 8 April 1896. It is signed by Maraia Pororua, Tahere Pororua, Pokai Kiwa and Ihotu Wiremu.[169] On 31 March 1897, there was a further application for investigation of title, this time for 'Kenana' rather than 'Kohumaru', signed by Hone Pororua and Pokai Kiwa.[170] Then, on 17 May 1897, there was another application for Kohumaru, signed by 'Hotu Wiremu Te Ahumari, Tarawau Hapa me etahi'.[171] Lastly, on 1 September 1898, there is yet another application for Kohumaru, signed by 'Hone Poroua, Maraea Pororua, Hotu Wiremu, Pokai Kiwa, Tarawa Hapa me etahi atu'.[172]

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[165] MA 2/22 (NA Wellington), Record Book 1886 – 87, 1887/2423, letter dated 1 September 1887; 1887/2433, letter of R W Bishop, dated 5 September 1887;
1887/2534, letter of Huirama Tukariri dated 7 September 1887
[166] Hone Hapa to James H Popi, 6 September 1892, BAAA 1001/281a, NA Auckland
[167] A R Harris to Department, 10 October 1892, BAAA 1001/281a
[168] See sections **4.2.1**, **4.2.2**
[169] Maori form for Investigation of Title. Note that some letters of the names are difficult to read. Form dated 8 Aperira 1896, BAAI A131/229M, NA Auckland
[170] Maori form for Investigation of Title. Form dated 31 Maehe 1897, BAAI A131/237M
[171] Maori form for Investigation of Title. Again names are not easy to read. Form dated 17 Mei 1897, BAAI A131/229M
[172] Maori form for Investigation of Title. Form dated 1 Hepetema 1898, BAAI A131/229M

4.2 The 1901 Investigation of Title

The investigation to the title of Kohumaru finally started in October 1901. The case was heard by Judge Edger. The Assessor was apparently Tamati Paetai.[173] At this point, it seemed that there were basically two parties involved. On the one hand, there was Hone Hapa, whose special 'clients' were Huirama Tukariri, Ihaia Tukariri, Rewiri Kaiwaka and Hotu Wiremu te Ahumakiri. Hone Hapa asked to be 'the claimant' – the party whose application was the subject of investigation by the Court. He argued that 'It was we who got the plan prepared.' [174] The plan he was referring to was Maori Land (ML) Plan 6804. This was a very simple plan compiled in the Survey Office, Auckland by P S Sherratt on 28 February 1901.[175] The Maori owners were charged only £2 2s for the plan.[176] This was clearly not a plan based on a survey of the land before the Court.

The opposing claim was that of Karena Kiwa. Kiwa admitted that he had not had the plan made. The conductor for his case was Hapeta Henare. The Court accepted Hone Hapa's clients as the claimants.[177] The following subsections review the case of Karena Kiwa, the case presented by Hone Hapa for Huirama Tukariri and others, and the decision made by the Court.

4.2.1 The Case of Karena Kiwa

Karena Kiwa gave his hapu as Te Uri o te Aho of Ngapuhi. He said that he lived at Otangaroa (Whangaroa), eight miles from Kohumaru. He claimed on three grounds:

- **Conquest** by his ancestors Te Awha, Te Taepa and others, and 'all Mahurehure'. He said that his 'father'[178] Pororua, the son of Te Taepa, had also taken part in the

[173] Names of Judge and Assessor given on Northern MB 31, fol 1. This information is not repeated specifically at the beginning of the Kohumaru investigation.
[174] Northern Minute Book 31, fol 128
[175] Copy of ML 6804 supplied by LINZ National Office
[176] Notice under "Native Land Court Act, 1894", dated 27 March 1901, with payment into court noted for 18 October 1901, BAAI A131/229M, NA Auckland
[177] Northern MB 31, fol 128
[178] Note that the Minute Book has 'father' on fol 129. The whakapapa on fol 133, however, suggests that Karena was the son of Hohepa Kiwa and the nephew of Pororua. The use of 'father' on fol 129 may consequently reflect a problem in translation from Maori evidence.

conquest. According to Karena Kiwa, there was a fight on the land before the Court, at Karewa Pa, but 'most of the battles were fought off the block.'

- **Gift** by Poroa of Te Rarawa to his ancestors
- **Occupation** from the time of Te Taepa and Huia, the wife of Te Taepa. He said that occupation was continued by Poroua and by Hohepa Kiwa, his elders. They had lived at Oruru, at Mangonui (township) and at 'Kohumaru Kainga'. Kiwa said that Maraea Pororua's daughter, who was married to Rameka Hapa, still lived at Kohumaru.[179]

Karena Kiwa gave whakapapa related to Te Uri o te Aho. This indicated that Te Taepa was the son of Te Awha, who was a child of Haua(?sp), who was a child of Pui, who was a child of Te Ahu. Te Taepa was the father of Hohepa Kiwa and of Pororua. Karena and Pokai were two of the children of Hohepa Kiwa. Pororua is given as the father of three children: Hone (deceased), Maraea and Hone.[180] Later, however, Karena stated that Pororua had many children.[181]

Karena Kiwa stated that he had 'other hapus on this land' in addition to te Uri o te Aho. He mentioned N.Tautahi, on his mother's side.[182] But he concentrated his case on Te Taepa, Pororua and Hohepa Kiwa. As indicated in section **1.2**, Karena Kiwa said that it was Pororua who had given the 'new name' Kenana to Kohumaru.[183] Karena Kiwa said that the only families who had a right to the land were Karena, Pokai, Hone, Maraea and their descendants.[184]

Much of Karena Kiwa's subsequent evidence was about a long series of fights in the area around the block under investigation. The key fight, according to him, was the taking of Rangitoto Pa by Te Awha and Te Taepa.[185] He argued that an extensive area of land including the Kohumaru land under investigation had been taken by this conquest. He

[179] Northern MB 31, fols 129 - 130
[180] Northern MB 31, fol 133
[181] Northern MB 31, fol 134
[182] For N.Tautahi whakapapa, see Northern MB 31, fol 135
[183] Northern MB 31, fols 133 – 134
[184] Northern MB 31, fol 135
[185] For Rangitoto Pa , see **Map 1**

said that after the fall of Rangitoto Pa Ngati Kahu, including Tukariri, the father of Huirama Tukariri, had fled.

Yet Karena Kiwa also said that after Te Taepa had conquered this extensive area, he had left the district, rather than occupying it. Consequently, he held that it was necessary that the land be given to him by Poroa. He said that he did not know what Poroa's right to the area was. Poroa, according to Karena Kiwa had not conquered the area, but was the paramount chief of Te Rarawa. He said that he believed that Ngati Kahu were a hapu of Te Rarawa.[186] He was apparently unaware of earlier Land Court evidence that the mother of Pororua was a Tuahine, a sister, or possibly a cousin, of Poroa.[187]

Karena Kiwa testified that 'a while' after this gift by Poroa, Te Taepa and his wife Huia had come with their son Hohepa Kiwa and others, and had started living at Oruru, Mangonui, Kohumarau and Aputerewa. Karena Kiwa apparently thought that Tukariri, father of Huirama Tukarari, lived at Kohumaru 'under the [authority] of Te Taepa.' Te Taepa and Huia died and were taken elsewhere to be buried, in the Hokianga and at Kaikohe respectively. Pororua and Hohepa Kiwa survived them, and continued to live at Oruru, Mangonui, Kohumaru and Aputerewa.[188]

Karena Kiwa mentioned subsequent conflict between Pororua and Panakareao. Following this, according to him, Pororua then went to Whangaroa. When Pororua heard that Panakareao had gone back to Oruru, however, Pororua returned. 'I was one of the party. Pororua came to Kohumaru & was joined by the Kohumaru people. i.e. Tukariri & his people.' He said that Pororua and Hohepa Kiwa lived at the same places in Kohumaru as Te Taepa and Huia had used.[189] Karena Kiwa said that Pororua had had a house at Kohumaru that was a meeting house.

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[186] Northern MB 31, fol 141
[187] See section **2.1**
[188] Northern MB 31, fols 141 - 142
[189] Northern MB 31, fol 143 - 144

After Pororua died, Karena Kiwa continued, Pokai had lived at Kohumaru. He had been married to the sister of Huirama. Pokai had later moved from Kohumaru to Mangamuka. Karena Kiwa himself was married to Keita, daughter of Wi Te Ahu of Ngati Kahu.[190] Wi Te Ahu's son was Hotu Wiremu.[191]

Karena Kiwa said that he did not interfere when Huirama demanded payment for floatage rights from a timber company, apparently because at the time he belonged to the Kotahitanga. He had himself leased part of Kenana to a Pakeha. He conceded that this had led to trouble with Ihaia Tukarari. He indicated that there had been more arguments about floatage rights. Maraea and Hone Pororua had objected to Huirama being paid, or paid exclusively, for these. 'This is why [application] was sent in'[192]

Karena Kiwa indicated, however, that before an application had been sent in to the Native Land Court, he had sent an application to a Native Komiti. He had asked the Komiti to investigate the title. Karena Kiwa said that the Komiti had come to Kenana, and that he had built a house for them. But Huirama had objected, on the grounds that the Komiti was a Nga Puhi Komiti, and Karena Kiwa was also Nga Puhi. When Huirama objected, Karena Kiwa had sent an application to the Native Land Court. After he had done that, however, he had been asked to join the Kotahitanga, and had then taken no further steps about his application.[193]

Karena Kiwa stated that Pororua and Hohepa Kiwa had sold land to Europeans.[194] One of the blocks of land that he said Pororua had been involved in selling was about eleven thousand acres adjoining the Kohumaru Maori land. Karena Kiwa was referring here to the so-called Upper Kohumaru Purchase.[195] He named the sellers as Pororua, Hohepa Kiwa, Wi te Ahu (father of Hotu Wiremu), Reihana son of Wi Te Ahu, Te Huirama – and others whom he forgot. Karena Kiwa said that the land now disputed before the Court

[190] Northern MB 31, fol 145
[191] Northern MB 31, fol 128 Hence it is not particularly surprising that Hotu Wiremu appears on all three applications for the investigation of title of Kohumaru.
[192] Northern MB 31, fol 145
[193] Northern MB 31, fol 146
[194] Northern MB 31, fol 146

and Parangiora had both been excluded. He said that Wi Te Ahu had got Parangiora excluded because it was a tapu.[196]

Karena Kiwa said that Pororua had made an arrangement with Wi Te Ahu under which Pororua was to have the side of Kohumaru to the west of the Kohumaru Stream, while Wi Te Ahu was to have the eastern side.[197] He appears to have said that Wi Te Ahu and his son Reihana then organised a division of the eastern side, with Huirama receiving part of this. He claimed that it was only recently that Tepana, a son of Huirama, had started living on the western side of the Kohumaru Stream. Karena Kiwa claimed the land to the west of the Kohumaru Stream. He said that the other group could have the Eastern land.

> I do not know that they have any right there. But that is the piece Pororua allotted to them.[198]

He wanted to put in Turton's Deeds relating to the sales of Oruru and Kohumaru as evidence.[199]

Under cross-examination by Hone Hapa, Karena Kiwa said that Huirama had been cultivating to the west of the Kohumaru Stream since the death of Pororua, twenty five years earlier.[200] Karena Kiwa said that one of the wives of Pororua was Ngaurupa, a niece or cousin of Wi te Ahu and a cousin of Huirama. He admitted that his children and Pororua's children who were buried at Kohumaru were so buried in right of their respective wives.[201] He admitted that Pokai had left Kohumaru for Mangamuka after the death of his wife.

He also conceded that it was Huirama who had consulted with the government over the erection of the Kenana school.[202] But Karena claimed that he himself, as well as Huirama, had arranged the Kenana church services. Karena also claimed to have 'caused

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[195] See section **2.2**
[196] Northern MB 31, fol 147
[197] Northern MB 31, fol 149
[198] Northern MB 31, fol 150
[199] Northern MB 31, fol 150
[200] Northern MB 31, fol 160
[201] Northern MB 31, fol 155
[202] See section **3.1**, **3.2**

a churchyard to be there'. But he admitted that the person he had wanted to be buried there had been taken by Nga Puhi to be buried elsewhere. Instead, a daughter in law of Huirama had been the first person buried in the Kenana churchyard.[203]

When he was examined by the Assessor, Karena Kiwa stated that Pororua was half Ngati Kahu, and that this was well-known. He could not name anybody exclusively Nga Puhi who was buried at Kohumaru.[204]

Pokai Kiwa gave evidence much more briefly. He said that when he had lived at Kohumaru, he had not lived there because he had been married to a sister of Huirama, but because he had lived there with his elders. On the other hand, he stated both that he had left Kohumaru nine years before the case, and that his wife had died nine years before the case.[205]

4.2.2 The Case Conducted by Hone Hapa

Huirama Tukariri was the main witness for the claimants. Huirama Tukariri claimed the land by

- Ancestry. He stated that the land under investigation belonged to Ngahuirua – or, sometimes – to Ngahuirua and her brothers.[206] Later he explained that all the descendants of Ngahuirua had a right, and that the descendants of her brother Papa had a right, but one that was less because they lived a long way off. It was up to Huirama, according to him, to put people other than the descendants of Ngahuirua in if he so chose.[207]
- Occupation
- 'strong arm'

[203] Northern MB 31, fols 159 - 160
[204] Northern MB 31, fols 162 - 163
[205] Northern MB 31, fol 164
[206] For block belonged to Ngahuirua and brothers, see Northern MB 31, fol 168.
For land belongs exclusively to descendants of Ngahuirua, see Northern MB 31, fol 128
[207] Northern MB 31, fol 188

By 'strong arm', Huirama Tukariri apparently simply meant continuous occupation. He argued that there had been no fights on the land. He gave his hapu as Te Uri-o-Mamaru of Ngati Kahu (of Mamaru canoe).[208] Huirama gave his whakapapa. Ngahuirua and her brothers were descendants of Papa. Tukariri was a son of Ngahuirua. Huirama and Ihaia Tukariri were children of Tukariri. Wi Te Ahu was a grandson of Ngahuirua through her child Te Kopinga. Hotu Wiremu and Keita were children of Wi Te Ahu.[209]

Huirama Tukariri named a number of pa that had been on the block: Papawera; Karewa, Torewera; Puketutu; Te Puke a te Ruahine.[210]

According to Huirama Tukariri, Nga Puhi did come to the general area to fight, but they never went to Kohumaru. He categorically denied that 'Ngapuhi took the Kenana pa.'[211] He also insisted that his father Tukariri had lived at Kohumaru at the time of the attack on Rangitoto Pa. He said that Tukariri did not flee, but happened to be away shark fishing.

The Court asked Huirama Tukariri to give his version of the fighting with Nga Puhi.[212] Huirama Tukariri mentioned that a group of Ngati Kahu and Nga Puhi including Te Taepa had been assembled in the Oreti Pa and had been attacked there by a group including other Ngati Kahu. He emphasised that a further group that included Tukariri had rescued the group that included Te Taepa from this situation. He said that they were defending not Te Taepa but Huia, the wife of Te Taepa, who was partly Ngati Kahu.[213] Under cross-examination by Hapeta Henare, Huirama denied that his people had lived under the mana of Pororua.[214]

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[208] Northern MB 31, fols 128 - 129
[209] For whakapapa given by Huirama Tukariri, see Northern MB 31, fols 128, 167 - 169
[210] The names of the pa are not all easy to read in the minute book. Northern MB 31, fol 169
Te Puke a te Ruahine is perhaps the 'Te Puke o te Tuahine Pah' marked on ML 2343. See **Map 3**
[211] Northern MB 31, fol 169
[212] Northern MB 31, fol 170 For fighting recounted, see fols 170 – 173, 174 - 176
[213] Northern MB 31, fols 174 - 175
[214] Northern MB 31, fol 190

Earlier, Huirama said the Kohumaru block 'is the only land of my ancestors' but that 'Most of it has been sold'.[215] Later, however, Huirama said that if he chose to assert his rights outside Kohumaru, he did have some.

> I have no lands except Waiaua, Pukenui, Parangiora, Oparihi & Kohumaru.[216]

He stated that a group that included not just himself and Wi Te Ahu but also Pororua and a number of other people had sold the adjacent 11,000 acres to the government. According to him, Pororua and four others involved in the sale had no rights there. He saw the 11,000 acres as 'really part of the block now before the Court.'[217] He said that the 11,000 acres was part of the land within the boundaries of the land of Ngahuirua. He categorically denied that this land had been conquered. He seems to have seen the Upper Kohumaru Deed as evidence that would show who had joined in the sale – but not as proof that they all had a right to do so.[218]

Huirama also named Parangiora as 'a part of our lands'. He said that he had had Parangiora surveyed, and that his rights there were through the same ancestors he was setting up for Kohumaru block. He said that there was an ancient tapu there.[219]

Huirama Tukariri named various cultivations at Kohumaru that had belonged to Tukariri, his father.[220] He named a kainga – a pallisaded pa – where he said that he had been born.

Huirama Tukariri also said that in the 1860s he had allowed a Pakeha called Prosser to graze cattle on the land for several years. He had been paid 'one head'. This was the whole of the payment made. Various people had also paid him floatage for timber brought down the river. The first was McLeod about 1883. The next one, Rose, had also paid him and no one else. Horsley had paid him for damage done to fences. Houston had paid him floatage. Huirama Tukariri emphasised that he had received all the floatage and

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[215] Northern MB 31, fol 177
[216] Northern MB 31, fol 191
[217] Northern MB 31, fol 188 (quotation), fols 177 - 178
[218] Northern MB 31, fol 189
[219] Northern MB 31, fols 177 - 178
[220] Northern MB 31, fol 178

had given none to Karena Kiwa. Another man, George Thomas, had been dishonest over floatage and 'paid me nothing'. A further man, Clement, had made an agreement to pay him £100. Huirama Tukariri said that he had retained all of the thirty pounds that Clement had actually paid. He claimed that all these Pakeha came to consult him. 'I did not go to them, I think.'[221]

Huirama said that an application had indeed been made to a Komiti 'belonging entirely to Ngapuhi' to investigate the title. 'There were 500 or more persons present.' According to him, however, two members of the Komiti had themselves said that the application was wrong because the land belonged to Huirama, and Karena did not belong to the district concerned. Consequently, he said, the Komiti had not investigated the title.[222]

According to Huirama Tukariri, Pororua first came to live at Kohumaru in 1856 or 1858.[223] Hohepa Kiwa first came in 1858. Huirama Tukariri said that Pororua came to live at Kohumaru through his wife Ngaurupa. She was of Ngati Kahu and was a relative of Huirama's. Another wife of Pororua had come to live at Kohumaru with him, but left a couple of years after Pororua died.[224] Huirama stated that there were no pure Ngapuhi buried at Kohumaru.[225]

Huirama emphasised his role in having the school house built and in deciding about the first burial in the Kenana churchyard. He said that he had never heard that Te Taepa had lived at Kohumaru. He denied the alleged division of the block by Pororua as described by Karena Kiwa.[226]

Huirama Tukariri expressed considerable reservations about Pororua and his land-selling role:

> Pororua never asserted mana over the people, as far as I heard. He did not act as the leader or chief of N.Kahu. He was himself a chief, but had no

[221] Northern MB 31, fol 179
[222] Northern MB 31, fol 180
[223] 1856: Northern MB 31, fol 180; 1858: Northern MB 31, fol 178
[224] Northern MB 31, fols 180 –182
[225] Northern MB 31, fol 183
[226] Northern MB 31, fols 183 – 184, 186

> auth. over N.Kahu. True, he did sell the land. But he did it secretly. The N.Kahu did not know of his sales; tho they heard of them afterwards. They took no definite action. Except on one occasion, when they threatened to shoot Hohepa Kiwa.[227]

Later he complained:

> Pororua had a N.Kahu side, but that [would] not give him a right to this block. He has eaten up the N.Kahu land. But he claims [through] conquest. He has always ignored his N.Kahu descent.
> We all know that Pororua had no right to this block.[228]

Huirama apparently thought that, as a Ngati Kahu, Pororua had a right to 'all the Mangonui lands extending to Oruru.' But he argued that 'the Kohumaru lands are different lands.'[229] That is to say, he saw these lands as separate from Mangonui and Oruru.

Huirama Tukariri disclaimed knowledge of applications from 1896 and 1898 involving people associated with his claim and with the counter-claimants.[230] Section **4.1** indicates, however, that such applications did occur. This was not altogether surprising given the degree of intermarriage between the two groups. Huirama denied that Pororua's house at Kohumaru had been a meeting house.[231]

Two further witnesses who claimed no rights in the block also gave evidence for the claimant case. One of these was Akuhata Kaiapa. He was of Te Aupouri. He said that he had lived at Kohumaru for more than forty years, since before the coming of Pororua to the area. This witness said that he himself had no right there.[232] But he had apparently married Huirama's sister.[233] Akuhata Kaiapa gave evidence of living since his arrival on the western side of the block, and of numerous activities undertaken on the western side over the years by various people from the claimant group. He said that Pororua had had

[227] Northern MB 31, fol 185
[228] Northern MB 31, fol 187
[229] Northern MB 31, fol 199
[230] Northern MB 31, fol 188
[231] Northern MB 31, fol 202
[232] Northern MB 31, fol 203
[233] Northern MB 31, fol 206

nothing to do with these activities when he lived at Kenana.[234] This evidence was of interest because of Karena Kiwa's claim that the western side of the block should go to the counter-claimant group.

Akuhata Kaiapa said that Tukariri was the 'chief person of the place, when I came there.'[235] But by the time of the [Upper] Kohumaru sale, Wi Te Ahu was 'the chief man as regards the Kohumaru part.' He and Pororua

> were about equal in importance, as regards that sale of Kohumaru.
> That land sold was part of the block now before the Court. I should say that Pororua had no right to Kohumaru. I suppose he had a right to the land sold, as he took part in pointing out the [boundaries] and got part of the money. But I know nothing of the whakapapa, or the ownership of these lands.[236]

A further witness was Kingi Rakena, who had been involved in the setting of the boundary between Aputerewa 1 and Kohumaru. He said that he had no rights in Kohumaru. He gave evidence that Kohumaru was ancestral land quite separate from Oruru and Aputerewa.

A last witness was Tepana Huirama. He gave evidence that Karena Kiwa had placed a Pakeha on the land. Tepana and several others had objected to Karena's action. He said that he and one other had gone to see Bishop, the Magistrate, at Whangaroa. He asserted that Bishop had written a letter to the Pakeha, who had then left the land. He also claimed that both Karena Kiwa and his own father had been running sheep on the land. After about four years, they had had a dispute about earmarks, and Karena Kiwa had removed his sheep to Otangaroa.[237]

4.2.3 The Decision in the 1901 Investigation of Title

Initially Hapeta Henare, the conductor for Karena Kiwa and the counter-claimants, did not want to give his final address to the Court until Turton's Book of Deeds had arrived.

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[234] Northern MB 31, fols 203 - 205
[235] Northern MB 31, fol 205
[236] Northern MB 31, fol 206
[237] Northern MB 31, fol 209 - 210

Eventually he decided to proceed before it came. The addresses of Hone Hapa and Hapeta Henare are not in the Minute Book. The Decision was reserved until after the arrival of the Book of Deeds.[238]

The next day, 16 October, the Judge gave his Decision. The Court began by seeming to look at the issue as an inter-tribal matter. The Judge said firstly that it was admitted that the lands in the Mangonui district had originally belonged to Ngati Kahu.

> The sole question to be decided is whether their lands were conquered from them by Ngapuhi.[239]

He said that it was clear that, about 100 years ago, there had been a great deal of fighting between Ngati Kahu and Nga Puhi, and that Ngai Kahu had been 'signally defeated' at least once by Nga Puhi. He gave other factors pointing to a Nga Puhi victory. These included Pororua and Hohepa Kiwa having lived for many years at Kohumaru, and the fact that Pororua 'may fairly be spoken of as the chief land-seller' in the Mangonui district.[240]

Nevertheless, the position of the judge was rather more subtle than seeing the situation as a simple conflict between Ngati Kahu and Nga Puhi. He took into account the evidence given about intermarriage and about the Ngati Kahu side of Pororua:

> 7. That not only was Pororua partly N.Kahu, [through] his mother Te Huia, but that he himself married into N.Kahu: so have also some of his [descendants], & the [descendants] of his brother Hohepa Kiwa.
> 8. It is asserted strongly that Pororua settled at Kohumaru only in 1856, in right of his wife Ngaurupa: & that his brother Hohepa Kiwa followed him there in 1858.
> 9. Pororua died in 1875.: his children have not lived [permanently] at Kohumaru.
> 10. Both Karena Kiwa & Pokai Kiwa married wives of N.Kahu, & lived for a time at Kohumaru: but have ceased to do so, for many [years] being returned to their lands at Whangaroa & Mangamuka.
> 11. No persons of Ngapuhi pure have lived at Kohumaru: & the bones of those persons partly Ngapuhi who died at Kohumaru have been taken away to Ngapuhi country.: while those persons of N.Kahu who died away have been brought to Kohumaru for interment.

[238] Northern MB 31, fol 210 - 211
[239] Nrothern MB 31, fol 211
[240] Northern MB 31, fols 211 - 212

12. That, [though] Pororua was the great land-seller, persons of N.Kahu also joined in. From Turton's book of Deeds, it has been shown that Wi te Ahumakiri, Tukariri & other persons of Te Huirama's section of N.Kahu, took part in the sale of a block of 11000 acres called Kohumaru of which the land now in dispute is a part reserved from that sale.
13. That lands within the [boundary] of the conquest as described by Karena Kiwa have been awarded under ancestral "take". Pororua himself, [though] claiming generally both the the Mangonui lands, & to Whangaroa lands by conquest, has nevertheless claimed some of those lands [through] an ancestral "take".
14. It is clear that N.Kahu have been the [permanent] occupiers of Kohumaru; the only exceptions being the residence there of Pororua & Hohepa Kiwa since 1856, they being connected with N.Kahu by marriage: the [occupation] there by Karena Kiwa & Pokai Kiwa being also been [sic] [through] intermarriage with N.Kahu.
15. Karena Kiwa sets up as one of his takes a gift by Poroa a chief of Te Rarawa to Te Taepa. He admits that, up to that time, Te Taepa had not competely conquered the land. But he does not shew that Poroa had any right to give the land. There is only the bare assertion of such gift. No [boundaries] were defined: & no adequate reserve has been alleged for such gift.

Upon the whole the Court is of opinion that there was not such a conquest of N.Kahu as [would] given Ngapuhi a right to their lands. If any lands were conquered, they [would] seem to have been at Oruru.

The Court is not satisfied that Te Taepa ever lived at Kohumaru, & there is no proof any of Ngapuhi lived there prior to the time when Pororua went there in 1856. And it is very significant that the only persons of Ngapuhi who have lived there have been partly of N.Kahu descent, & who have intermarried with N.Kahu.

On the other hand, it is clear that the [permanent] occupants of Kohumaru have been Te Huirama's section of N.Kahu.

The land is awarded to Te Huirama & his people.

Whatever rights Pororua may have had in the Mangonui district have been amply satisfied by the lands he has sold, & those that have been awarded to him by the Court.[241]

Turton's Book of Deeds had arrived at the Court on the morning of the day on which the decision was given. Hapeta Henare asked that the deed of Kohumaru should be read out. It was accordingly read out in Maori before the Court adjourned.

Four acres of the Maori land, bounded by the school on one side and the road on another, were set aside to contain the church. These four acres were awarded to Te Huirama Tukariri and Hotu Wiremu. The rest of the land was awarded to 78 persons in the list of Hone Hapa, and made 'absolutely inalienable'.[242]

4.3 The 1902 Appeal

The day after the Court had given its decision, Karena Kiwa announced that his group would appeal.[243] On his application to the Chief Judge for a rehearing, Karena Kiwa put heavy emphasis on the Upper Kohumaru sale:

> when a portion of this Kohumaru block was sold on the 20th August 1859, referred to in the award of this block 16./10/.01. it was shown in the Maori deed that the name of Pororua was above all the other names. That is very strong evidence of the fact that his was the principal and greatest "mana" to the land, and Karena Kiwa further told the Court that the other persons who took part in the said sale were merely "aroha'd" by Pororua.[244]

He attributed the inclusion of names of people from both parties in the applications of 1896 and 1898 to the supposed division of the land by Pororua into areas to the the East and West of the Kohumaru Stream.

Judge Edger was very annoyed with Karena Kiwa because Karena asserted in the appeal that the Judge had said that Huirama need not give his evidence about ancestry and ancestral pas on the grounds that 'the land had been conquered by Ngapuhi'. The Judge categorically denied ever having said that the land had been conquered by Ngapuhi. Karena Kiwa insisted on putting in this statement anyway.[245] The writer has not found any indication in the minutes that Judge Edger stopped Huirama giving his extensive evidence on this subject.

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[241] Northern MB 31, fols 213 - 215
[242] Northern MB 31, fols 225 – 229 (including list of names). For Church Site, see **Map 4**
[243] Northern MB 31, fol 224
[244] Karena Kiwa & 3 others (translation), 17 October 1901, BAAI A131/229M, NA Auckland
[245] Karena Kiwa & 3 others (translation), 17 October 1901;
Minute by Judge Edger to Chief Judge, on Maori original of Karena & 3 others to Chief Judge, 23 November 1901, both in BAAI A131/229M

It is fascinating that Karena Kiwa was aggrieved that the Maori Assessor had taken an active role in the proceedings of the Court.

> our "pouri" was very great during the time when the Court Assessor was asking questions, we never before saw any Assessor ask such questions, he took two hours in questioning our witness Karena Kiwa, as though he the said Assessor were a lawyer acting for the other side, however when the award was given it was entirely in accordance with his questions.[246]

The appeal was eventually heard by Judge Scannell and Judge Johnson, with Nikorima(?) Poutotara as Assessor, on 20 June 1902. Hapeta Henare spoke for the appellants. He said that 'On the day when the decision was given all the Europeans of the township expressed their opinion that it was wrong.'[247] He did not indicate the legal relevance of this point.

Hapeta Henare had no new witnesses to bring. He insisted that members of his group had not lived at Kohumaru by right of their Ngati Kahu wives, but rather that the wives had lived there by right of their husbands, who had rights because of conquest. He insisted that, contrary to the evidence of Huirama Tukariri and others, Pororua and Hohepa Kiwa had lived at Kohumaru well before 1856. He again emphasised that Pororua's name came first on the [Upper] Kohumaru deed of sale. He mentioned that Panakareao and Pororua had quarrelled, but that this had ended in Panakareao getting land west of the Oruru Stream and Pororua getting land east of it.[248]

Huirama Tukariri had something of a problem in dealing with the appeal. The Court had initially adjourned the case by one day when Hapeta Henare was not available on 19 June, but indicated that it would not adjourn any further as the Court had a steamer to catch.[249] When Hapeta Henare had finished, Huirama Tukariri explained that Hone Hapa, his conductor up to that point, had 'abandoned' him. Consequently he had to stand up in the Court, although he claimed to be 'entirely ignorant of Court procedure.'[250] He stated

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[246] Karena Kiwa & 3 others (translation), 17 October 1901, BAAI A131/229M
[247] Northern MB 33, fol 330
[248] Northern MB 33, fols 331 - 335
[249] Northern MB 33, fols 328 - 329
[250] Northern MB 33, fol 336

that he had already given his evidence. He reiterated that a division of Kohumaru by Pororua was 'not a matter of common knowledge.' He said that, although Pororua's name came first on the [Upper] Kohumaru deed – 'it is true that in those days the rangatira signed first' – the sale had really been brought about by Wi Te Ahu. He also said that he 'told Pororua long ago that he was a "whakaorangia"(?) of my matuas. He spoke only briefly, claiming he did not want to repeat himself![251]

Despite the statement of Karena Kiwa that the conquest was not completed and that a gift was necessary after it, the Decision of the Appellate Court rested firmly on the assumption of conquest of the land in this area by Te Taepa and Pororua:

> we are satisfied that first Taepa and afterwards Pororua the grandfather and father of the claimants established a right of ownership in the lands in this neighbourhood particularly at Oruru and exercised all the rights of ownership in that land as well as in this, in their own time and that Pororua was an occupant and a recognised owner of this land down to the time of his death in 1875. It is we think proved that Pororua was recognised as the dominant owner of the lands East of the Mangonui Stream and as such would have a right to make any arrangements he considered suitable and therefore the division which he is now said by his descendants to have made in this block that is placing certain persons east of Kohumaru Stream and retaining the Western side for himself and party was quite within his rights and the claim of that party representing the interests of Pororua at this Court being only for the part west of Kohumaru Stream we are of opinion they are entitled thereto and award accordingly. It is we think probable that if the claim by Karena Kiwa had been confined to that part of the land at the hearing it would have been allowed. The block will therefore be divided into two parts by the Kohumaru Stream and that part east of the stream to be called "Kohumaru No.1" we award to those persons already found to be owners of the whole block by the Native Land Court and in the relative interests already defined. The residue of the block part [sic] west of the Kohumaru Stream to be called "Kohumaru No.2" is awarded to Karena Kiwa and party ... . Land in both blocks to be inalienable.[252]

It is unclear what the Court meant by its reference to the Mangonui Stream. If this was a reference to the harbour, Kohumaru was really south, rather than east, of this.

[251] Northern MB 33, fols 336 - 337

An interesting aspect of this Decision is that the judges do not seem to be aware that in the original Native Land Court case, Karena Kiwa had argued only for ownership of the west side of the Kohumaru Stream for his party. Their comments about a different outcome to the original case consequently seem ill-founded.[253] They apparently put no weight on the arguments of 1901 witnesses for the claimant group that the Kohumaru lands should not be regarded as in the same category as other lands in the vicinity.[254]

4.4 The Petitions of 1902, 1904 and 1905

The Decision of the Appellate Court was unacceptable to Huirama Tukariri. He promptly started petitioning parliament to try to get a further hearing. In 1902, he and 38 others petitioned, asking for further inquiry into the ownership of the Kohumaru Maori land. In September 1903, the Native Affairs Committee reported that they had no recommendation to make with regard to this petition[255]

In 1904. Huirama and 18 others petitioned for a rehearing in connection with Kohumaru block. Once more, the Native Affairs Committee had no recommendation to make.[256]

Huirama Tukariri, however, was a very persistent man. In 1905, he and other Ngati Kahu tried again. Their petition, No 32/1905, began by reciting the judgments of both the Native Land Court in 1901 and the Appellate Court in 1902.[257] They then argued that the decision of the Native Land Court in their favour was 'well considered and ... supported by cogent reasons'. They contended that the decision of the Appellate Court was based on no new evidence. Instead, it simply denied the conclusions of the lower Court.[258] They argued that the Appellate Court had accepted a Nga Puhi conquest of the area, even though the witness for the other group had admitted that the conquerors had abandoned

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[252] Judgment as quoted in copy of Petition 32/1905 of Huirama Tukariri and others, MA 1 5/13/227, NA Wellington
[253] See section **4.2.1**
[254] See section **4.2.2**
[255] Petition No 340/1902 AJHR 1903 I-3, p 18
[256] Petition No 1/1904 AJHR 1904 I-3, p 30
[257] Petition No 32/1905, pp 1 - 4, MA 1 5/13/227, NA Wellington
[258] Petition No 32/1905, pp 4 – 5, MA 1 5/13/227

the area.[259] They asked for 'such relief by means of legislation or otherwise as the facts shall appear to warrant'.[260]

This petition apparently made a more favourable impression on the Native Affairs Committee. The Committee recommended that it should be referred to the Government for inquiry.[261] Yet nothing whatsoever happened for a couple of years. On 31 July 1907, however, W F Massey, the Member of Parliament for Franklin and later Prime Minister, asked the Government in the House whether they would give effect to the 'request of the Native owners of the Kohumaru Block', as set out in the 1905 petition, to have the block dealt with by the Native Land Court. James Carroll, the Native Minister, told Massey that the Stipendiary Magistrate would be asked 'to inquire into and report on the merits of the application'.[262] Huirama Tukariri and Massey kept pressing for action.[263] On 11 October 1907, the Native Minister told Massey that the matter would be referred to the Chief Judge of the Native Land Court 'for inquiry during the recess.'[264]

4.5 Kohumaru and the Stout-Ngata Commission

Before the Chief Judge had carried out an inquiry, however, the Stout-Ngata Commission visited the North Auckland area. The Minute Book of Sir Robert Stout shows that when the Royal Commission visited Mangonui in April 1908, it was welcomed by Huirama Tukariri.[265] Later that day, the Commission considered Kohumaru 1 and 2. Karena Kiwa told the Commissioners that he was an owner in Kohumaru 2 and that a niece of his was occupying in that block. He said that it was farm land that he wanted incorporated. Huirama Tukariri, however, pointed out that he had petitioned for a rehearing. He

[259] Petition No 32/1905, p 6, MA 1 5/13/227
[260] Petition No 32/1905, p 7, MA 1 5/13/227
[261] House of Representatives, Native Affairs Committee, Report on the Petition No 32/1905 of Huirama Tukariri, 5 September 1905, MA 1 5/13/227
[262] W F Massey, 31 July 1907, NZPD, 1907, vol 139, p 793
[263] Under Secretary, Native Department, to Under Secretary, Justice Department, 14 August 1907; Huirama Tukariri to W F Massey, 24 September 1907;
W F Massey to Carroll, Native Minister, 4 October 1907, MA 1 5/13/227
[264] Carroll, Native Minister, to W F Massey, 11 October 1907, MA 1 5/13/227
[265] Sir Robert Stout Minute book March – April 1908, p 162, MA 78/2, NA Wellington

claimed that the House had recommended action on his petition. He said that he did not want his position prejudiced. 'For ... it is our only land.'[266]

The Chief Judge argued that the matter should be left until the Commission had reported.[267] Huirama Tukariri was left to learn about these developments through another parliamentary question by Massey.[268] He demanded his investigation. He commented as regards the Royal Commission:

> It is true that the Commission dealt with [Kohumaru], but without my approval, and the Chief Justice knew it. [My] opponent was the only person who spoke to the Commission. I remained silent because I knew that the Land in question was in an unsettled state.[269]

The government again took no action. On 10 November 1909, Massey asked the Native Minister whether he would arrange for the Native Land Court 'now sitting in the locality' to investigate the Kohumaru titles. The Native Minister told Massey that the Chief Judge would be 'asked to hold an inquiry as soon as practicable.' [270] Carroll then advised Massey of the date of the hearing, so that he could communicate with some interested parties. He also offered to have notices specially posted to anyone whom Massey wanted informed.[271] This seems to suggest that Massey's intervention had been very important in getting the government finally to take action over the issue of Kohumaru.

4.6 The 1910 Investigation by the Chief Judge

Section 49 of the Native Land Laws Amendment Act 1895 stated that:

> The Chief Judge may refer to the Court, or to a Judge, for inquiry and report, any application or other matter as to which such inquiry is, in his opinion, necessary for the purposes of the Act, or of any Act conferring jurisdiction on the Court or on the Chief Judge for any purpose whatsoever.

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[266] Sir Robert Stout, same minute book, p 275 Huirama Tukariri's concern about the petition does not seem to come through in the same way in the Minute Book of A T Ngata, p 275, MA 78/5, NA Wellington
[267] Huirama Tukariri to Native Minister, 22 May 1908, Minute by Chief Judge J Palmer on back of this, 11 June 1908, in response to Minute to him by Under Secretary, Native, 10 June 1908, MA 1 5/13/227
[268] W F Massey, 5 August 1908, NZPD, 1908, vol 144, p 133
[269] [translation] Huirama Tukariri to Carroll, Native Minister, 24 July 1908, MA 1 5/13/227
[270] W F Massey, 10 November 1909, NZPD, 1909, vol 148, p 36
[271] Carroll to W F Massey, 24 December 1909, MA 1 5/13/227, NA Wellington

The Native Minister asked the Chief Judge of the Native Land Court to have an inquiry held in open Court into Kohumaru and the petition of Huirama Tukariri. The Chief Judge apparently referred the matter to himself under this legislation. The hearing was held at Mangonui on 12, 13 and 14 January 1910. It has unfortunately not proved possible to locate the minutes of the inquiry. This section is therefore dependent on the report and recommendations made by the Chief Judge on 31 January 1910.

The report of the Chief Judge was heavily influenced by the decision of the Native Land Court to fix titles in line with the establishment of British sovereignty in 1840. He held that to hold a title by conquest, the conquerors had not simply to prove that they had driven off the original owners, but also that they had occupied the land in question and held it against others at 1840.[272]

The report is somewhat confusing, in that the Chief Judge does not refer to Ngati Kahu when referring to people so designated in the Decisions of 1901 and 1902. Instead, he refers to Te Rarawa. This should be born in mind in reading this summary of his argument.

Chief Judge Jackson Palmer found that Kohumaru was part of a debatable territory between Nga Puhi and Rarawa. He considered that, following the fall of Rangitoto Pa, the Nga Puhi did not exclusively occupy the land at the expense of the Rarawa. Consequently, he held that both tribes had rights in the territory disputed by them. This area included Kohumaru. He said that occupation about 1840 should be taken as the main guide as to which sections of the debatable territory belonged to each tribe. He found that at that stage, the father and the family of Karena Kiwa occupied land 'at and about Kohumaru', as also did the people of the petitioners. He therefore held that both groups had rights in Kohumaru.[273]

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[272] In the matter of the Kohumaru Block and In the matter of a petition by Huirama Tukariri ..., Wellington, 31 January 1910, p 2, MA 1 5/13/227

[273] In the matter of the Kohumaru Block and In the matter of a petition by Huirama Tukariri ..., Wellington, 31 January 1910, pp 3 - 4, MA 1 5/13/227

This left the issue of how much of the block each party should receive. The decision of the Appellate Court had left 78 people associated with Huirama Tukariri with 747 acres, but 14 persons associated with Karena Kiwa with 1341 acres.[274] These figures had arisen because of the division of the block on the basis of the Kenana River. The Chief Judge did not accept this division.

Consequently, he recommended that legislation to enable the cancellation of the 1902 list, and the redetermination of relative interests of a list of owners consisting of the 1901 names, plus the 14 'Nga Puhi' names found to be entitled in 1902.[275]

4.7 Legislation and the 1912 Hearing

Following this report, parliament passed section 23 of the Native Land Claims Adjustment Act 1910. This stated that:

> (1.) The Chief Judge of the Native Land Court is hereby authorized and directed to amend the orders of the Native Appellate Court dated the twenty-fourth day of June, nineteen hundred and two, in respect of Kohumaru Block, Mangonui, in the Auckland Native Land Court District, so far as those orders relate to the division of that land and the definition of relative interests.
> (2.) For the purposes of this section the Chief Judge may refer any matter relating to the said land to the Native Land Court for inquiry and report.

This section had the same effect as the recommendations of the Chief Judge about amending the 1901 Order of the Native Land Court.

During the inquiry held in January 1910, Hone Hapa and Wiremu Maihi had appeared for the petitioners. Karena Kiwa had appeared for his group, against the petitioners.[276]

Section **4.3** indicated that in the 1902 appeal, Huirama had found himself, apparently without a great deal of warning, without Hapa to appear for him. When the Native Land

[274] In the matter of the Kohumaru Block and In the matter of a petition by Huirama Tukariri ..., Wellington, 31 January 1910, p 3, MA 1 5/13/227
[275] In the matter of the Kohumaru Block and In the matter of a petition by Huirama Tukariri ..., Wellington, 31 January 1910, p 4, MA 1 5/13/227

Court sat in 1912 to amend the 1902 orders under the legislation of 1910, the situation was again complicated by a change of position by Hapa. Blomfield appeared at this hearing 'for Ngapuhi'. Alderton appeared 'for [Ngati] Kahu'. Before the Court sat, these two parties had had a conference. They had agreed to divide the land equally. Huirama Tukariri was among those who had agreed to this arrangement.

Hone Hapa, on the other hand, had refused to agree to the proposed equal shares. He wanted one third of the block to go to the group labelled 'Ngapuhi', one third for the group associated with Huirama Tukariri and one third for his own group.[277] Huirama was one of the children of Tukariri, whereas Hone Hapa was one of the children of Wi Te Ahu.[278]

The Court was not prepared to accept that Hone Hapa's party was entitled to such a large share in the block. The Court announced that:

> we gladly accept the suggestion made by Counsel for Respondents and award one half of the land to the 14 persons named in the Appellate Court order for Kohumaru No 2 and the other half to Ani (?) Huirama and the other 77 persons whose names appear in the Appellate Courts' order for Kohumaru No 1.[279]

This still left the issue of settling relative interests within these two groups. The Court decided to leave these unchanged, with one exception. The Court agreed to deduct one half share from six members of the Tukariri whanau to compensate Huirama Tukariri for his costs in petitioning parliament. This raised the share of Huirama Tukariri from 27 shares to 30.[280]

The report of Judge Wilson to the Chief Judge throws an interesting light on the Judge's reference to glad acceptance of the terms arrived at by the parties of Karena Kiwa and Huirama Tukariri. After reporting on the agreement reached, he went on:

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[276] In the matter of the Kohumaru Block and In the matter of a petition by Huirama Tukariri ..., Wellington, 31 January 1910, p 1, MA 1 5/13/227
[277] Northern MB 48, fols 212 - 214
[278] For children of Wi Te Ahu Makiri, see Northern MB 48, fol 215
[279] Northern MB 48, fol 229
[280] Northern MB 48, fols 252 - 253

> For your information I have to state that Hone Hapa claimed the land for his party and as he would not recede from this position it was necessary to settle the matter in Court. In the meantime, however, Mr. Blomfield's persuasive eloquence induced Huirama Tukariri (Petitioner to Parliament) to ally his forces with those of Ngapuhi for the express purpose of combatting (sic) Hapa's arguments. The inducement held out was that each tribe, Ngapuhi on the one side and Ngatikahu on the other, was to divide the block between them equally.
>
> I may here remark by way of personal observation that this tactical move on Mr. Blomfield's part had the effect of embarrassing the Court, *because it was my conviction that though Hapa was not entitled to one third he and Huirama together, i.e. Ngatikahu, should have received more than ½ of the land; but in the face of agreement between the parties, each of whom was represented by Counsel, I had perforce to accept same after dismissing Hapa's case.*[281] [emphasis added]

4.8 Survey and Partitioning of Kohumaru

When the issue of partitioning the block in line with the 1912 orders of the Court arose, there was a further delay because the plan used in 1901 and 1902 had only been what Hapeta Renata described as a 'sketch plan'.[282] Consequently the Department of Lands and Survey arranged for J W Harrison to survey the block in 1913.[283] ML Plan 8987 was produced as a result of his work. A special copy of this plan was prepared for the Native Land Court. 'In essentials' this copy was in agreement with the ML Plan. Apparently 'All Native names, also topography' were shown on the tracing prepared for the Native Land Court, rather than on the ML Plan.[284]

The writer has not located the specially prepared plan made for the Native Land Court. It appears likely that it would add significantly to knowledge of the land in 1913, in addition to what is shown on the ML Plan. Possibly it would show the locations of, for

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[281] Report of Judge Henry Wilson to Chief Judge, 18 May 1912, retyped in Registrar, Auckland, to Under Secretary, Wellington, MA 1 5/13/227, NA Wellington

[282] Northern MB 52, fol 117
For use by the Native Land Court in 1901 and the Native Appellate Court in 1902, see Notes on Copy of ML 6804, supplied by LINZ National Office.

[283] J W Harrison to Chief Surveyor, Auckland, 27 June 1913, File 20/316, LINZ, Auckland, read at LINZ National Office

[284] Report on Plan No. 8978 File No. 15964;
Kt for Chief Surveyor to J W Harrison, 21 August 1913, both in File 20/316, LINZ

example, sites of pa and cultivations referred to by witnesses in the 1901 Kohumaru title investigation.

Before partitioning the land, the Court received a valuation of it. The valuer estimated the river flats to be worth £10 per acre. He valued the remaining 1896 acres at £1100, giving a total value of £2600. The Court in its partition set out to equalise the value of the land apportioned to the two principal parties involved.[285]

On 5 March 1914, this was accomplished by the payment of £170 by Huirama's party to what had been Karena Kiwa's party. The former group then received 594 acres 2 roods, almost all of the land lying East of the 'Main Road', to be called Kohumaru A. The latter group received the remainder of the block, to be called Kohumaru B.[286]

It would seem, then, that all his petitioning had left Huirama Tukariri's group with significantly less land than they had received in 1902 – let alone the whole area that they had been awarded in 1901.

4.9 Some Later Discontent about the Title

By May 1914, Huirama Tukariri was protesting again. He asked the Native Minister, Herries, and the Prime Minister, Massey, for a rehearing of the Kohumaru case. He complained that Karena Kiwa had 'got 1,400 acres of my land including all of the forest the timber-trees of which are most valuable', and that even so, they had had to pay £170 to Karena Kiwa. The Under Secretary told the Native Minister that the only redress open to Huirama Tukariri was to petition parliament.[287]

Huirama Tukariri does not seem to have taken up the suggestion of a petition. In 1949, however, Pereene Tukariri, a son of Huirama Tukariri, and 29 others sent a petition to parliament. They asked for a 'third investigation of the Kohumaru Block' to be

[285] Northern MB 53, fols 129 - 130
[286] Northern MB 53, fols 151 – 153. Fol 153 suggests that Karena Kiwa had died in 1912.
[287] Minute by T Fisher, Under Secretary, to Native Minister, on [transl] Huirama Tukariri to Herries & Massey, 14 May 1914, MA 1 5/13/227, NA Wellington

authorized. The petition referred to the 1901 and 1902 hearings. The petitioners did not indicate any awareness of the hearings that had taken place in 1910 and 1912.[288]

The Native Land Court Registrar at Auckland reported to the Under Secretary of the Native Department on the history of Kohumaru. He quoted the 1912 letter of Judge Wilson to the Chief Judge quoted in section **4.7**. He did not conclude from Wilson's letter, however, that some injustice might have been done to the party associated with Huirama Tukariri. Instead, he apparently drew from it a conclusion that the compromise indicated some weakness in the case of Huirama Tukariri. He said that

> From the foregoing it does appear that petitioners' ancestors had larger interests, but that on the grounds of expediency, they were obliged to forego some of their claim. It may be said that they did so because they were themselves doubtful as to the exclusiveness to entitlement.[289]

The Under Secretary of the Department of Maori Affairs subsequently informed the Clerk of the Maori Affairs Committee that the matter had been before the Maori Land Court or the Appellate Court four times, and that on the fourth occasion, with both parties represented by counsel, they had reached an agreement to which the Court gave effect. 'It is now 37 years since this agreement and the principal claimants are long since dead.'[290] Not altogether surprisingly, in the light of this report, the Maori Affairs Committee reported that it had no recommendation to make about petition 50/1949.[291]

4.10 Conclusion

The extensive minutes for the 1901 Native Land Court investigation into the title for the Kohumaru Maori land block provide a great deal of tradition about the history of the Kohumaru area. They also contain whakapapa for people in the two main groups involved. The claimant group was that associated with Huirama Tukariri. Their conductor was Hone Hapa, a member of another Kenana whanau. This group claimed the land on the basis of ancestry, occupation and what Huirama Tukariri called 'strong arm'. The

[288] Copy of the Petition of 'Perene Tukariri & 29 Others', MA 1 5/13/227
[289] J H Robertson, Registrar, Auckland, to Under Secretary, 15 September 1949, MA 1 5/13/227
[290] Under-Secretary, Maori Affairs, to Clerk, Maori Affairs Committee, 7 October 1949, MA 1 5/13/227
[291] House of Representatives. Maori Affairs Committee. Report on the Petition of No.50/1949 Perene H Tukariri & 29 others of Kohumaru.18 October 1949, MA 1 5/13/227

counter-claimant group was associated with Karena Kiwa. This group looked back particularly to Pororua. This group claimed on the basis of conquest, gift and occupation.

The two groups agreed that there had been considerable fighting in the wider area around Kohumaru earlier in the nineteenth century. The claimant group insisted that there had been no conquest of Kohumaru itself, seen as an area that included the Upper Kohumaru deed, but distinct from other local lands. They also dated the residence of Pororua in Kenana to very shortly before the signing of the Upper Kohumaru deed. They emphasised intermarriage with Ngati Kahu women as the reason that Pororua and other members of his whanau lived at Kenana. Pororua himself was partly Ngati Kahu. In 1901, the Court basically accepted this line of argument.

The counter-claimant group admitted that there had not been unbroken occupation of the area conquered by their tupuna early in the nineteenth century. The group retained a tradition of a gift by Poroa, the Te Rarawa rangatira, but were hazy about the nature of this. Nevertheless, they said that Pororua had lived at Kenana for a prolonged period. They denied that this occupation had been on the basis of marriage. Karena Kiwa claimed only the section of the block to the west of the Kohumaru Stream, on the basis of an arrangement that he said had been made by Pororua.

Huirama Tukariri had been old enough to sign the Upper Kohumaru deed in 1859. It is perhaps not altogether surprising, however, that by 1901 the counter-claimant group were apparently unclear about a matter such as the relationship of Poroa and Pororua. The previous chapter indicated that there were earlier Land Court minutes relating to this, but Karena Kiwa seems to have been unaware of these, as was Judge Edger.

It appears probable, however, that Pororua had been the dominant figure in the area for some years before his death in 1875, but that after 1875 Huirama Tukariri had taken the leading role in the Kenana community. Hone Hapa and descendants of Pororoa also seem to have been significant figures in the community at this stage.

There were clearly some tensions over rights in the Kenana area in the late nineteenth century. But it appears possible that the Native Land Court process of setting up claimant and counter-claimant groups set up a situation where these tensions escalated. Karena Kiwa emphasised that, because of his membership of the Kotahitanga, he had tried to get the issue of title sorted out through a Maori Komiti before he turned to the Native Land Court. The Komiti was apparently a purely Nga Puhi institution, and therefore unacceptable to Huirama Tukariri.

Judge Edger's 1901 Decision began by appearing to treat the title investigation as a matter of Ngati Kahu over against a possibly conquering Nga Puhi group. Overall, however, his Decision emphasised the importance of the Ngati Kahu associations of Pororua, who was of Ngati Kahu by birth and who also had a Ngati Kahu wife. He excluded Karena Kiwa's group from the title on the grounds, firstly, of the fact that Huirama Tukariri's 'section' of Ngati Kahu had been permanent occupants of Kohumaru, and, secondly, because he held that any rights of Pororua in the Mangonui area had been satisfied by land Pororua had sold, together with land he had been awarded by the Native Land Court elsewhere in the area.

The claimants, the counter-claimants and the Judge all seem to have seen the issue of who had signed the Upper Kohumaru deed as a critical issue in the case. There is, however, a complication here in as much as that the minutes are in English. Huirama Tukariri, at least, apparently did not speak English.[292] It is therefore particularly difficult to be certain how accurately the minutes reflect the views expressed by the Maori witnesses. The main issue for the Maori witnesses seems to have been who signed the deed by right, as opposed to who signed it as a result of the aroha of others. On the face of it, however, there was seems to have been some animosity felt towards Pororua for selling other Ngati Kahu land 'secretly'.

Nobody appears to have raised the issue that, in terms of the map attached to the Mangonui deed in Turton's book, the Kohumaru Maori land block was, from the

[292] P Curtis to Chief Postmaster, Auckland, 31 May 1913, BAAA 1001/282b, NA Auckland

Crown's viewpoint, part of the Mangonui 'purchase'. Instead, all parties apparently saw this block as essentially part of the Upper Kohumaru 'purchase'. The Crown made no claim on the Kohumaru Maori land block, either at this time or in any of the subsequent rehearings related to the block.

The Appellate Court put significantly more weight on the mana of Pororua in the area. The Decision of this Court put into effect the division of the block allegedly made by Pororua on the basis of the Kohumaru Stream. It is interesting that Karena Kiwa based his appeal partly on his objections to the active involvement of the Assessor in the original Native Land Court investigation. He also emphasised that Pororua had been the first person to sign the Upper Kohumaru deed. Huirama Tukariri seemingly did not attempt to deny the 'rangatira' status of Pororua at the time the deed was signed.

Despite this, Huirama Tukariri was not prepared to accept an Appellate Court decision that gave the group linked with Pororua the greater part of Kohumaru. He continued to petition and protest until the Chief Judge finally reheard the matter in 1910. This did not result, however, in the exclusion of the other group from the title. Indeed, given the very high valuation subsequently put on the riverflats, Huirama Tukariri's persistence was followed by a further loss of land by his group over against the situation resulting from the 1902 Appellate Court decision.

A factor here, though, was the compromise division reached by Huirama's group and Karena Kiwa's group through their Counsel in 1912. This was one of the occasions on which tension between the Tukariri and the Hapa whanau apparently reached a high level. Judge Wilson later indicated to the Chief Judge that he was decidedly uncomfortable with the compromise reached. Yet he accepted it when it was presented to him in Court. On the one hand, this might be seen as representing an acceptance by the Court of a process by which Maori made their own arrangements about land ownership, leaving the Court simply to endorse these. On the other hand, the arrangement ultimately left some, at least, of the Tukariri whanau with an on-going dissatisfaction with the outcome of the case.

CHAPTER 5: KENANA AND THE LANDING RESERVE

Another much smaller glimpse of life at Kenana comes in a file at National Archives Wellington relating to the issue of a landing reserve at Kenana. In this case, it was local settlers, not Kenana Maori, who tried to pressure was put on the Crown about the issue. This episode seems to be an interesting example of the assertion of rangatiratanga by local Maori.

For some decades up to the death of 'Wiremu Tukauriri' or 'William Matthews', there was a landing on Maori land at the head of the Kenana arm of the Mangonui Harbour. Given that 'Wiremu Tukauriri' was described as 'the former head of the tribe', it would seem that 'Wiremu Tukauriri' is an alternative name for Huirama Tukariri.[293] Huirama Tukariri died in 1916.[294] Estimates of the age of the landing varied from 'approximately sixty years' to 'upwards of forty years'.[295]

At any rate, the landing had apparently been used by both Maori and Pakeha. A C Jameson, the Secretary of the Kohumaru Settlers' Association, reported in 1929 that the landing had been 'a great boon to the settlers concerned'. It had enabled them to avoid about seven miles of bad road, much of which ran through tidal flats and swamps. He claimed that, taking into account goods coming in, along with timber, wool, fencing materials and firewood going out, many hundreds of tons had passed through the landing each year.[296]

Local Pakeha, at least, thought that 'Wiremu Tukauriri' had given a verbal undertaking that the landing would be open to the public. A C Jameson understood that Tukariri had also signed an undertaking about the landing, and that this was in the archives of the

[293] For this description of 'Wiremu Tukauriri', see A C Smeaton to H M Rushworth, MP, 11 October 1929, LS 1 6/9/48, NA Wellington
[294] See section **2.4**
[295] 60 year figure - A C Smeaton to Commissioner of Crown Lands, North Auckland, 15 January 1930; 40 year figure – A C Jameson, Secretary, Kohumaru Settlers' Association, 10 May 1929; both in LS 1 6/9/48. For location of landing site, see **Map 4**
[296] A C Jameson, Secretary, Kohumaru Settlers' Association, 10 May 1929, LS 1 6/9/48

Mangonui County Council.[297] The County Clerk reported, however, that the Council's old records had been destroyed, and that there was no trace of the promise mentioned by Jameson.[298]

When Tukariri died, the situation changed.

> the rightaway [sic] was not disputed till 1918-19 when Wiremu Tukauriri died and the children took over the property. They would not allow anybody to enter the place without their permission. The County Council supplied the timber for the wharf shed which was removed by Wiremu's son who acted on Solicitor's advice.[299]

In February 1926, Colonel Allen Bell, Member of Parliament, introduced a deputation to the Minister of Lands, A D McLeod, at Mangonui. Councillor Wrathall told the Minister that the Council – presumably the Mangonui County Council – had decided some time ago 'to establish a landing on a plot of Papatipu land prior to its individualisation.'[300] According to him, the 'head of the tribe' had 'granted the area verbally'. The Council's solicitor had apparently told them that it would be necessary for the Minister of Marine to re-establish the landing. If necessary, the Council wanted the landing taken 'under the Public Works Act.' They had apparently already granted at least twenty pounds for rebuilding the shed at the landing.[301]

The Minister subsequently told Colonel Allen Bell, however, that if the site desired was native land, neither the Department of Lands & Survey nor the Marine department had the power to set it apart as a reserve for a landing. He advised that the local authority should consult its solicitor.[302] He ignored the fact that it was on the advice of the Council's solicitor that Councillor Wrathall had sought to get the matter referred to the attention of the Minister of Marine.

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[297] same letter, same file
[298] A C Smeaton, Field Inspector, to Commissioner of Crown Lands, North Auckland, 1 July 1929, LS 1 6/9/48
[299] A C Smeaton, Field Inspector, to Commissioner of Crown Lands, North Auckland, 15 January 1930, LS 1 6/9/48
[300] Report of Deputation introduced by Colonel Allen Bell, MP, to Hon A D McLeod, Minister of Lands, at Mangonui, 6 Feburary 1926, LS 1 6/9/48, NA Wellington
[301] same Report, same file

The issue remained unresolved. In 1929, the Kohumaru Settlers' Association met Captain H M Rushworth, Member of Parliament. The association asked him to intervene on their behalf with the Minister of Marine.[303]

A C Smeaton, the Field Inspector from the Kaitaia District Office of the Department of Lands and Survey subsequently reported that he favoured establishing a new landing at the river mouth, along with the metalling of the road between the landing and the Kenana settlement.[304] Jameson, on the other hand, was insistent that the lower landing was impractical and that the re-establishment of the old landing was very important in the interests of allowing settlers to land at the appropriate time of year fertiliser that could not be stored over the winter.[305]

Smeaton met with six interested settlers. They all agreed that they would 'waive the landing' if the gaps in the metalled sections of the road between Mangonui and Kenana could be filled. The inspector commented:

> It is unfortunate that all metalling has to be done through native property for nearly five miles and when metal road is provided to Kenana it will not reach the white settlement.[306]

He apparently viewed Kenana as a Maori settlement and Kohumaru as a Pakeha one.[307] He was very sympathetic to the Kohumaru settlers:

> The settlers have a genuine grievance and something should be done to help them. They are practically the worst off settlers in this country and credit is due to them for their united efforts to pull themselves out of the mud.[308]

Despite the inspector's apparent reservations about metalling such a long stretch of road through Maori land, the metalling was apparently done by 16 October 1930. The settlers

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[302] A D McLeod, Minister of Lands, to Colonel Allen Bell, MP, stamped 16 March 1926, LS 1 6/9/48, NA Wellington
[303] A C Jameson, Secretary, Kohumaru Settlers' Association, to Capt H M Rushworth, 10 May 1929, LS 1 6/9/48
[304] A C Smeaton to Commissioner of Crown Lands, North Auckland, 1 July 1929, LS 1 6/9/48
[305] A C Jameson, Secretary, Kohumaru Settlers' Association, 11 October 1929, LS 1 6/9/48
[306] A C Smeaton, to Commissioner of Crown Lands, North Auckland, 15 January 1930, LS 1 6/9/48
[307] same letter, same file

pressed for a landing as well as the metalled road. Jameson suggested an alternative landing site that he claimed 'the natives ... do not consider ... native land.' The settlers offered to build the necessary causeway themselves.[309]

When it appeared that the new proposed site was foreshore, and therefore under the control of the Marine Department, the Secretary of the Marine Department took a favourable atittude towards the association's request.[310] Once it emerged that the land was in fact Maori land, however, the Commissioner of Crown Lands, North Auckland, emphasised to the Under-secretary for Lands the necessity of negotiations with the Maori owners. He thought that it would be best to do this through the Consolidation Officer.[311]

The file breaks off with the issue unresolved. In any event, the saga indicates some reluctance on the part of an official of Lands and Surveys to have money spent on roading significant lengths of road through Maori land. Perhaps because of his sympathy with the muddy plight of the Kohumaru settlers, however, the road was metalled notwithstanding the official's reservations.

It is also appears, however, that a new generation of Maori owners wished to assert their rights over their own land, and that the Crown saw the option of negotiation as preferable to trying to ride rough-shod over Maori opinion through Public Works legislation.

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[308] same letter, same file
[309] A C Jameson, Secretary, Kohumaru Setters' Association, 16 October 1930, LS 1 6/9/48
[310] G C Godfrey, Secretary, Marine Department, to Under-Secretary, Lands & Survey, 24 October 1930, LS 1 6/9/48
[311] Commissioner of Crown Lands, North Auckland, to Under-Secretary, Lands, 22 December 1930, LS 1 6/9/48

CHAPTER 6: KENANA AND THE BRIDGE

This chapter begins by indicating the problems caused to school children by the lack of an adequate bridge for the Kenana Stream. It then looks at a 1938 petition for the bridging of the stream. This provides a brief glimpse of the presence of two units of the Mangonui Development Scheme in the Kenana area. As late as 1950, school children and farmers were still having to cope without a bridge that would allow them to cross safely when the stream was in flood.

6.1 Kenana Stream and Access to the School

Section **2.2** and **2.3** indicated that when the teacher lived some distance away from the school, he or she was sometimes cut off from the school by flooding after rain. It was not only the teachers, however, who sometimes found the Kenana Stream an insuperable obstacle. In 1904, W W Bird reported that all except two of the school children had to cross the stream to reach the school. Bird stated that in wet weather, this was impossible. He therefore recommended that a coil of wire should be supplied to the teacher so that he could construct a bridge. Paul was accordingly authorised to spend one pound on wire.[312]

The need for a wire bridge to enable children living across the stream to cross was brought up again by local Maori in 1911 and 1917. On both occasions, Maori undertook to provide labour if the Education Department would provide materials.[313] There was a suggestion in 1917 that the 1904 wire had been used for another purpose.[314]

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[312] W W Bird re Kenana, 17 November 1904;
illegible signature to Paul, 28 November 1904, both in BAAA 1001/281b
W W Bird succeeded James Pope in charge of the Native School Service in 1903. J M Barrington & T H Beaglehole, *Maori Schools in a Changing Society* (Wellington: New Zealand Council for Educational Research, 1974), p 138

[313] Pollock, Kenana, to Secretary for Education, 25 October 1911, BAAA 1001/282b, 44/4 part 4, NA Auckland
Inspector Porteous, Recommendation for Expenditure, minuted approved on 5 January 1918, BAAA 1001/283a, 44/4 part 5, NA Auckland

[314] Inspector Porteous, Recommendation for Expenditure, minuted approved on 5 January 1918, BAAA 1001/283a

It may be, however, that the structures provided were not sufficiently strong to survive what appear to have been repeated floods. In February 1917, Zara Minchin, the teacher, reported a 'disastrous flood' in the Kenana 'river' which:

> has ruined the kumera & maize crops of the natives, carrying away fences and in some places the soil of the plantations and leaving patches of gravel deposit to the depth of one foot.[315]

In 1927, the teacher applied for funds for a stove for the school. Her justification for the idea was that when the creeks flooded – 'which is always after heavy rain' – six children had to wade through them, sometimes nearly to their waists.[316]

6.2 The Petition for a Bridge

It was not only attendance by teachers and pupils that was affected by the lack of an adequate bridge. In 1938, Hoone P Tukariri and three others petitioned parliament to:

> instruct the Minister of Public Works to construct a bridge over the Kenana stream for the reason that when this stream is flooded, we cannot cross it when taking our cream to the factory.[317]

This petition needs to be seen in the light of the land development work had been started in the Mangonui area. Claudia Geiringer notes that Apirana Ngata was critical of the development work of Judge Acheson and the Tokerau Maori Land Board. Consequently, North Auckland received no assistance during what was the first year of Maori development operations elsewhere in the country.

> By 1930, however, the effects of the Depression were adding fresh impetus to the push for Maori land development in the North. Public works operations had tailed off, causing much hardship for northern Maori. The resources of the Maori Land Board were practically exhausted, and the Native Department was receiving regular requests for assistance under the 1929 legislation.[318]

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[315] Zara Minchin, Kenana Native School, to Secretary for Education, 21 February 1917, BAAA 1001/283a
[316] Marion Greet to Director of Education, 6 July 1927, BAAA 1001/283a
[317] Translation, Petition 44/1938, Hoone P Tukariri & 3 others, Kenana, 11 July 1938, MA 1 22/1/139, NA Wellington
[318] Claudia Geiringer, 'Historical Background to the Muriwhenua Land Claim, 1865 – 1950', (Wai 45 record of documents, doc F10), p 201

During April 1930, therefore, Ngata visited the area with consolidation officers. He developed a plan for land development in North Auckland.[319] One of the areas involved was Mangonui. Seventy-nine units in the Mangonui Consolidation Scheme were recommended and approved for assistance up to 31 March 1931. Fifty-two additional units received assistance during the following year.[320] By 1935, the Mangonui Scheme involved 172 units.[321] The units involved tended to be very small scale farms. The focus of the development work was on dairy farming.[322]

Two units from Kenana were included in the Mangonui Development Scheme.[323] The hope that dairy farming would flourish in the area contributed to the hesitancy of the Education Department about disposing of the site and buildings of the Kenana Native School for some years after it closed at the end of 1931.[324]

The issue of a bridge over the Kenana Stream was consequently investigated by the Property Supervisor associated with the Mangonui Development Scheme, along with the Engineer for the Mangonui County Council. The Property Supervisor reported that:

> There are four Native families living across the Kenana Stream who are requiring the bridge, of these four families, two are Units, being Pereene Huirama and Kiipi [Matthews].
>
> There are approximately 50 cows milked on the Native sections across the Stream, cream from which has to be brought across the stream. There are 10 children who have to cross the stream to attend school at Mangonui.
>
> At present there is a temporary foot bridge across the stream which serves the purpose quite satisfactorily, while the stream is not in flood.
> ...
> There is a partly formed road for a distance of approximately three miles to W.G.Foster's property, but the County Engineer informs me that it is not intended to improve this road as the P.W.Dept., and the County Council are opening up a new road along the Oruiti [sic] stream which will

[319] Ibid, pp 201 - 202
[320] Ibid, p 203
[321] Ibid, p 205
[322] Ibid, pp 202 – 203, 205 - 207
[323] Under Secretary, Native Department, to Permanent Head, Public Works Department, 15 November 1938, MA 1 22/1/139, NA Wellington
[324] See section **7.2**

be a shorter and more convenient route for any of the European settlers in the locality.[325]

The Property Supervisor saw no need for a traffic bridge. But he did see benefits for local Maori in a swing bridge. Apart from the issues of cream and school children, a swing bridge would improve access to the local meeting house, which was across the stream from the road. He put the total cost at £140. He noted that only Maori would benefit and that none of those concerned could contribute towards the cost.[326]

The Registrar of the Native Land Court, Auckland, was not, however, prepared to recommend the provision of the cost of the bridge from Development funds.[327] The Under Secretary of the Native Department also sought the advice of the Permanent Head of the Public Works Department.[328] Their District Engineer advocated raising the footbridge using pinus insignis. The Engineer-in-Chief said that the proposed swing bridge would have to be deferred.[329]

These somewhat negative reports were passed on to the Native Affairs Committee, which was responsible for investigating the petition.[330] When the Committee looked at the issue in August 1940, however, they presumably had some sympathy with the Kenana people, because they asked for a further report on the situation.[331] In October, they reported that the petition should be 'referred to the Government for favourable consideration.'[332]

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[325] N J Lovelock, Property Supervisor, to Registrar, Native Department, Auckland, 26 October 1938, MA 1 22/1/139
[326] same report, same file
[327] Registrar to Under-Secretary, Native Department, 10 November 1938, replying to Under Secretary to Registrar, 4 November 1938, on same page, MA 1 22/1/139
[328] Under Secretary to Permanent Head, Public Works Department, 15 November 1938, MA 1 22/1/139
[329] Engineer-in-Chief & Under-Secretary, Public Works Department, to Under-Secretary, Native Department, 24 January 1939, MA 1 22/1/139
[330] Under Secretary to The Clerk, Native Affairs Committee, House of Representatives, 7 February 1939, MA 1 22/1/139
[331] Clerk, Native Affairs Committee, to Under Secretary, Native Department, 22 August 1940, MA 1 22/1/139
[332] Report on the Petition of Hoone P Tukariri & Others of Kenana, 44/1938, Chairman, 2 October 1940, MA 1 22/1/139

The Native Department Supervisor reported, however, that Hoone Tukariri had moved to Mangamuka a year earlier, and that Pereene Huirama, who was one of the units in the development scheme, had also left his farm to live at Mangamuka. There were apparently no cream supplies and only three children crossing the stream at this stage. Consequently the Registrar did not consider a swing bridge to be necessary.[333] At this stage, the Public Works Department estimated the cost of a swing bridge at £360.[334] The Department stated that they had neither funds nor material available to construct a bridge.[335] Presumably the greatly increased cost and the shortage of materials were caused by the Second World War. The Native Minister directed that no action be taken over the petition.[336]

The matter apparently rested there until 1950. In that year, Chappie Matthews wrote from Kenana to Corbett, the Minister of Maori Affairs, asking if it would be possible to build a bridge so that the school children and farmers could cross safely when the river was in flood.[337] At this point, the Registrar reported that those living over the stream were P Huirama; Karu Tukariri; Haiti Broughton; and Alex Shepherd. These were presumably the people he saw as heads of households, rather than the only people living over the stream, because he went on to say that there was only one family milking and supplying the dairy factory. He claimed that this farmer would not find a hypothetical bridge as convenient as an existing way of transporting cream to the road. The Field Supervisor thought a bridge unjustified 'on account of the fact that it would only serve a very limited locality and there is no prospect in the future of any great volume of traffic utilising the bridge.'[338]

[333] Registrar, Native Land Court, Auckland, to Under Secretary, Native Department, BAAI 1030/1165a, NA Auckland
[334] Engineer-in-Chief & Under-Secretary, Public Works Department, to Under-Secretary, Native Department, 22 October 1940, MA 1 22/1/139, NA Wellington
[335] Acting District Engineer, Whangarei, to Registrar, Auckland, 16 October 1940, BAAI 1030/1165a
[336] Native Department, Form re Petition No 44/1938, with Precis of Department's Comment & Committee's Recommendation to Cabinet, MA 1 22/1/139
[337] Chappie Matthews, Kenana, to Corbett, Minister of Maori Affairs, 21 July 1950, MA 1 22/1/139

6.3 Conclusion

The writer has not established when the bridge that now crosses the stream was finally built. In 1951, the stream was apparently crossed only by a nine inch plank, eight feet long.[339] Research done for this project did not establish whether or not the decision made over the bridge was different from that which would have been given to a predominantly Pakeha community. It did suggest, however, that the Mangonui County Council, in the late pre-war years, was influenced by the roading needs of Pakeha farms in the area. It is also interesting that the report by the Maori Land Court Registrar in 1950 does not seem to reflect a community at Kenana as populous as that which is indicated by the correspondence relating to the re-opening of a Native School at Kenana at much the same time.

It has not been possible in the time available for this project to explore the related issue of the impact of the Mangonui Development Scheme on Kenana Maori. Claudia Geiringer, in her report 'Historical Background to the Muriwhenua Land Claim, 1865 - 1950' comments that her analysis on Maori land development schemes has been 'somewhat rushed'. She suggested that this was 'an area for further extensive research.' [340] In the case of this more detailed study, time constraints have meant that the sources on this subject have regrettably had to remain unread. It is consequently unclear what problems hindered the hoped for development of dairying in this area.

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[338] Robertson, Registrar, Auckland, to Under Secretary, 18 September 1950, BAAI 1030/1165a
[339] L Hoare on Kenana School, 22 November 1951, BAAA 1001/283c, 44/4 part 7, NA Auckland
[340] Claudia Geiringer, 'Historical Background to the Muriwhenua land Claim, 1865 – 1950' (Wai 45 record of documents, doc F10), p 210

CHAPTER 7: KENANA NATIVE SCHOOL IN THE TWENTIETH CENTURY

This chapter begins by looking at the Kenana Native School from 1904, when the Crown acquired the site of the school house, up to 1931. This was the last year in which the school was open. This section touches on social issues that show up in the history of the school, and on the attempts of local Maori to influence the staffing of the school.

The next section looks at attempts to have the school re-opened in the 1930s. At this stage, the number of children available to attend school at Kenana seems to have been particularly low. A further section deals with the disposal of the school site and buildings after the Education Department decided to dispose of these.

The last section of the chapter deals with efforts in the later 1940s and early 1950s to have the Kenana Native School re-opened. It discusses the unsuccessful efforts of a Maori community that seems by this stage to have had a significantly higher number of children in it to obtain the sort of education that Maori parents thought appropriate.

7.1 Kenana Native School 1904 – 1931

The Kenana Native School continued to serve the local community until the end of 1931. During these first three decades of the twentieth century, two aspects of the history of the school may be noted.

Firstly, the school was affected by economic and social developments to an extent that may seem extreme from a late twentieth century perspective. At the same time, the teacher had a role in the community that was also much more prominent than is usual at this end of the century.

The need to move around to obtain income from work in the gumfields could still have a severe effect on school attendance. In January 1905, for instance, the teacher noted that most of 'my children' were away on the gumfields.[341]

The school records also refer frequently to serious illness among the children. This could drastically reduce school attendance. In late 1905 and early 1906, for example, there was a very serious typhoid epidemic in Kenana.[342] At one point in 1915, twenty children were absent and one had died because of a measles epidemic.[343]

In 1909, Huirama Tukariri was wrote to the Secretary for Education, suggesting that serious ill-health among the school children was the result of intense cold in the school. He applied for a new school building and a medicine chest.[344] He was refused the school house, but given to expect that the teacher would be sent medicines – although apparently these did not eventuate.[345]

All the same, the reference to medicines is a pointer to the fact that the teacher was expected to concern himself or herself with aspects of health care.[346] Sometimes the teacher also served as the Kenana Postmaster.[347]

A second aspect to note about the history of the school is the attitude of the Department of Education to local Maori over issues related to teachers at the school. Fred Paul and his wife both taught at Kenana. They seem to have had a very warm relationship with

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[341] F Paul to Secretary for Education, 16 January 1905, BAAA 1001/281b 44/4 part 2, NA Auckland
[342] Extracts from *Mangonui County Times and Northern Representative*, February 1906;
Paul to Secretary for Education, 12 February 1906, both in BAAA 1001/281b.
For another reference to typhoid, see A Harris to Habens, Inspector General of Schools, 8 October 1892, BAAA 1001/281a 44/4 part 1, NA Auckland
[343] Telegram, R Timmins to Education, Wellington, 1 March 1915, BAAA 1001/283a, NA Auckland
[344] Translation, Huirama Tukariri, to Secretary, Education, 3 April 1909, BAAA 1001/282a 44/4 part 3, NA Auckland
[345] Gibbs, Secretary for Education, to Huirama Tukariri, 30 April 1909;
Gibbs to Under-Secretary, Native Department, 26 October 1910, both in BAAA 1001/282a
[346] Claudia Geiringer, 'Historical Background to the Muriwhenua Land Claim, 1865 – 1950', p 142
[347] Asst Secretary, General Post Office,Wellington, to Secretary of Education, 13 June 1913, with minute by W W Bird, 13 August 1913, BAAA 1001/282b, 44/4 part 4, NA Auckland

their pupils in particular, and with local Maori in general.[348] When Fred Paul died suddenly in February 1911, Hone Hapa telegraphed Inspector Bird in Wellington, asking for the appointment of Mrs Paul as Head Teacher, although he did note that she would require assistance.[349] Once more, however, the Education Department did not follow the suggestion of the Committee. Mrs Paul was described as 'not competent to manage the school'.[350] The widow was instead rapidly replaced with a married, but uncertificated, male teacher and his wife.[351]

This replacement teacher proved most unpopular. It is true that the Secretary for Education drew his attention to the regulations about corporal punishment when there was a complaint about the severity of the punishment that he was administering.[352] But a complaint from Huirama Tukariri received a very strong response. Tukariri complained to Inspector Bird about 'an absence of friendly relations between the teacher and the people.' He said that this included favouritism that extended to the charges made by the teacher in his capacity as Postmaster.

Bird commented to the Secretary for Education:

> If [Huirama] were not an old man & acting as the mouthpiece of some agitators I should be inclined to ascertain the facts from the P& T dept and then let Mr Pollock prosecute him for libel[353]

The Secretary for Education proceeded to warn Tukariri that he would have no defence in a libel action. He said that he 'very much [hoped] that the Maoris will not continue to make trouble about the master.'[354] Yet later in the same year, Bird had to admit that the

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[348] Inspection Schedule, Kenana Native School, 24 November 1905, BAAA 1001/281b;
Inspection Schedule, Kenana Native School, 24 [month omitted] 1908, BAAA 1001/282a, NA Auckland. See particularly Discipline section of each schedule.
[349] Telegraph, Hone Hapa to W Bird, Inspector, stamped 13 February 1911, BAAA 1001/282a
[350] Minute by W Bird, 15 February 1911, on Telegraph of Hone Hapa, BAAA 1001/282a
[351] Gibbs, Secretary for Education, to Cecil Pollock, 28 February 1911;
Gibbs to Mrs Paul, 27 February 1911, both in BAAA 1001/282a
[352] Secretary for Education to Pollock, Kenana, 31 January 1913, BAAA 1001/282b
[353] Minute, W W Bird, 1 March 1913, on [translation of] Huirama Tukariri to Bird, 14 February 1913, BAAA 1001/282b
[354] Gibbs, Secretary for Education, to Huirama Tukariri, 4 March 1913, BAAA 1001/282b

teacher was 'quite unsuitable for the position of postmaster.'[355] This followed an inspection of the postmaster's work that resulted in him being described as:

> Inexperienced, supercilious and conceited, utterly wanting in common sense and tact. The average boy of 16 would be more to be depended on in all the ordinary concerns of life.[356]

In face of this, the attitude of Education Department staff to the comments of Tukariri seems somewhat unwarranted.

By October 1922, M Matthews was employed as Assistant Teacher at the Kenana Native School.[357] It seems possible that this teacher was, at last, one of the local Maori single women. By March 1924, the grade of the school was about to fall. Inspector Henderson recommended that this should be used as an opportunity to terminate the Assistant Teacher's engagement.[358]

7.2 Attempts to have the School Re-opened in the 1930s

By 1929, the school roll at Kenana was down to 11.[359] After inspecting the school on 14 October 1931, Inspector Bird reported that the roll had fallen so low that he did not consider that the school should be maintained unless there was a 'marked recovery'. He thought that the children could go to Kohumaru School, five miles away.[360] Consequently the Kenana Native School was closed at the end of 1931.[361] Kohumaru School seems to have escaped the attention of local historian Neva McKenna. It would be interesting to know how high the Kohumaru School roll was at this time. Time available for this project was insufficient to allow a check to be made on this.

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[355] Minute, W W Bird, 1 March 1913, on [translation of] Huirama Tukariri to Bird, 14 February 1913, BAAA 1001/282b
[356] P Curtis to Chief Postmaster, Auckland, 31 May 1913, BA 1001/282b
[357] Native Schools – Inspection Report. Native School at Kenana Inspected 12 October 1922, BA 1001/282b
[358] Native School. – Inspection Report, Native School at Kenana, Inspected 6 March 1924, p 2, Note re Miss Matthews, BAAA 1001/283a
[359] Neva Clarke McKenna, *Mangonui: Gateway to the Far North* (Kerikeri: Northland Historical Publications Society, 1990), p 90.
[360] Extract from Inspection Report dated 14.10.1931 on Kenana Native School, W W Bird, BAAA 1001/283a
[361] D G Ball, Memorandum re Kenana Native School, 30 March 1932, BAAA 1001/283a

The Kenana teacher was clearly inconvenienced by dismissal on short notice, but admitted that 'I can understand that under the circumstances it was quite unavoidable.'[362] Some local Maori, however, were not prepared to accept the closure of the school this readily. They campaigned repeatedly during the 1930s to have the school re-opened.

Pereene Huirama Tukariri and Tepana Matthews seem to have led the campaign. In February 1932, a group describing themselves as parents petitioned the Minister of Education to have the school re-opened. They knew that the school had been closed because of low attendance. But they said that

> We who have been scattered about in search of employment are now returning to Kenana to [develop] an interest under the consolidation scheme.
>
> ... permit us again to have the privilege to enjoy again the benefits of the school which had been the pride of our fathers.[363]

In the meantime, they were sending their children to the Mangonui District School, 'a distance of about 5 or 6 miles.'[364]

In response to this petition, D G Ball visited the area on 15 March 1932. He had arranged for the children to meet him. He found, however, that there were 'only seven children within some miles of the school'. According to him, Matthews and the other parents realised that it was impossible for Ball to recommend re-opening the school under these circumstances.[365]

Ball was overly optimistic about the degree of acceptance of the decision to close the school. In December 1932, M Reid wrote 'on behalf of the settlers' to ask whether it was possible that the school would re-open in 1933.[366] The request was again turned down on grounds of insufficient numbers. The Director of Education mentioned that there were

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[362] J E Foster to Director of Education, 6 February 1932, BA 1001/283a
[363] First name on Petition seems to be P H Tukariri, but the reply apparently went to Tepana Matthews. Petition to Minister of Education to re-open Kenana Native School, 16 February 1932, BAAA 1001/283a
[364] Petition to Minister of Education to re-open Kenana Native School, 16 February 1932, BAAA 1001/283a
[365] Memorandum by D G Ball, re Kenana Native School, 30 March 1932, BAAA 1001/283a
[366] M Reid, Kenana, to Director of Education, 1 December 1932, BAAA 1001/283a

eleven children in the area.[367] In February 1933, Tau Henare, Member of Parliament for Northern Maori, asked the Minister of Education whether the school had re-opened.[368] Pereene Huirama had told him that there were 'thirteen permanent children without school.'[369] Again, the Minister refused, on the grounds that there were only eleven children.[370]

The numbers game was to continue. In 1933, however, the Director of Education was clearly still open to the idea that the school might be re-opened. He saw Kenana as a good area for dairying.[371] Presumbly he thought that development of the Kenana land for this purpose might increase the number of local families.

In 1935, the Auckland Education Board discovered from the teacher at Kohumaru School that several school age children were being kept at home because of the closure of the Kenana Native School.[372] The Acting Director of Education asked Tepana Matthews for a complete list of children in the neighbourhood of the Kenana Native School who would attend were the school to be re-opened.[373] The Department then again refused to re-open the school on the grounds that there were only six school-age children.[374]

The following year, the Director of Education told John Matthews that:

> the Hon. Minister would be unlikely to approve of the reopening of the Kenana Native School unless at least twenty children were available. You understand, of course, that the above statement must not be taken as a promise that even in that case the school would be reopened.[375]

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[367] Director of Education to Margaret Reid, Kenana, 16 February 1933, BAAA 1001/283a
[368] On Tau Henare, see Robin C McConnell, 'Henare, Taurekareka 1877/78?-1940', *The Dictionary of New Zealand Biography. Volume Three. 1901 – 1920* (Auckland: Auckland University Press with Bridget Williams Books & the Department of Internal Affairs, 1996), ed Claudia Orange, pp 206-207
[369] Tau Henare to Masters, Minister of Education, 25 February 1933, BAAA 1001/283a
[370] R Masters to Tau Henare, 14 March 1933, BAAA 1001/283a
[371] Director of Education to Under-Secretary, Public Works, 2 November 1933, BAAA 1001/283a
[372] Secretary, Education Board, Auckland, to Director of Education, 19 November 1935, BAAA 1001/283b
[373] Acting Director of Education to Tepana Matthews, 30 November 1935, BAAA 1001/283b
[374] Acting Director of Education to Tepana Matthews, 20 December 1935, BAAA 1001/283b
[375] Director of Education to John Matthews, 31 March 1936, BAAA 1001/283b

This letter followed the death of Tepana Matthews, the father of John Matthews. Tepana Matthews had supervised the school buildings for some years. The Department accepted the offer of John Matthews to take over this role.[376]

Later that year, Pereene Huirama Tukariri again campaigned through Tau Henare for the re-opening of the school. There was a somewhat heated dispute about numbers, with an accusation that a family had been taken out of another school to swell those wanting to attend school at Kenana. Even Tukariri, however, put the number of children at no higher than thirteen. Tukariri also named the teacher he wanted. She had apparently been at Queen Victoria for five years.[377]

After an investigation by the Native School Inspectors, the re-opening was refused on the grounds of low numbers and the adequacy of transport for the children to Kohumaru School.[378] Pereene H Tukariri then protested about proposed transport of children to Kohumaru School by cream cart. He felt so strongly about the issue that he had bought a bus and started using it to take 'our children' to the school at Mangonui.[379]

7.3 Disposal of the School Site and Buildings

In 1936, the Inspectors had advised that the school site should be retained as they thought it possible that in future there might be sufficient children to justify re-opening the school.[380] By 1938, however, the Director of Education considered that 'there does not appear to be much likelihood of the re-opening of the school.'[381] Why the Department changed its position at this point is unclear.

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[376] Director of Education to John Matthews, 31 March 1936, BAAA 1001/283b
[377] Pereene H Tukariri to Tau Henare, 7 April 1936, with various minutes;
Minister of Education to Henare, 31 July 1936;
Director of Education to Secretary, Education Board, Auckland, 6 August 1936;
Pereene H Tukariri to Savage, 22 July 1936, all in BAAA 1001/283b
[378] Director of Education to Under-Secretary, Native Department, 24 August 1936, BAAA 1001/ 283b
[379] Pereene H Tukariri to J Savage, 10 October 1936, BAAA 1001/283b
[380] Director of Education to Under-Secretary, Native Department, 24 August 1936, BAAA 1001/283b
[381] Director of Education to John Matthews, 10 March 1938, BA 1001/283b

Pereene Huirama Tukariri had already made it clear in 1936 that he considered that the school building belonged to his father, Huirama Tukariri and that the five acres site had also been given only by Huirama Tukariri. Consequently he wanted the school building and the site returned to him if the school remained closed.[382]

In March 1938, the Director of Education asked John Matthews to consult other interested parties about the issue of the disposal of the buildings on the school site.[383] By May 1938, the Minister of Education had approved the calling of tenders for the school building.[384] Upon hearing this, John Matthews reported that Pereene Huirama Tukariri, his uncle, had told him that the site was given by Pereene Huirama Tukariri's father, and that the school building was 'erected half by Mr H Tukariri and half by the Department.'[385]

The initial response of the Director of Education to finding that the school building had been built by Maori with 'some little' government financial assistance was to propose that most of the proceeds should be handed over to the Maori concerned, or to their successors.[386] Pereene H Tukariri was reassured that the government intended to hand the land back to the successors of the 'original donor', once it had disposed of the buildings.[387]

After wildly varying tenders for the buildings had been received from various local Maori, the Director of Education sought the advice of Judge Acheson about the tenders.[388]

Judge Acheson had previously heard nothing about the matter. He sent a firm response about the appropriate course of action:

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[382] Pereene H Tukariri to Savage, 22 July 1936, BAAA 1001/283b
[383] Director of Education to John Matthews, 10 March 1938, BAAA 1001/283b
[384] Director of Education to Secretary, Education Board, Auckland, 17 May 1938, BAAA 1001/283b
[385] John Matthews to Director of Education, 27 May 1938, BAAA 1001/283b
[386] Director of Education to Secretary, Education Board, Auckland, 14 June 1938, BAAA 1001/283b
[387] Director of Education to Pereene H Tukariri, 21 June 1938, BAAA 1001/283b

> I regret I must advise you strongly against the acceptance of any of the tenders.
>
> In arranging for the return of a Native School site, the only safe procedure is through the Native Land Court. The Native Land Court deals with numerous cases of this nature, and always confers with the interested Natives in open Court, hearing informal evidence from all parties claiming an interest in the return of the land. The same thing applies in the case of a school building erected wholly or partly with Maori money. It is quite unsafe for either the Education Department or the Native Department to deal with individuals claiming an interest in the land or the buildings. Even in the case of the residence erected solely with Government funds it is better to have the position explained to the Natives through the Court.
> ...
> If Huirama Tukariri was the original donor, he has numerous and vigorous successors ... quite certain to object to any attempt to hand the land back to any one of their number. So also, if Huirama erected the school building, all his successors will claim an interest in it and object to one securing an advantage.
>
> Parliament has frequently legislated to refer matters like this to the Native Land Court. So the custom has grown up of informal enquiries by the Court, and then a formal recommendation by the Court which the Education Department can safely adopt without fear of petitions later.[389]

The Director of Education responded somewhat defensively that it was the 'invariable practice' of the department to deal with Native School sites that were not longer used through the Native Land Court. For some reason, he regarded the buildings as 'of course, ... quite another matter'. Nevertheless, he asked Judge Acheson to deal with all points at issue through the Court.[390]

The Judge then sought information from the Education Department. The Director of Education reported that:

> there is no conclusive evidence on the Department's files as to the donor of either piece of land in question. Although [Huirama] Tukariri frequently employs the plural it seems that he gave both pieces of land out of the 3,000 (sic) acres which he originally held in the Kenana Block.[391]

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[388] Director of Education to Registrar, Native Department, Auckland, 11 August, with enclosed list of Tenders Received for the Purchase for Removal of the Buildings at the Kenana Native School, BAAA 1001/283b
[389] Judge Acheson to Director of Education, 16 August 1938, BAAA 1001/283b
[390] Director of Education to Judge Acheson, 19 August 1938, BAAA 1001/283b
[391] Director of Education to Judge Acheson, 13 September 1939, BAAA 1001/283b

The Department had no information about the 1902 Appellate Court decision referred to in the 1904 *Gazette*.[392]

On 22 September 1939, Judge Acheson visited Kenana. He met with all the principal Maori involved or their representatives. He inspected the land and buildings. He reported:

> The title position was gone into with the Natives and it was unanimously agreed that the land in question had been gifted by all the people through their chiefs and therefore that the land should now return to all the people and be held by trustees in trust for the people. The Native Land Court is prepared to nominate trustees ...
>
> The Natives also agreed that the old school building was erected by them at their own expense with the assistance of a grant of £25 from the Education Department. They feel that any contribution by the Education Department to the cost of the school has been covered by the use of the school for so many years and that the present condition of the school building is such that no payment for it should be expected by the Education Department. The people would like to use the school for some purpose at Kenana of a community value such as additions or repairs to the Meeting House and to the Church. The Court would be glad to have the views of the Education Department on this point.
>
> With regard to the old school residence, it seems to be in a very dilapidated condition and of no great value. ...
>
> After a full discussion the people came to a decision that they ask the Education Department to allow the old school residence to remain on the land subject to a charge in favour of the Education Department for its fair value for removal purposes to be ascertained. This value should not be great.
>
> The people desire to have the old residence rented to old age pensioners or others at a rent sufficient to pay off any instalments at the value decided upon. Upon the building being paid off, all rights in it would revert to the trustees for the land. The trustees would then continue to rent the building to old age pensioners or others and use the proceeds for community purposes such as the upkeep of the marae and the meeting-house.
>
> The Court recommends that an agreement on these lines be arrived at.[393]

[392] See section **4.3** for Decision of the Appellate Court
[393] Judge Acheson to Director of Education, 4 October 1939, BAAA 1001/283b

An architect valued the old teacher's residence at £45. The Education Department offered to hand it over to Maori for this sum.[394] Maori expressed their appreciation of this proposal through Judge Acheson.[395] The £45 was paid in 1941.[396]

Following this, the five acre site was the subject of section 8 of the Native Purposes Act 1941. In subsections one to three of section 8, it was enacted that:

> (1) The land ... shall, as from the passing of this Act, cease to be vested in the Crown for the purpose of a site for a Native school and shall thereafter be and be deemed to be Native freehold land within the meaning of the principal Act.
> (2) The Court is hereby authorized to inquire and determine in whom the said land ought to become vested, and to make an order or orders –
> (a) Vesting the said land or any part thereof in such persons as may be found by the Court to be entitled thereto for an estate of freehold in fee-simple, and, if more than one, as tenants in common in the relative shares or interests defined by the Court:
> (b) Setting apart the said land or any part thereof for some purpose for the benefit of Natives and vesting the land so set apart in one or more persons in trust to hold and administer it for the purpose aforesaid, and the District Land Registrar is hereby authorized in any such case to issue, without payment of any fee, a certificate of title in favour of that person or those persons.
> (3) The Court may ascertain the ownership of the said land as if the title had not previously been investigated, and shall not be bound or restricted by any former order of the Court or of the Appellate Court or by any report under the provisions of the Native School Sites Act, 1880, made in respect of that land or any part or parts thereof.

On 2 December 1941 at Ahipara, Judge Acheson made an order under this legislation that

- Set aside the five acres 'for the benefit of the Natives residing from time to time at Kenana Settlement as a Marae';
- Vested the land in seven trustees jointly to administer it for that purpose;
- Directed that the land should henceforth be called 'Kenana Marae'.

The Native Land Court recommended that an Order in Council be issued to set aside Kenana Marae as Native Reservation.[397] An Order in Council setting the area aside 'as a

[394] Director of Education to Judge Acheson, 12 July 1940, BAAA 1001/283b
[395] Judge Acheson to Director for Education, 25 July 1940, BAAA 1001/283b
[396] Registrar, Native Land Court, Auckland, to Director of Education, 1 July 1941, BAAA 1001/283b

Native reservation for the common use of the Natives from time to time residing at the Kenana Settlement as a meeting place' was signed on 13 January 1943.[398]

7.4 Attempts to have the School Re-opened in the 1940s and 1950s

According to Barrington and Beaglehole, it was shortly after the time that the Kenana Native School closed down that somewhat tentative efforts began to introduce a Maori cultural element into Native Schools.[399] It seems likely that by the late 1940s, people at Kenana were aware that a Native School would now help to foster Maori culture.

In March 1946, Hoone P H Tukariri and at least twenty three others sent a petition to Mason, the Minister of Education. They said that they had 36 children attending the Mangonui School. They wanted their children to 'be governed by the Native School Law.' Furthermore, they said that they had 30 children nearing school age. They desired that the Education Department should build a school for them at Kenana.[400]

In July 1946, T A Fletcher, Senior Inspector of Native Schools, and two other men visited Kenana to investigate the situation. As well as looking at the old school site, they attended a meeting of local people at the home of Hoone Tukariri. Hoone Tukariri was then the Chairman of the local Maori council. Fletcher considered that there were 38 Maori children of school age, and 23 below school age. He gave details of these. He had found that there were also several Pakeha children living between Kenana and Kohumaru. Only one parent from a Pakeha family attended the meeting. He favoured a school at Kenana for his children. These figures showed that the number of children who might have attended a Native School was by that time well above the figure of twenty suggested as a possible re-opening minimum by the Director of Education in 1936.[401]

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[397] In the Matter of Section 5 of the Native Purposes Act, 1937, And In the Matter of the land known as "Kenana Marae", Judge Acheson N72/310, MA 1 21/4/59, NA Wellington
[398] Copy of Order in Council, 13 January 1943, MA 1 21/4/59
[399] J M Barrington & T H Beaglehole, op cit, pp 200 - 207
[400] The photocopy shows twenty-four numbered names, with three names added in lighter writing at the end of these. Petition to Mason, from Kenana, dated 19 March 1946. BAAA 1001/283c 44/4 part 7, NA Auckland
[401] See section **7.2**

Fletcher reported that the local people objected to the current situation for two reasons.

> First, they want a Native School, where their children can be taught something of their own songs, dances, arts & crafts. Secondly, they say the school bus is unsatisfactory because it is overcrowded, the children have too long a day, & they are not taken right to the Mangonui School ...[402]

Fletcher had no doubts about the right course of action:

> I consider that a school should be provided at Kenana, for it is a compact Maori settlement & the presence of a Native School would be a great asset to it.[403]

But the report of the Senior Inspector was not heeded. Hume, the Transport Officer, for the Education Board, Auckland, visited Mangonui to investigate the situation. Hume disputed the figures about numbers of children provided by Fletcher. He met the Head Teacher of Mangonui School, the Chairman of the Mangonui School Committee and 'Mrs Reid, a representative of the Kenana residents'. He was defensive about the transport provided for the Kenana children. He conceded that some re-organisation of the local bus routes was not totally impossible. Hume also indicated, however, that the bus contractor was about to take delivery of an expensive new bus that he was buying on the basis of a five year contract. Hume stated that the contractor expected the Education Board to adhere to this contract.

Hume reported that 'Mr. Tukarere' was 'regarded as an agitator' who was unlikely to remain long in the district. He also said that he had been told that 'the Maori population at Kenana is a floating one'. He had been told that all residents of 'the Kohumaru District' were Pakeha, and that Pakeha parents would wish their children to go to Mangonui School if Kenana Native School re-opened.[404]

Hume admitted that further classroom accommodation was needed in the Mangonui – Kenana area. Nevertheless, as regards the idea of providing extra classroom space through a Native School at Kenana, Hume concluded:

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[402] T A Fletcher, Senior Inspector, to Director, 13 July 1946, BAAA 1001/283c
[403] same letter, same file
[404] Hume to Secretary, Education Board, Auckland, 23 August 1946;

> the Department will no doubt have regard to the wishes of the European residents at Kohumaru and to the other factors mentioned in this report. As the general tendency at present is towards consolidation and as the Natives at Kenana are suitably catered for by the existing bus service there would appear to be little justification at the present time for the proposed large capital outlay required in re-opening the Native School.[405]

The Education Board, Auckland, agreed that there was 'little justification' for re-opening a Native School at Kenana.[406]

Senior Inspector Fletcher was scathing about the report by Hume. He wrote that:

> The report by Mr. Hume ignores the wishes of the Maori people as represented to us on our visit. He has evidently overlooked consulting them on the points raised by them. He states that he was "informed" that the Kenana population is a floating one. In every Maori district there are usually a few "birds of passage", but the Kenana community is a well-established one, with most of the people on their own land. Mr. Tukariri is "regarded as an agitator", but he has evidently organized all the Maori people on his side, with the possible exception of Mrs. Reid. She is a member of the Mangonui School Committee, and in that capacity felt she should not press the claims of Kenana too strongly.[407]

He admitted that there would have to be a delay because of the new bus contract. He conceded that there were more urgent cases where new buildings were needed in North Auckland. Nevertheless, he remained clearly in favour of a new school at Kenana. It would relieve the situation at Mangonui as well as satisfying Maori wishes. The Deputy Director's letter to Hoone Tukariri, however, displayed no interest whatsoever in the concerns emphasised by Fletcher. The Deputy Director seems to have been primarily interested in the transport issue. He turned down the request for a school. He proposed taking no further action until the long-term bus contract had expired.[408]

On 17 June 1947, the school bus, in the words of Hoone Tukariri, 'capsized over the bank at Kohumaru'. Hoone Tukariri appealed to the Minister of Education to reconsider the

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Hume's position as Transport Officer is referred to in Secretary, Education Board, to Director of Education, 30 August 1946, both in BAAA 1001/283c

[405] Hume to Secretary, Education Board, Auckland, 23 August 1946, BAAA 1001/283c

[406] Secretary, Education Board, Auckland, to Director of Education, 30 August 1946, BAAA 1001/283c

[407] Fletcher, Senior Inspector of Native Schools, to Deputy Director, 9 October 1946, BAAA 1001/283c

decision made the previous year.[409] He also sought the personal intervention of the Member of Parliament, T P Paikea. In addition, he sent to Peter Fraser, the Prime Minister and Minister of Native Affairs, a copy of their petition to the Minister of Education.[410]

The accident was serious enough to destroy the bus. Yet even this development did not convince the Education Department to change its position. The Department supplied one of its own buses for the route while the contractor took steps to replace his written-off vehicle.[411]

Faced with the Department's refusal to open a Native School at Kenana, Hoone Tukariri tried some lateral thinking. He wrote to the Director of Education:

> In view of the fact that the majority of the children attending the Mangonui Public School are Maoris, & secondly, that the bus contract does not expire for over four years, we the parents of all the Maori children strongly contend that our children be governed by the law of the Native Schools.[412]

Tukariri did not define exactly what he meant by 'the law of the Native Schools'. In view of Fletcher's earlier report, however, it seems likely that Tukariri was asking, on behalf of the Maori parents of children at the school, that their children be educated in tikanga Maori. The Director of Education, however, showed absolutely no sympathy with Tukariri's request. He responded:

> ... I regret that this would not be feasible in view of the fact that [the Maori children] are attending a public school along with pakeha children. I think that, on reflection, you will understand the difficulties that would arise if pakeha and Maori children attending the same school were not governed by the same regulations.[413]

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[408] Deputy Director of Education to H P Tukariri, Chairman, Maori Tribal Committee, Kenana, BAAA 1001/283c
[409] Hoone P H Tukariri to Mason, Minister of Education, 30 June 1947, BAAA 1001/283c
[410] Hoone P H Tukariri to Fraser, Prime Minister & Minister of Native Affairs, 30 June 1947, BAAA 1001/283c
[411] Minister of Education to T P Paikea, MP, 25 July 1947, BAAA 1001/283c
[412] Hoone Tukariri, Chair. Tribal Comm. to Director of Education, 13 August 1947, BAAA 1001/283c
[413] Director of Education to Hoone P Tukariri, 10 September 1947, BAAA 1001/283c

Clarence Beeby was a strong advocate of the teaching of arts and crafts in general in New Zealand schools, and of the teaching of Maori arts and crafts in particular.[414] It seems unfortunate that Beeby was apparently not prepared to search for a solution that would have addressed the concerns of Maori parents.

In 1948, 40 Kenana children bused daily to Mangonui School were apparently cut off from home for a night by floodwaters. The 'river' referred to may have been the Kenana Stream.[415] Puhipi H Tukariri, who had swum across to check on their safety, wrote to Peter Fraser, in his capacities as Prime Minister and Minister of Maori Affairs, and to the Minister of Education. The Kenana people had had another meeting about re-opening the local school.[416] Once more, however, the long-term bus contract was viewed as justifying a refusal to re-open the school.[417]

In November 1951, L Hoare reported on a visit to the Kenana School site. Hoare concluded that his report 'might prove that conditions are not stable, with population coming and going.' The writer is, however, unable to detect what in his report on Kenana could have justified this suggestion of a transitory population.[418]

In November 1952, Puhipi H Tukariri wrote to the Minister of Maori Affairs on behalf of those who had attended a meeting at Kenana. His first request was for an extension of the amount of Maori broadcasting. His second request was for the building of a Maori school

[414] Judith Simon (ed), op cit, pp 106 – 107. During the 1950s, with the full support of Beeby, a 'Northern Maori Project' was set up in five Northern Maori primary schools and at Te Kao District High School. James Collinge comments, however, that 'Although traditional Maori patterns had been used in the art and crafts work of the northern Maori schools, and Maori songs, dances and legends formed to some extent a basis for drama and movement, the Northern Maori Project was hardly Maori at all.' James Collinge, 'A Background: The Development of Art Education in New Zealand', in *Art in Schools: The New Zealand Experience* (Wellington: School Publications Branch, Department of Education, 1978), pp 33 – 36 on Northern Maori Project. Quotation from p 36.

[415] For problems associated with this, see Chapter 6

[416] Puhipi H Tukariri to Peter Fraser, PM, Minister of Native Affairs, 12(?) July 1945, BAAA 1001/283c For Puhipi H Tukariri a son of Huirama Tukariri, see translation of Puhipi H Tukariri to Corbett, Minister of Maori Affairs, 10 November 1952, BAAA 1001/283c

[417] Minister of Education to Tukariri, 2 August 1948, BAAA 1001/283c

[418] L Hoare (position unspecified), Memorandum Kenana School, 22 November 1951, BAAA 1001/283c

at Kenana. Once more, he said that 40 children were travelling from Kenana daily. He asked for Corbett to make representations of their behalf to the Minister of Education.[419]

Three main arguments were used to justify the refusal of the Education Department to consent to the wishes of the people of Kenana:

- Both primary and secondary pupils were taught at Mangonui, and the bus enabled secondary pupils to attend High School;
- A bigger primary school gave a wider range of subjects and more social contact;
- Kohumaru children, primary and secondary, needed a bus service to Mangonui regardless of whether there was a Maori school at Kenana;
- There was ample classroom space available at Mangonui.[420]

The Kenana people held a further meeting. They referred the matter to the Tribal Committee. The Committee felt so strongly about the matter that they proposed to raise a thousand pounds to build a school and pay the teacher. Busby Matthews, a brother of Pereene H Tukariri, mentioned that he had three nieces who were school teachers, and that the Tribal Committee would be prepared to pay them.[421]

This sparked some further consideration of the issue within the Departments of Maori Affairs and Education. Once again, a Senior Inspector of Maori Schools, this time W Parsonage, tried to call attention to a broader perspective on the question. He wrote:

> So far as Maori areas are concerned, it is well to remember that the school serves a wider purpose than merely instructing children of school age.
>
> It appears that the Kenana people are losing something of value by consolidation. We are of the opinion that a Maori school does cater better for Maori pupils living in such areas. ...

[419] (translation of) Puhipi H Tukariri to Corbett, Minister of Maori Affairs, 10 November 1952, BAAA 1001/283c
[420] Minister of Maori Affairs to Puhipi H Tukariri, 19 December 1952, MA 1 21/4/59, NA Wellington
[421] (translation of) Busby W Matthews to Corbett, 17 February 1953, MA 1 21/4/59

> Economically, the existing arrangement is no doubt cheaper. But the answer to this question should not depend solely on economic considerations.[422]

But his views did not sway the opinion of the Director of Education. Beeby decided that the policy of consolidation of small schools would continue.[423]

The policy of consolidation of small rural schools under Education Board control went back to about 1925.[424] Efforts by people linked with Education Boards to get Native Schools transferred to their control had been going on at least since the 1930s.[425] Barrington and Beaglehole do give one example of a Board administered public school that became a Native School. This happened after a unanimous petitition by the Maori parents, whose children formed the great majority at the school.[426] For the families of Kenana, however, the only available option seems to have been participation in the ordinary Education Board administered school at Mangonui.

7.5 Conclusion

This chapter suggests that, during the early twentieth century, the level of school attendance by children from the Kenana community was still being significantly effected by socio-economic factors such as the need for families to work on the gumfields and serious epidemics. The teacher or teachers at the school had both to cope with these developments and to act as a multi-skilled member of the local community. The community liked a teacher who could not simply teach but also cope with holding a supply of medicine and with managing the distribution of letters.

Under these circumstances, a teacher with considerable maturity was desirable. The Education Department seems, however, to have had little interest in the opinions of local Maori in making its appointments. It is possible that there may have been a local Maori

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[422] W Parsonage, Senior Inspector of Maori Schools, Memorandum Auckland to Wellington, 13 March 1953, BAAA 1001/283c
[423] Beeby, Director of Education, to Auckland, Attention Mr Parsonage, 22 April 1953, BAAA 1001/283c
[424] J M Barrington & T H Beaglehole, op cit, pp 217 - 218
[425] Ibid, pp 216 - 217, 249
[426] Ibid, p 217

assistant teacher at the school for a while in the 1920s. Only the Native School files dealing with Building and Sites could be read in the time available for this project. An investigation of other files relating to the school held at National Archives, Auckland, might clarify this point. In any event, the Department had a clear preference for a married couple to fill the teaching position.

The Kenana Native School closed at the end of 1931 because of low numbers. It is unclear how the level of the roll was affected by the presence of an ordinary state school at Kohumaru. Efforts led by members of the Tukariri whanau to have the school at Kenana re-opened during the 1930s foundered because the numbers of children living in the area remained low.

By 1938, the Education Department had decided that the school would remain closed. Tenders were called for the school building and the school house. On the forceful advice of Judge Acheson, however, this process was stopped. Instead, the issue of disposing of the site and the two buildings was dealt with through a consultation in the Native Land Court. In 1941, the five acres concerned was set aside as a Marae site and vested in seven trustees. The school building and the school house were also returned to local Maori, who made a small payment for the school house.

After the end of World War Two, the Maori community at Kenana made strenuous efforts to get the Kenana Native School re-opened. Adults felt strongly about the issue of transport. More than that, however, there seems to have been support within the community for a school that would foster Maori culture. Two successive Senior Inspectors of Maori Schools were highly supportive of the desire of Kenana Maori to have their school re-opened. But the Education Department's policy of consolidation of small rural schools, together with the pragmatic economic outlook of the local Education Board, and the supposed wishes of local Pakeha parents meant that there was no new lease of life for the school once described as 'the pride of our fathers'.[427]

[427] For quotation, see section **7.2**

CHAPTER 8: CONCLUSION

The history of Kohumaru in the early nineteenth century is part of a wider picture that saw increasing Nga Puhi influence in the Muriwhenua area. Yet the pattern was very complex. It was certainly not simply one of displacement of Ngati Kahu by Nga Puhi. Pororua is an example of a highly influential rangatira who was of Ngati Kahu as well as of Nga Puhi by descent. Pororua also married a Ngati Kahu wife.

Pororua signed the deed for the notorious Mangonui 'purchase' in 1863. Furthermore, he was one of a much larger number of signatories of the Upper Kohumaru deed of 1859. The Upper Kohumaru deed related to an area of just over eleven thousand acres. This deed was also signed by a number of Ngati Kahu, including Huirama Tukariri and Wi Te Ahu, who had traditionally occupied lands in the Kohumaru area.

Huirama Tukariri at times seems to have been displeased by the actions of Pororua. In 1901, he apparently condemned Pororua for secret selling of Ngati Kahu land. Yet he also sometimes acknowledged the particular 'rangatira' status of Pororua. This occurred, for instance, in his comment during the 1902 Appellate Court hearing regarding Kohumaru that 'in those days the rangatira signed first'.

It seems likely that after the death of Pororua in 1875 Huirama Tukariri felt that it was appropriate for him to take a more prominent role in interactions with the Crown. In early 1875, Huirama Tukariri asked for the appointment of an Assessor from the Matarahurahu hapu. Later in the year, he requested the appointment of an Assessor in place of the deceased Pororua.

The Matarahurahu hapu does not appear to be mentioned in the Native Land Court minutes relating to Kohumaru. This is, however, the hapu mentioned by Rose Huru in her 1998 written recollections about the Kohumaru block and other places in the vicinity of Kohumaru. Rose Huru is a descendent both of the Hapa whanau, who were part of the group associated with Huirama Tukariri in the 1901 Native Land Court investigation, and of Pororua, to whom Karena Kiwa, the main counter-claimant, particularly looked back.

The interactions of Huirama Tukariri with the Crown occurred partly on the level of protests about Maori land grievances beyond Kohumaru. Huirama Tukariri was also, however, very active in promoting the interests of the local Kenana community.

The focus of much of his activity at Kenana seems to have been the school. He was the key figure in pressing for the establishment of a local Native School. The school was built before the land had been formally given to the Crown. Huirama Tukariri seems to have been the key figure in the donation of the three acre site. He was also instrumental in the offer of a further two acres just after the turn of the century. This was necessary to convince the Education Department to build a school house for Kenana. The Education Department was readier, however, to accept offers of land than it was to appoint a local Maori teacher to the school.

In the later nineteenth century, Huirama Tukariri seems to have collected most, if not all, of the payments such as floatage rights that were made by Pakeha in connection with what was to become the Kohumaru Maori land block. There were, however, some signs that members of other whanau were also asserting their rights in the land. Although the block was not investigated by the Native Land Court until 1901, Karena Kiwa was apparently trying to get the land surveyed as early as 1887.

The fact that Pororua was not only of Nga Puhi, but also of Ngati Kahu and married to a Ngati Kahu wife did not escape the attention of Judge Edger, the first Native Land Court Judge to look at the Kohumaru Maori land. Later judges appear to have seen the investigation of the title of Kohumaru more in terms of a struggle between Ngati Kahu and Nga Puhi or, in the case of Chief Judge Jackson Palmer, between Te Rarawa and Nga Puhi.

The main witnesses in the 1901 investigation of title were at odds over the stage at which Pororua had moved from the Whangaroa area and come to live at Kenana. Huirama Tukariri and his group dated this development to not long before the signing of the Upper

Kohumaru deed. They emphasised the marriages of Pororua and his relatives who came to live in Kenana with Ngati Kahu women. Karena Kiwa, on the other hand, said that Pororua's presence at Kenana was considerably more long-standing. He argued that it was people other than Pororua who had had no right to sign the Upper Kohumaru deed, but had rather been included by aroha. He emphasised Nga Puhi conquest of the area, although he also mentioned rights obtained by a gift from Poroa of Te Rarawa, and by occupation, as among his take.

Given that Huirama Tukariri, at any rate, seemingly did not speak English, it is not altogether clear quite how much weight can be put on details from the Land Court minutes. These minutes were recorded in English. It would seem, however, that both the Maori groups in the case, along with Judge Edger, viewed the Upper Kohumaru deed, in particular, and land-selling activities in general, as very significant for the Kohumaru case.

Judge Edger was mindful of the traditional associations with Kohumaru of the claimant group that had Huirama Tukariri as its principal witness and Hone Hapa as its conductor. He also bore in mind the significant amounts of land already either sold by Pororua or granted to him by the Native Land Court. Judge Edger appears to have accepted evidence about the relatively late arrival of Pororua in Kenana, and to have been unaware of some earlier Native Land Court evidence from other blocks relating to Poroa and to Pororua. Consequently he granted the whole of the just over two thousand acre Kohumaru Maori land block to the claimant group.

Judge Edger apparently accepted that the Kohumaru Maori land block was a reserve out of the Upper Kohumaru Crown 'purchase'. This was despite the fact that Parangiora seems to have been set aside in the Native Land Court back in 1871 as the reserve referred to in the Upper Kohumaru deed. Neither Judge Edger nor any other Crown official tried to take what became the Kohumaru Maori land away from Maori on the grounds that it was included in the map of the extremely questionable Mangonui 'purchase' on the original 1863 deed. It is unclear why the land escaped inclusion in the

Mangonui area. But this was not the only area supposedly included in a Crown purchase that Maori took to the Land Court without Crown opposition.

On one level, then, the Kohumaru Maori land is an instance of Maori land that escaped the net of the very widespread Crown purchases of 1850 – 1865. On another level, however, it may be that the adversarial way in which the Land Court proceeded contributed to an increased level of tension among those who claimed rights in the land. The relationship between the Hapa and Tukariri whanau, for instance, seems to have swung back and forth between conflict and close alliance. Huirama Tukariri waged a prolonged battle for the land. By 1914, however, the group with which Huirama Tukariri was associated owned less land in the block than they did after the 1902 Appellate Court decision that sparked off the petitioning activity of Huirama Tukariri.

In the middle years of the twentieth century, Pereene Huirama Tukariri and Hoone P H Tukariri continued to protest about Muriwhenua land grievances. Much of this activity was linked to the Surplus Lands Commission of 1946 – 1948.

These men and others from Kenana also fought for their local community. The campaign for a bridge over the Kenana Stream was unsuccessful in the records reviewed for this report, although at some point since 1951 the stream was finally bridged. It has not been possible to judge whether or not the treatment meted out to Kenana Maori over the bridging of the stream was different from that which a Pakeha community would have received. There is some evidence, however, that the local authority at least sometimes saw the roading needs of local Pakeha as important, but resented spending money on roads through Maori land. On the other hand, in the late 1920s, Crown officials were careful to urge consultation over the idea of re-establishing a landing at Kenana in the wake of the closing of the old landing by members of the Tukariri whanau.

Thanks at least in part to the intervention of Judge Acheson, the return of the buildings of the Kenana Native School to local Maori, along with placing of the site in trust, eventually took place fairly smoothly in 1941. It was not altogether surprising that the

school had closed down in 1931, given that the number of children available to attend the school seems to have been very low in the 1930s. This was despite attempts to establish dairy farming through the Mangonui Development Scheme over the same period.

The reason for the remarkable rise by 1946 in the number of children available to attend a Native School in Kenana, had one been re-opened, remains mysterious. It is possible that the fate of the Education Board administered school at Kohumaru may have had some bearing on the situation.

Two successive Senior Inspectors of Maori Schools supported the wish of Kenana Maori to have the school re-opened. But a variety of factors including economics, a long-term Education Department policy of consolidating small rural schools, and the supposed wishes of local Pakeha parents combined to prevent the re-establishment of the Kenana Native School. Moreover, no steps appear to have been taken by the Education Department to meet the wishes of Kenana Maori parents for a Maori cultural element in the education of their children.

The Kenana Maori community has produced strong leadership, both for its own people and for Maori people further afield. But even that leadership has not always been successful in making Kenana a community flowing, as the Reverend Joseph Matthews apparently long ago put it, with milk and honey.

BIBLIOGRAPHY

Primary Sources

Unpublished

Official

LINZ, Auckland

File 20/316, read at LINZ National Office, Wellington

LINZ National Office, Wellington

Maori Land Plans and Certificate of Title

Maori Land Court, Whangarei

Block Title Order Files

Maori Land Court Minute Books

National Archives, Auckland

BAAI 1030/1165a

Native Land Court Applications Files

Native School Files

National Archives, Wellington

AAMX, LE series 1, LS series 1, MA series 1, 2, 3, 78, 91, 98 Files

Waitangi Tribunal Wellington

Claim Files for Wai 58, Wai 295, Wai 320. Material including:

Rose Huru, 'Tipatipa (Kohumaru Block) ...' - memories recorded by Rose Huru, in fax to Waitangi Tribunal, received 11 December 1998 (Waitangi Tribunal File Wai 320/0)

Published

Official

Appendices to the Journals of the House of Representatives

New Zealand Gazette

New Zealand Parliamentary Debates

Secondary Sources

Unpublished

Claudia Brougham, 'Report to the Waitangi Tribunal on Whaingaroa Lands (Wai 58)' Under commission to Te Runanga o Whaingaroa (Copy in Waitangi Tribunal File Wai 58/4)

Claudia Geiringer, 'Historical Background to the Muriwhenua Land Claim, 1865 – 1950' (Wai 45 record of documents, doc F10)

Claudia Geiringer, 'Subsequent Maori Protest Arising from the Crown Purchases in Muriwhenua 1850 – 1865', (Wai 45 record of documents, doc H7)

Michael Nepia, 'Muriwhenua Surplus Lands Commissions of Inquiry in the Twentieth Century', October 1992 (Wai 45 record of documents, doc G1)

James Robinson, 'Whangaroa Archaelogical Survey: A Report on Field Work in the Maungahoutoa, Pupuke and Muritoki Land Blocks', Department of Conservation, Northland Conservancy, December 1992 (Copy in Waitangi Tribunal file Wai 295/4 vol 1)

Barry Rigby, 'A Question of Extinguishment: Crown Purchases in Muriwhenua 1850 – 1865' 14 April 1992 (Wai 45 record of documents, doc F9)

Barry Rigby, 'The Oruru Area and the Muriwhenua Claim' (Wai 45 record of documents, doc C1)

Published

J M Barrington & T H Beaglehole, *Maori Schools in a Changing Society* (Wellington: New Zealand Council for Educational Research, 1974)

James Collinge, 'A Background: The Development of Art Education in New Zealand', in *Art in Schools: The New Zealand Experience* (Wellington: School Publications Branch, Department of Education, 1978)

Neva Clarke McKenna, *Mangonui: Gateway to the Far North* (Kerikeri: Northland Historical Publications Society, 1990)

Claudia Orange (ed), *The Dictionary of New Zealand Biography. Volume Two. 1870 – 1900* (Wellington: Bridget Williams Books & Department of Internal Affairs, 1993)

Claudia Orange (ed), *The Dictionary of New Zealand Biography. Volume Three. 1901 – 1920* (Auckland: Auckland University Press with Bridget Williams Books & the Department of Internal Affairs, 1996)

Miria Simpson, *Nga Tohu o Te Tiriti Making a Mark* (Wellington: National Library of New Zealand/Te Puna Matauranga O Aotearoa, 1990)

Judith Simon (ed) & others, *Nga Kura Maori: The Native Schools System 1867 – 1869* (Auckland University Press, 1998)

Evelyn Stokes, 'A Review of Evidence in the Muriwhenua Land Claim', Waitangi Tribunal Review Series 1997 No 1 (Government Print, Wellington), vols 1 and 2

Waitangi Tribunal, *Muriwhenua Land Report* (Wellington: GP Publications, 1997)