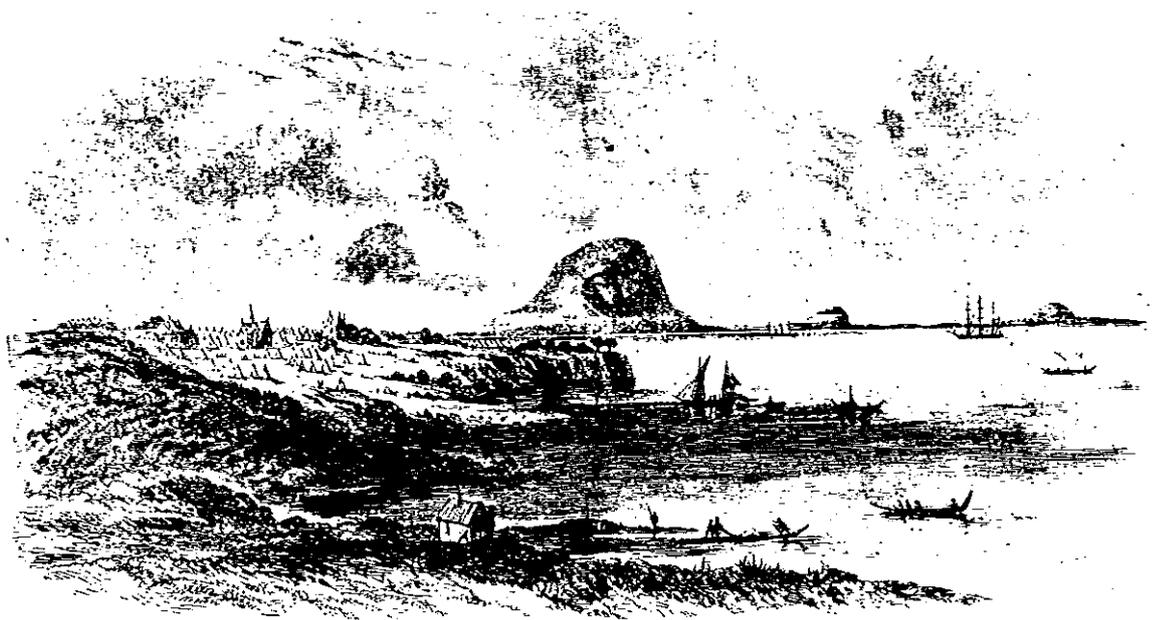


TE RAUPATU O TAURANGA MOANA

The Confiscation of Tauranga Lands



A Report Prepared for the Waitangi Tribunal

EVELYN STOKES

**University of Waikato
Private Bag 3105, Hamilton
New Zealand
1990**

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The Confiscation of Tauranga Lands

TAKE NOTE!

THIS RESEARCH REPORT HAS BEEN PREPARED AT THE DIRECTION OF THE WAITANGI TRIBUNAL TO INVESTIGATE HISTORICAL ISSUES IN CLAIMS IN THE TAURANGA MOANA AREA. THE REPORT DOES NOT REPRESENT THE VIEWS OF THE TRIBUNAL, AND IS SUBJECT TO ARGUMENT AND EXAMINATION BY PARTIES TO THE TAURANGA MOANA CLAIMS WHEN HEARINGS FOR THESE CLAIMS BEGIN. UNTIL FURTHER NOTICE FROM THE TRIBUNAL OR UNTIL THE REPORT HAS BEEN FORMALLY PRESENTED IN EVIDENCE AT HEARINGS FOR THESE CLAIMS, NO PART MAY BE REPRODUCED OR QUOTED WITHOUT PERMISSION OF THE TRIBUNAL.

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Preface

Raupatu means fighting, conquest and seizure. Raupatu is the term used by the Maori people of Tauranga Moana to describe the confiscation, under the New Zealand Settlements Act 1863, of their ancestral lands by the Pakeha Government following the battles at Gate Pa and Te Ranga in 1864. Land is a fundamental issue in Maori society because of the special relationships of tribe and hapu to particular geographic areas. Such relationships have spiritual qualities as well as economic, political and social significance in the Maori world. This central role of land in Maori culture and identity, and in Maori value systems, ensures that any bitterness over past land dealings is handed down from generation to generation. In the Maori world, the past is part of the present and the future.

The aim of this paper is to provide an overview, a geographical and historical account of events at Tauranga in the nineteenth century, with particular focus on the period 1864-1886. The year 1864 marked the arrival of British troops and the establishment of military settlement in the region. The people of Tauranga Moana were at peace in the 1860s but they were caught up in a war that had begun elsewhere. They went to the assistance of traditional allies in the Waikato who were fighting to retain their land. The Waikato military campaign which began in July 1863 ended with battles at Gate Pa and Te Ranga in the Tauranga district in 1864. There were other military engagements in the eastern Bay of Plenty and more fighting in the Tauranga district in 1867. The fighting in 1864 was followed by confiscation of land in the Waikato and Bay of Plenty. The colonial Government had developed a policy of confiscating land as a way of punishing "rebel" tribes but there had been no "rebellion" at Tauranga.

War brought disruption to existing Maori settlement patterns, and social, economic and political turmoil. It was a time of enormous stress caused by massive, involuntary contact with an alien culture. The situation was exacerbated by continuing conflict over land. Confiscation of land in Tauranga Moana was accompanied by Government "purchase" of the Katikati and Te Puna Blocks, a transaction which provoked further dissension. In the confused situation that persisted into the 1880s, arguments over rival claims to land, and the activities of Pakeha land purchase agents, both Government and private, continued to undermine the self-esteem of a people already demoralised by war and the stresses of culture conflict. Some of the land dealings were fraudulent. Speculators with Government connections were able also to ensure removal of Government-imposed restrictions on alienation of the remaining fraction of tribal lands.

This paper is about the conflicting attitudes toward land which still cause tension in Maori-Pakeha relations. I acknowledge a debt to the elders of Tauranga Moana in the preparation of this paper, in particular to the late Haare Piahana of Huria who, many years ago, first told me about the Raupatu. There are many others who have also assisted, including the late Kaikohe Roretana, the late Ed Morgan, past and present members of the Tauranga Moana Maori Trust Board, staff in the Department of Maori Affairs and Maori Land Court, and the Department of Survey and Land Information. I also acknowledge with appreciation the assistance given by staff in the National Archives, Alexander Turnbull Library and University of Waikato Library, and to Max Oulton who drew the maps. The written sources are indicated in the Bibliography but the oral traditions are also important, although the interpretations are mine. It is to be hoped that this paper will explain why the Raupatu is still an issue frequently discussed with considerable emotion on the many marae of Tauranga Moana. It is also intended as a compilation of relevant information which will provide a context for claims lodged with the Waitangi Tribunal concerning the tribal district of Tauranga Moana.

This report was contracted by the Waitangi Tribunal in 1988 and a draft was submitted early in 1989. The production of this final report has been held over pending confirmation of arrangements for

hearing all of the Raupatu claims in the North Island, in Taranaki, Waikato, Tauranga and eastern Bay of Plenty districts. In July 1990 final editing and checking was completed. In March 1989 I was appointed as a member of the Waitangi Tribunal. It needs to be stated clearly that this report has been prepared on contract to the Tribunal as a research report to be made available to all parties, Crown and claimants and their counsel, prior to beginning hearings of Tauranga Raupatu claims. I have disqualified myself from being a member of the Tribunal which hears Tauranga claims. This report should not be interpreted in any way as representing the opinions of the Waitangi Tribunal. It is intended as an overview, a background paper, a geographical and historical narrative of events which are collectively described as the Raupatu, the confiscation of lands in the Tauranga Moana tribal area under the New Zealand Settlements Act 1863.

Finally, I pay tribute to an old friend and revered elder of Tauranga Moana, the late Turirangi Te Kani. His untimely death on 4 June 1990 has left us all bereft. Words cannot express my appreciation of his quiet strength and support given over many years that I have worked with the people of Tauranga Moana and writing our history.

Takoto mai e pā i roto i te wharekino
Ka tōkia tō kiri e te anu mātao
E ngā hau tuku iho o runga o Maunganui
Tāria atu koe te rae ki Panepane
E tangi haere ana te tai o te ākau
Waiho kia tangi ana ...
Ehara i te tangata he unuhanga taniwha
He toroa whakakopa mai ana iwi.

Rest, our elder, in the house of sorrow.
You have been pierced by the cold of death.
By the winds released from Maunganui,
You are carried to the point of Panepane,
Where the sea weeps in sorrow on the shore.
Let it go on weeping ...
This was not a man, this was a taniwha.
The albatross has flown from his people.

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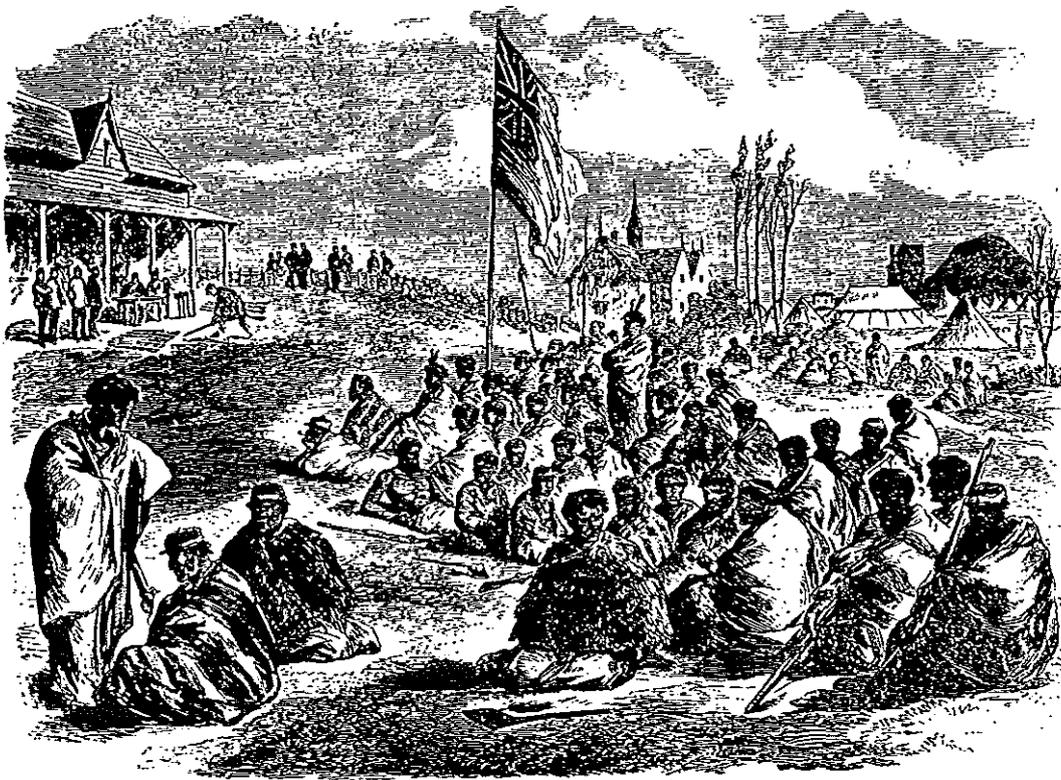
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Surrender of arms to Colonel Greer at Te Papa July 25th 1864.
Sketch by Lieutenant Robley, reproduced in the Illustrated London News.

1. The Land and People of Tauranga Moana

The tribal region of Tauranga Moana is the land about the shores of Tauranga Harbour occupied by Ngati Ranginui of Takitimu descent and Ngaiterangi of Mataatua descent, but with close kin links between them. The boundaries of Tauranga Moana extend from Nga Kuri a Wharei in the west, inland to the mountain Te Aroha, along the crest of the ranges south to Puwhenua, east to Otanewainuku, and out to sea at Wairakei (Figure 1). In the 1860s the people of Tauranga Moana were caught up in the fighting in Waikato and in battles on their own lands at Gate Pa and Te Ranga in 1864.

By Order-in-Council, dated 18 May 1865 (N.Z. Gazette 1865, p.187) the whole of the tribal area was confiscated by the Crown under the New Zealand Settlements Act 1863. The "confiscation boundary" shown in Figure 1 is that outlined in the Schedule of the Tauranga District Lands Act 1868 and reproduced in the Schedule of the Tauranga Moana Maori Trust Board Act 1981:

All that land estimated to contain two hundred and fourteen thousand acres known as the Tauranga Block bounded on the North-east by the sea from Ngakuri-a-whare Point to Wairakei Creek in the South-east by a line from the mouth of the Wairakei Creek to Otara from thence to Otanewainuku from thence to Poutiki on the South-west by a line from Poutiki to the summit of the watershed of the dividing range of hills between the East Coast and the Thames Valley and thence following the said watershed northward to the summit of the Aroha Mountain and on the North-west by a straight line from the summit of the Aroha Mountain to Ngakuri-a-whare Point.

Together with the Island of Tuhua or Mayor Island and such portions of Motiti or Flat Island as shall be adjudged to belong to the Ngaiterangi Tribe or to individual members thereof.

(Note: Nga Kuri a Wharei is the preferred form; Poutiki is a typographic error in the Tauranga District Lands Act 1868 for Poutihi, also known as Puwhenua.)

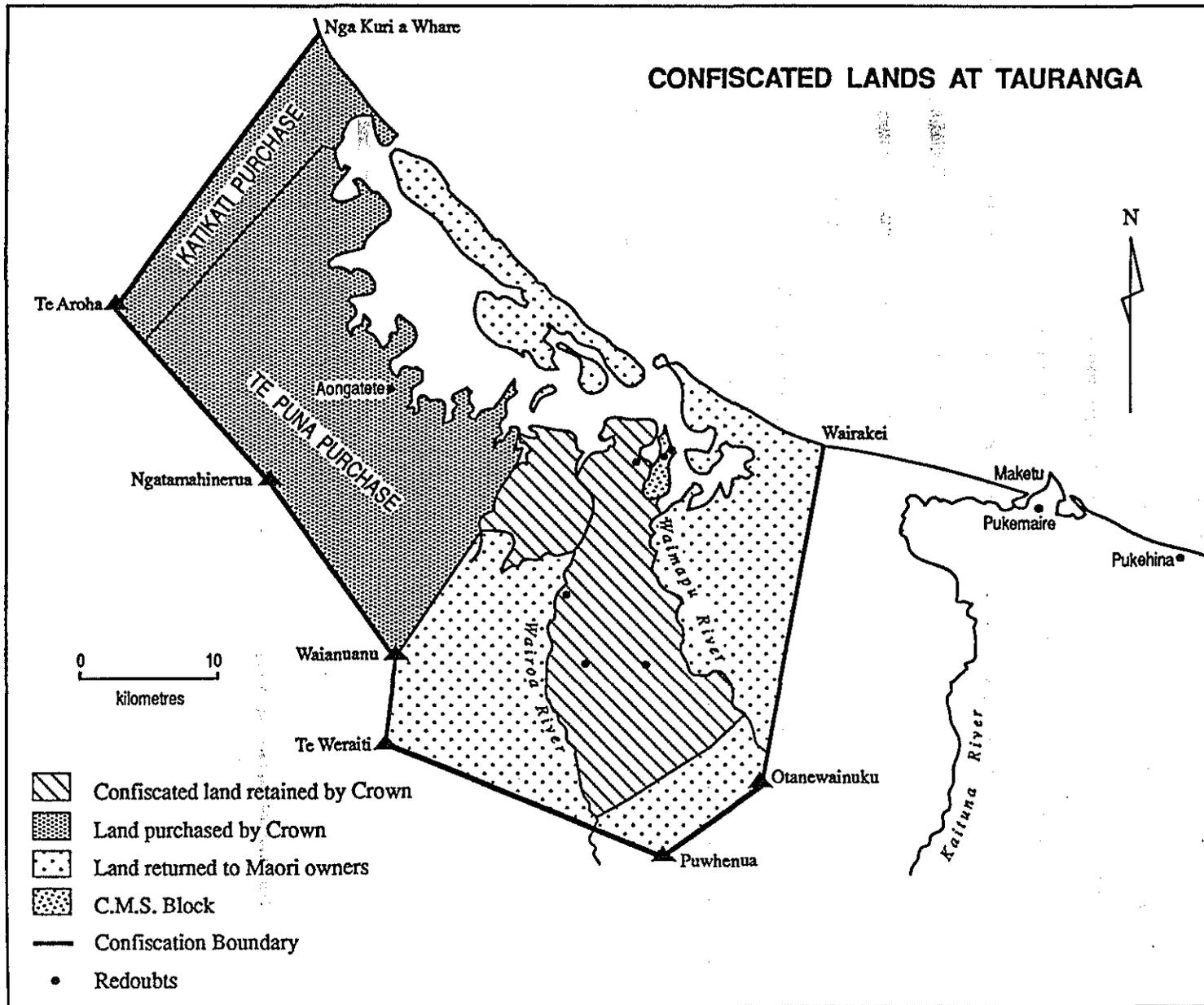


Figure 1

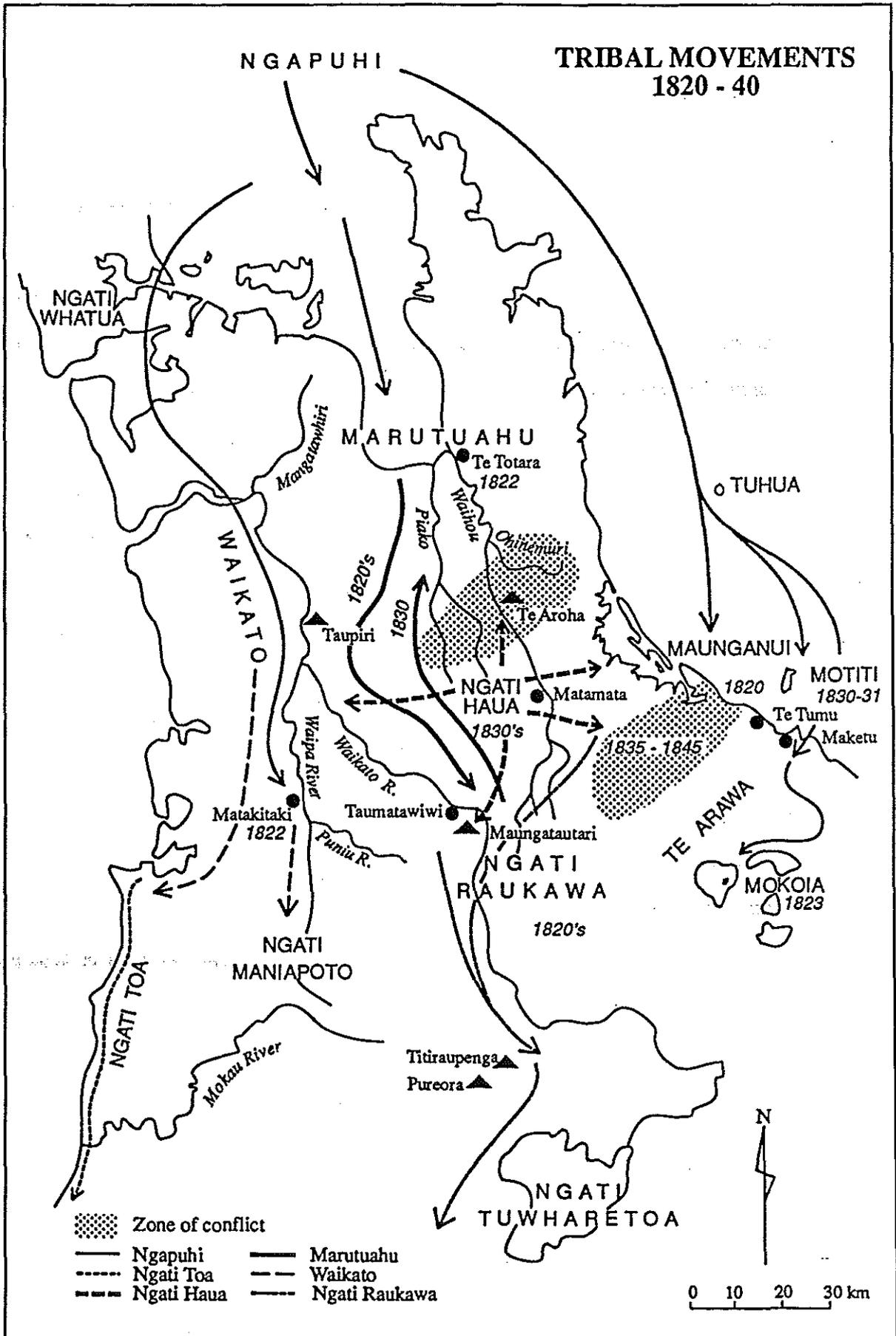
In the subsequent administration of the confiscated lands there were several distinct areas as shown in Figure 1. The "confiscated land retained by the Crown", described in this paper as the Confiscated Block, comprised some 50,000 acres, 20,235 hectares. Initially, this was intended to be the land lying between the Wairoa and Waimapu Rivers, but insufficient land was available for farms promised to military settlers and the additional area was retained west of the Wairoa. The Katikati Te Puna Purchase was in the nature of a compulsory purchase for which some payments were made to several tribes. The total price paid was £11,700 for some 32,375 hectares. The "C.M.S. Block" is the land purchased by Archdeacon Brown on behalf of the Church Missionary Society in 1838 and 1839 (Appendix 1). These lands were acquired by the Crown in 1864 and were subsequently surveyed and described as The Township of Tauranga. The "land returned to Maori owners", described in this report as the Lands Returned, are those areas included in Commissioner Brabant's list 1886 (Appendix 8).

Tauranga Moana was particularly attractive for Maori settlement. The name Tauranga means an anchorage, resting place or fishing ground. The long coastline provided a variety of habitats in estuaries, mudflats and mangrove swamps, open sandy beach and rocky shore, for kai moana, seafood, especially shellfish - pipi, tuatua, paua, kuku and other varieties - as well as kina (sea urchins) and koura (crayfish). Fish could be caught in the rivers, sheltered harbour, open ocean and offshore island waters. There were many eeling places in the rivers that flowed into the harbour. Along the coastal lowlands kumara grew well in the mild climate and there was plenty of fern root (aruhe). The forests of the ranges were a valuable source of food in the form of berries and abundant bird life, as well as providing timber for buildings and canoes.

Because of its rich resources, the region has been continuously occupied by Maori tribes, and periodically fought over, for more than seven centuries. By the end of the eighteenth century, Ngaiterangi, of Mataatua descent, had migrated from the eastern Bay of Plenty and established themselves along the coastlands from Maketu to Nga Kuri a Whare (Figure 2). In the Te Puke area dwelled the Waitaha and Tapuika tribes of Te Arawa. Waitaha and Ngati Ranginui, a tribe of Takitimu descent, once occupied all the Tauranga coastlands but had been displaced by Ngaiterangi. Over several generations, relations between Ngaiterangi and Ngati Ranginui were cemented by marriage and these close kin links have been maintained. Inland, over the ranges, dwelled the Ngati Haua and Ngati Raukawa sections of the Tainui peoples. These inland tribes relied on Tauranga Moana for sea food, and close ties, including kin linkages, were maintained with the coastal people. In contrast, there was a long-standing rivalry between the peoples of Tainui and Te Arawa. Ngaiterangi had also angered Te Arawa by invading the Maketu area, traditional landing place of the canoe Te Arawa. To the north-west of Tauranga Moana, tribes of the Hauraki section of Tainui - Ngati Paoa, Ngati Maru, Ngati Whanaunga and Ngati Tamatera - periodically made incursions into the region but did not settle permanently.

Early in the nineteenth century, European missionaries, traders, and sea farers had moved into Northland, and by the late 1820s were penetrating coastal regions further south. The Church Missionary Society vessel Herald visited Tauranga in 1826 and it was estimated that there were about 2,500 people living around the shores of the harbour (Gifford and Williams 1940, p. 24). Ngapuhi of Northland, armed with European muskets, made several raids in the Bay of Plenty. The large pa on Maunganui was taken by Te Morenga in 1820 and never re-occupied. A peace was made with Ngapuhi shortly afterwards by Te Waru of Ngaiterangi. This was kept until 1830

Figure 2



when Ngaphui, led by Te Haramiti, were defeated by a force of Ngaiterangi, Ngati Ranginui and Ngati Haua at Motiti. In 1828 the large Te Papa pa was destroyed in a raid by Ngati Maru and Ngati Tamatera led by Te Rohu. The Church Missionary Society established a station at Te Papa in 1835 which was taken over in 1837 by Rev. Alfred Nesbitt Brown who lived there until his death in 1884. Roman Catholic missions, led by French Marist Fathers, were operating in the region from 1840 on.

The site of the CMS Mission at Te Papa was purchased by Brown on 30 September 1838. For an area of 12.5 hectares, known as Te Papa No. 1 Block, he paid "20 blankets, 10 spades, 10 adzes, 10 axes, 10 hoes and 10 iron pots". There were 17 signatories to this Deed, all described as "rangatiras of Tauranga". On 30 March 1839 Brown purchased the rest of the Te Papa Peninsula, Te Papa No. 2 Block, an area of some 240 hectares from the CMS Mission south to Pukehinahina (Gate Pa). The purchase price was "1 calf, 40 adzes, 60 large blankets, 40 axes, 40 hoes, 40 shirts, 40 trowsers [sic], 12 spades, 100 pipes, 70lbs tobacco, 24 scissors, 24 razors, 24 plane irons, and 100 fish hooks." There were 27 signatories to this Deed. The text of both Deeds (Turton and Bell 1882, Nos. 410 and 411) is reproduced in Appendix 1.

Brown set out his reasons for purchasing such a large area in his Journal: "It contains about 1000 acres and being a peninsula on which emigrants would be likely to settle in the event of the country being colonized, it is of great importance that we should possess it" Brown's immediate fear was that a Pakeha trader or sly-grogger would set up in business near the mission and undermine his work. The original choice of site at Te Papa was influenced by its proximity to a good landing place in Tauranga Harbour, easy access by sea, numerous Maori population and central location between the large pa at Otumoetai and Maungatapu, and access to the people of the Rotorua and Thames Valley districts.

Several traders had drifted into the region by the early 1830s, including Tapsell at Maketu, and the Frenchmen, Bidois, Borell and Potier, at the mouth of the Wairoa River. Tapsell established a trading station at Maketu in 1830 to collect flax for the Sydney firm of Jones and Walker. He also employed agents at Tauranga, Matamata and in the eastern Bay of Plenty. People from Tauranga Moana and Te Arawa from Rotorua migrated to Maketu to scrape flax in return for muskets and powder. Te Arawa built a pa at Maketu and Ngaiterangi extended their pa at Te Tumu. However, the old rivalries flared up again when Te Waharoa of Ngati Haua sought revenge for Te Arawa attacks on his tribe, and with Ngaiterangi and Ngati Ranginui support, attacked Maketu Pa in March 1836. Tapsell's trading station was destroyed in the process. In retaliation, Te Arawa destroyed Te Tumu shortly after. For the next few years there were periodic skirmishes between Te Arawa and their western neighbours at Tauranga and in the eastern Waikato. Some time in 1837, people from Ngati Pikiiao, Ngati Whakaue, and other tribes of Te Arawa, consolidated their gains by building a permanent settlement at Maketu and re-establishing Te Arawa control over the area (Figure 2). In 1845 peace was made between Te Arawa, the tribes of Tauranga Moana and Ngati Haua.

The first Maori contact with European officialdom in Tauranga was the visit of Major Bunbury, 10-13 May 1840, to obtain signatures to the Treaty of Waitangi. He found that several Ngaiterangi chiefs, including all at Maungatapu, had already signed a version taken to them by C.M.S. missionaries on 10 April. There was still some opposition at Otumoetai, particularly from Tupaea. At a meeting at Otumoetai Pa several people queried the nature of the Treaty and the role of Queen Victoria. Bunbury explained that the Queen had "acknowledged the New Zealanders to be an independent nation", that the Queen's Governor was concerned about war between the tribes, in particular between Tauranga and Rotorua people, and wanted to establish "justice and a regular form of government in this

country, and which could only be effected by giving the Queen the necessary power, and for which purpose they were required to sign the treaty."

Bunbury then assured them:

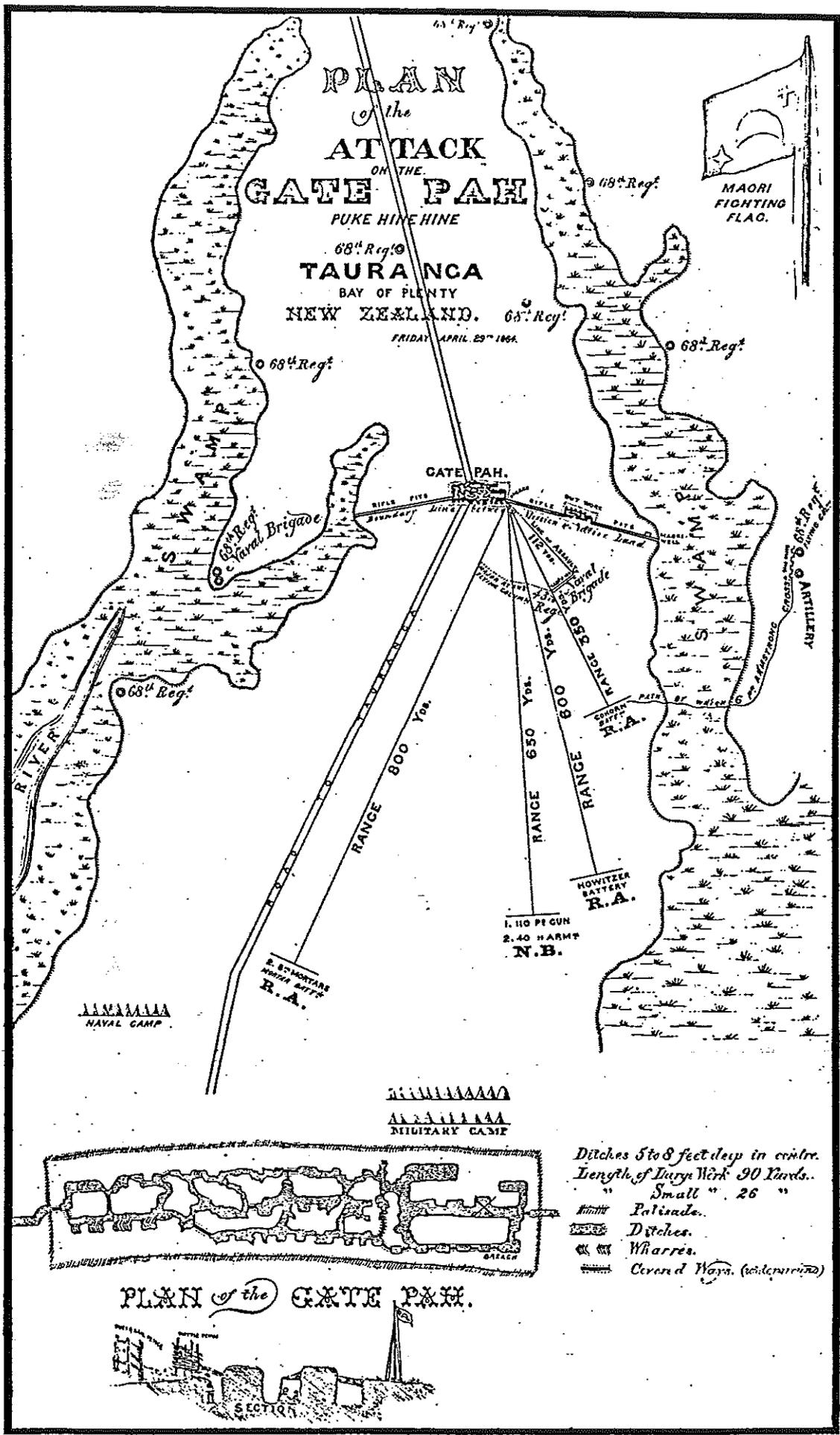
She did not seek the authority of which men of whatever nation to govern them; she sought that authority from themselves, as a spontaneous gift, vesting her with power for their own good, and to avert the evils which she foresaw were accumulating around them by the increasing influx of white men, subject otherwise to no law or control... On my speaking of the sale of lands, and of the right of pre-emption claimed by the Queen [the Treaty was] intended equally for their benefit and to encourage industrious white men to settle amongst them, to teach them arts and how to manufacture those articles which were so much sought after and admired by them, rather than by leaving the sale of large tracts of land to themselves they might pass into the hands of white men who would never come amongst them but to hamper by their speculations the industrious (GBPP 1835-42, Vol. 3, p.225)

The Reverend James Stack, a C.M.S. missionary, reported on 23 May 1840 to the Colonial Secretary on the "high chiefs" who had refused to sign: "Their minds have been disturbed by some evil-minded person trying to prejudice them against Government". Stack implied they might sign later, and reported he had distributed the eight blankets left by Bunbury "to those chiefs whom he directed should have them. I have added four others out of the Society's store. Several more may yet be wanting if Tupaea and his friends should sign" (GBPP 1835-42, Vol. 3, p.226). Tupaea never signed and it is very doubtful whether the Treaty meant very much to the local people. More important in terms of culture contact were the face-to-face encounters of local Maori with Europeans, whether missionaries, traders, soldiers, or other visitors.

Contact with Europeans was stirring profound changes in Maori life. the old religion was under attack from the missionaries and being replaced by new teachings. The mana of tohunga and ariki was being undermined. More efficient weapons and other merchandise were offered by the traders. Some

traditional foods were abandoned for introduced crops and European foods. Agriculture was reorganised to cope with a cash economy from the sale of produce in Auckland carried in ships built in the yards of John Lees Faulkner who had settled at Otumoetai in the 1840s. In 1857 Cooper's Settlers' Guide claimed that Tauranga Maori owned "numerous coasting vessels" and supplied Auckland with "more wheat, potatoes, India corn, onions etc. than any other part of New Zealand". By the late 1840s some local people were working for wages in Auckland. The principal Maori villages, all strongly fortified, were at Maungatapu, Otumoetai, Matakana and Motuhua, with several smaller settlements around the harbour shores, and inland on the forest margins. The population had decreased through the depredations of musket warfare and introduced diseases. Commander Byron Drury estimated 1,000 people lived around Tauranga Harbour in 1853 (N.Z. Gazette 13 June 1853). Hochstetter (1867, p. 443) suggested a population between 800 and 1,000 in 1859. Some attempt had been made to establish government control over the region with the appointment of a Resident Magistrate at Tauranga, with six "Native Assessors" under him in villages around the harbour, and two at Maketu. In October 1861 the Resident Magistrate, Henry Tacy Clarke, reported that the Tauranga tribes were "more peaceable than for years". Land disputes were still frequent

and although much ill feeling is engendered, and a great deal of violent language is indulged in, still they have at last yielded the matter up to a third party and an amicable settlement has been arrived at. Since I have taken up my residence amongst them, they have shown a disposition generally to respect the laws, and have abided by the decision of the Court or the adjustment of their Assessors (AJHR 1862, E7).



GEORGE FULMAN-LITH-AUCKLAND.

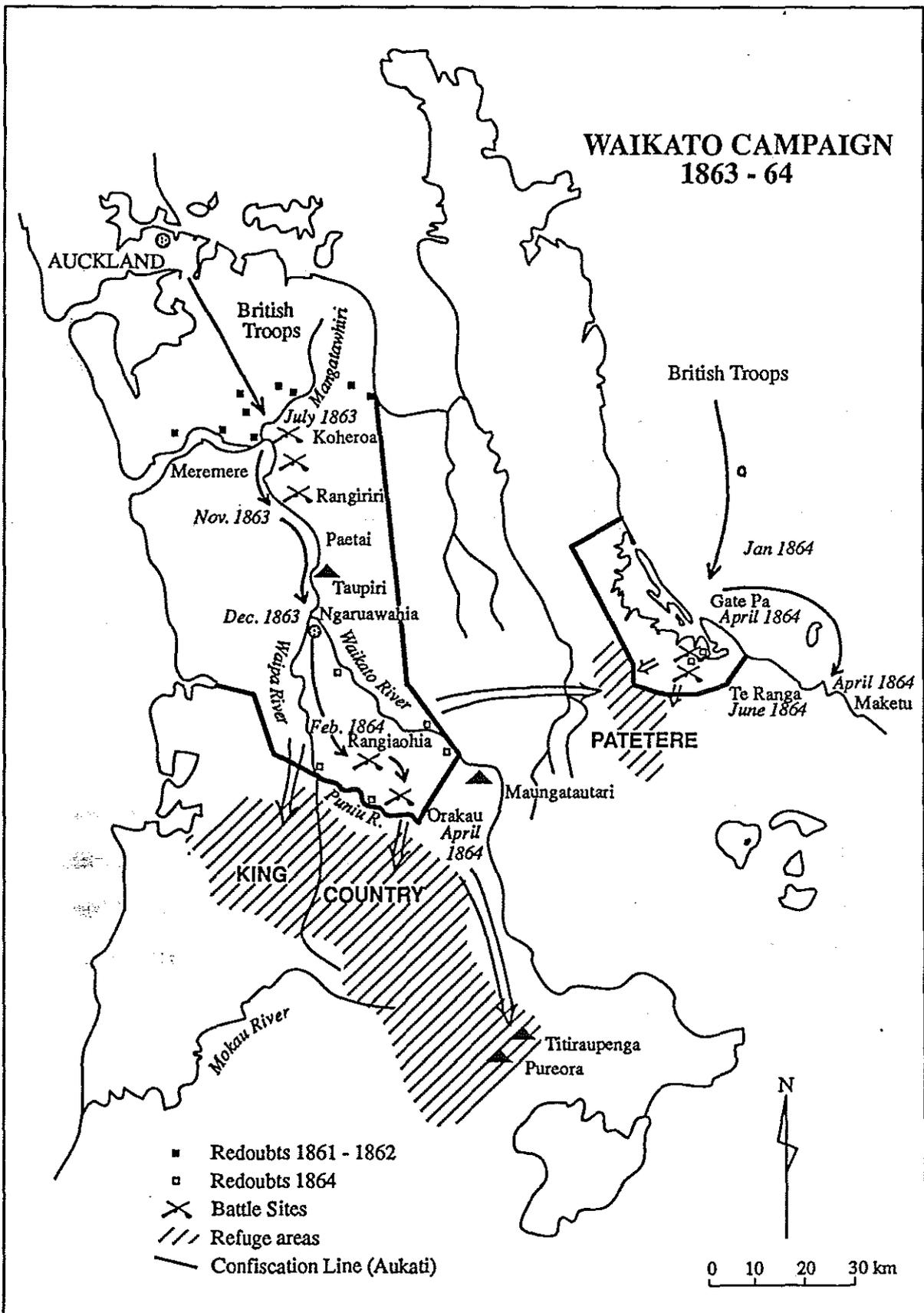
Plate 1. Plan of Gate Pa
Source: Alexander Turnbull Library

2. War and Confiscation of Land

The wars between Maori and European in the 1860s were largely a conflict over land. Increasing numbers of European settlers were putting pressure on Government to release land for settlement. There was plenty of support for acquiring more Maori land among members of the colonial Government. During the 1850s increasing numbers of Maori, realising that sale of land meant permanent alienation of their tribal territories, opposed further selling. This feeling was particularly strong in Taranaki where fighting broke out in 1860 and again in 1863. The Taranaki tribes had the support of Waikato-Maniapoto and Tauranga tribes who were joined together in a loose confederation known as the King Movement. The basis of the Kingitanga was a league to protect tribal lands, to put them under the mana of the King and thereby prevent their sale to Europeans. The election of King Potatau in 1858 was also an expression of growing Maori nationalism. Europeans chose to interpret the refusal of King Movement supporters to sell land as a direct threat to their survival. It was also considered that a separate system of Maori government was intolerable though some commentators interpreted this simply as an expression of the failure of the colonial government to establish effective rule.

Governor Gore-Browne was convinced by 1861 that war with Waikato was inevitable. Governor Grey returned for a second term during 1861 and tried to break the King Movement by peaceful means, as he remarked to Wiremu Tamihana, "to dig around [the King] until he falls" (Morrell and Hall, 1957, p. 99). During 1861 and 1862 a military road from Auckland was extended south of Drury through the Bombay Hills and military posts set up on the lower Waikato and Mangatawhiri Rivers (Figure 3). Grey issued a

Figure 3



proclamation ordering King supporters to withdraw and allow military posts to be established in the Waikato or lose their land by confiscation. Grey had already begun steps to apply such measures in Taranaki, and the Auckland press and settlers were urging similar measures in the Waikato. Before the proclamation reached the King, Imperial troops had moved into the King's territory at Te Pou o Mangatawhiri, south of the Bombay Hills. The Waikato tribes were determined to fight for their land. Ngaiterangi and Ngati Ranginui had supported the Kingitanga. For this they too were caught up in war.

The invasion of Waikato began on 12 July 1863 when Imperial troops under General Duncan Cameron began crossing the Mangatawhiri River. A week later Maori defenders were driven from the Koheroa ridge. At the end of October the troops landed at Meremere and on 21 November Rangiriri was taken. The Maori King's capital at Ngaruawahia was abandoned and the Waikato and their allies consolidated their position at Paterangi in the Waipa Valley. Ngati Haua and some Tauranga people withdrew to Maungatautari. Following a pause to establish new posts and build up supplies, Cameron and his troops advanced up the Waipa. In March 1864 they bypassed the strong pa at Paterangi, took Rangiaowhia by surprise and occupied the Te Awamutu area. The final engagement in the Waikato was the siege of Orakau at the beginning of April. Maungatautari was abandoned and the remnants of the Waikato people withdrew south of the Punui River into the King Country, territory of their Ngati Maniapoto allies.

In spite of its name, the King Movement, or Kingitanga, was based on traditional Maori leadership systems. Sir Apirana Ngata described it as "one of the organisations evolved by the Maori people for resisting the

destruction of their culture and the loss of its foundation, land" (quoted by Sorrenson, 1963). Pei Te Hurinui Jones, biographer of Potatau, remarked that he had accepted the Kingship "as a means of recapturing the lost prestige of the Maori people" (quoted by Sorrenson, 1963). The making of the Maori King was a process that had evolved over a number of years. It was appreciated by the chiefs of the several tribes that a central figure was needed. A number of chiefs were approached, including Tupaea of Ngaiterangi: Ko Mauao te maunga, ko Tauranga te moana, ko Tupaea te tangata (Mauao, Mt. Maunganui is the mountain, Tauranga is the sea, Tupaea is the man.) Tupaea declined the offer. The group of chiefs considering the question settled on Potatau Te Wherowhero of Ngati Mahuta, a paramount chief among Waikato tribes, descended from Hoturoa, commander of the Tainui canoe, and also related to important ancestors in other canoes.

The title of King was European but the mana of Potatau was based on traditional Maori considerations. These were mana tangata (personal prestige), mana whenua (prestige expressed by possession of a significant area of land), and mana kai (prestige expressed in availability of food resources). Potatau, now an old man of some 60 years, fulfilled all these requirements and many tribes acknowledged his mana. In 1860 Potatau died at Ngaruawahia and was succeeded by his son Matutaera, later called Tawhiao. Ngaiterangi and Ngati Ranginui, with their longstanding ties with Waikato tribes, particularly Ngati Haua, the tribe of Wiremu Tamihana, the "Kingmaker" and son of Te Waharoa, were closely involved with Kingitanga. Two letters from Tauranga chiefs, dated 22 February and 5 April 1859 printed in Te Hokioi, the King Movement newspaper, acknowledged the mana of Potatau over their lands and people, and confirmed the status of Tauranga people as pupuri whenua, land holders, who were opposed to alienation of tribal land to European settlers.

The Resident Magistrate at Tauranga, Henry Tacy Clarke, reported in 1861 that "two-thirds of these people during the Taranaki contest called themselves King's Men, especially those of the Pirirakau and Matewaitai hapus". About 40 men had gone to fight in Taranaki.

This sympathy may in a great measure be accounted for. The Tauranga Natives owe a debt of gratitude to Te Waharoa (William Thompson's father) for the assistance rendered by himself and tribe during the bloody conflict between the Tauranga and Arawa tribes; in fact it may be said that Te Waharoa saved them from annihilation (AJHR 1862, E7).

Te Arawa tribes had never generally supported the King Movement. In the same report Clarke interpreted Ngati Rangiwewehi support for Kingitanga not "as a disaffection on the part of the hapu towards the Government, so much as a means of revenging themselves on the other Arawa hapus, especially Ngati Whakaue, for fancied indignities they have received from them".

The most important element in Government strategy during the campaigns of the 1860s was the consolidation of military gains by establishing permanent military settlement. In July 1863 the Domett Ministry, dominated by the Auckland speculators Frederick Whitaker and Thomas Russell, had already devised a scheme for military settlement on lands to be confiscated from "rebellious" tribes. There was no real evidence of any conspiracy among supporters of the Maori King in the early 1860s to drive out all Europeans. Nevertheless, Domett could write,

"It is now beyond all question that the Native Tribes of Waikato, the most powerful in New Zealand, are resolved to attempt to drive out or destroy the Europeans of the Northern Island, and to establish a Native kingdom under a Native King" (AJHR 1863, A8).

Governor Grey was ready enough to accept this pretext for confiscation of land. Perhaps this was why he failed to follow up Maori offers to make peace following the assault on Rangiriri. Grey wrote to the British Government in August 1863:

I feel certain that the Chiefs of Waikato having in so unprovoked a manner caused Europeans to be murdered, and having planned a wholesale destruction of some of the European settlements, it will be necessary now to take efficient steps for the permanent security of the country, and to inflict upon those Chiefs a punishment of such a nature as will deter other tribes from hereafter forming and attempting to carry out designs of a similar nature... I can devise no other plan by which both of these ends can be obtained than, firstly, by providing for the permanent peace of the country by locating large bodies of European settlers strong enough to defend themselves in those natural positions in this Province which will give us the entire command of it and will convince the badly disposed Natives that it is hopeless to attempt either to drive the Europeans from the country, or to place them throughout a great part of its extent under the rule and laws of a king of the Native race, elected by the Maori population, who would soon turn his arms against his brother chiefs, and render the Northern Island from end to end one large scene of murderous warfare; and secondly by taking the land on which this European population is to be settled from those tribes who have been guilty of the outrages (AJHR 1863, A8).

The pattern of tribal loyalties in the Waikato war followed traditional lines. Tauranga warriors fought at Meremere and Rangiriri in 1863. Government authorities suspected that arms and ammunition from Tai Rawhiti tribes were being smuggled into the Waikato through the Tauranga district, and Tauranga people were supplying food to the Waikato. Whitaker, who had become Premier in October 1863, wrote a memorandum on 19 January 1864 stating that military intervention at Tauranga was necessary and should not be delayed lest it be interpreted as a sign of weakness. Governor Grey accepted the proposal, hoping that such an expedition would be of a temporary restrictive nature only. On 21 January 1864 over 600 troops

under Colonel Carey were landed at Te Papa. The object of this expedition was "to create a diversion" to prevent any more Tauranga people joining Waikato or sending supplies. Colonel Carey was instructed early in February "not to take any offensive measure at present, unless to stop war parties going to Waikato", to prevent any parties from the East Coast passing through Tauranga, and "for the present, merely to hold his position on the defensive" (AJHR 1864, E2). In commenting on the situation in April 1866, the newspaper Southern Cross quoted a remark that "Tauranga...contained a fine agricultural district, on which Mr Whitaker had set his eyes; and so Tauranga was invaded".

Ngaiterangi and Ngati Ranginui interpreted the arrival of troops as the beginning of an attempt to seize their land. On 11 February 1864 Thomas H. Smith, Civil Commissioner at Tauranga, filed a report indicating that of the total adult male population of 571 in villages around the shores of Tauranga Harbour, 233 had gone to Waikato, most of them from settlements west of Te Papa (AJHR 1864, E2) (Figure 4). Most of them hurried home on hearing of the landing of troops although there were still some Tauranga people with Ngati Haua at Maungatautari who fought at Hairini in the Te Awamutu district in February, following the burning of Rangiaowhia (Cowan, 1983, Vol. 1., p. 357). Tauranga Maori later expressed their opinion to a correspondent of the newspaper The New Zealander (17 August 1864) who reported:

Had the troops not set foot on their lands...there would have been no rising amongst them...it was in defence of their lands which were thus unceremoniously, and in their opinion, unnecessarily invaded, that they took up arms against the troops, and so made, as it were, common cause with the Waikatos.

SETTLEMENT	TRIBE	Joined Insurgents at Waikato	Total Adult Males
<u>East Side of Tauranga Harbour</u>			
Maungatapu	Ngatihe, Ngatiwhainoa)		
Ohinekahu	Te Whanauwhero)	5	74
Auhi Tokitoki	Ngatirakei Ngatirurea)		
Te Apititu	Te Matekiwaho)		
Poiki or Hairini (Hoisted King Flag)	Ngai te Ahi	16	30
Poihakena, Ranana	Ngatiruahine	3	11
Okaeke, Tongaparoa	Ngatitama, Ngatirehu	0	13
Te Matapihi, Tumatani	Te Rangihouhiri, Ngaitukai-) rangi)		
Karikari, Te Mania	Ngapotiki, Ngatitapu, Nga-)	10	78
Te Rauwahine	tiuarere)		
Otuawahia	Ngatipau	0	12
Opoutea	Ngatirawharo	0	20
<u>West Side of Tauranga Harbour</u>			
Huria	Ngaitamarawaho	18	30
Otumoetai W.	Patutahora	2	13
Otuatara (Hoisted King Flag)	Te Matewaitai	19	25
Peterehema	Ngatihangarau	19	21
Papaoharia, Poteriwhi	Ngatitamahapai Ngatirangi)		
Pukekonui, Purakautahi	Ngatipango, Ngatimotai)	30	43
Opounui	Te Ngare	4	30
Matakana	Ngaitamawhariua	30	31
Poututerangi (Hoisted King Flag)	Te Pirirakau	23	27
Te Ngarue	Ngatitokotoko	20	21
Motuhoa	Te Pohoera	4	12
<u>Islands</u>			
Tuhua (Mayor Is.)	Te Urungawera	19	23
Motiti, Orangatia	Te Whanau o Tauwhao te Papaunahi	12	22
Otungahoro, etc.	Te Patuwai	0	35

SUMMARY:			
East side of Tauranga Harbour	...	...	34 out of 238
West side of Tauranga Harbour	...	...	169 out of 253
Islands	...	...	30 out of 80
TOTAL			233 out of 571

Extracted from report by T.H. Smith, Civil Commissioner, Tauranga, 11th February 1864.

Note: Smith's original spelling of names in this list has been transcribed here.

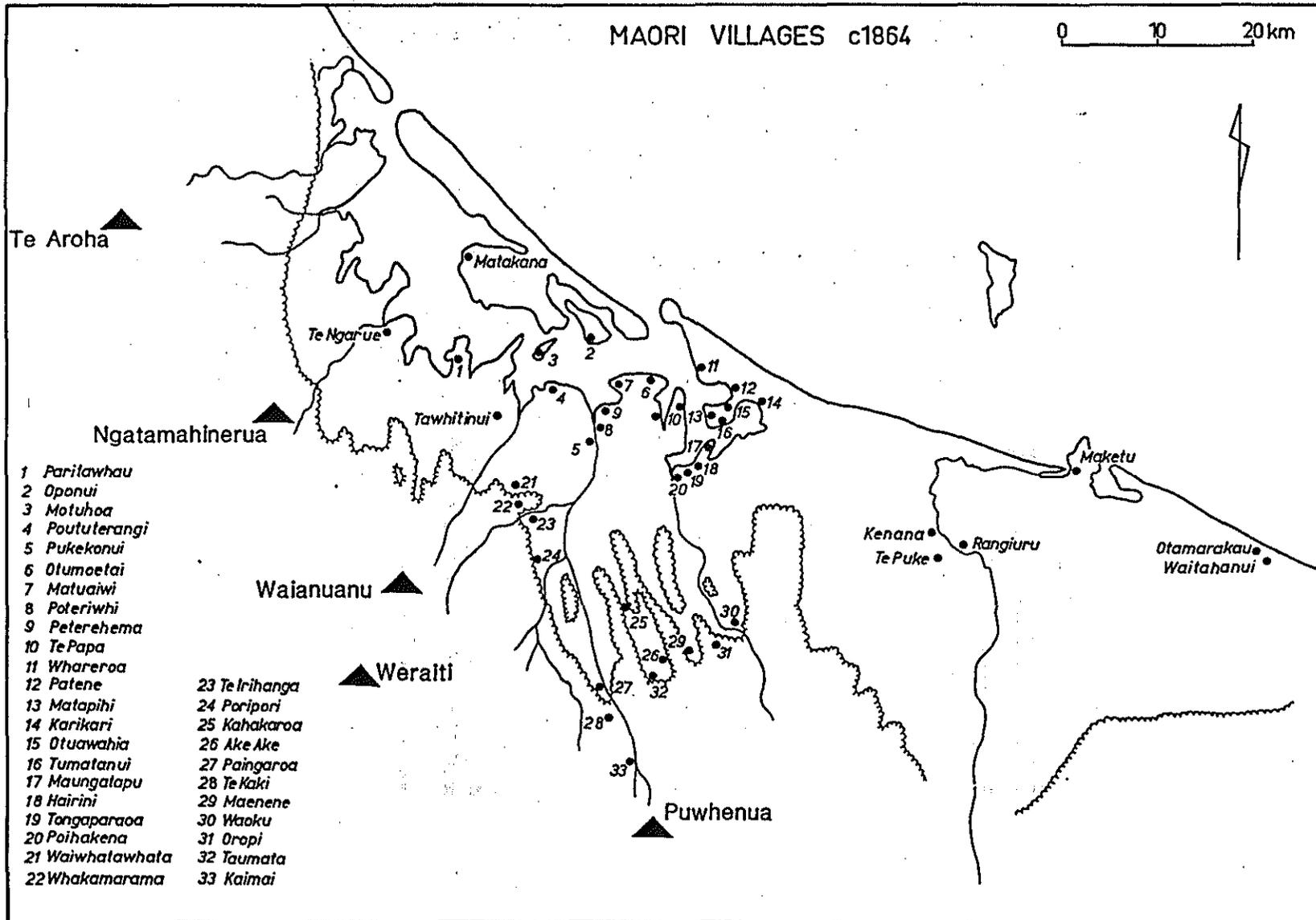


Figure 4

Smith had issued circulars to Tauranga people stating that the troops were merely checking the movements of Waikato sympathisers and no hostilities were intended. The colonial Government had instructed Carey to take over the mission station, not to interfere with villages to the east of Te Papa but to seize property in the western settlements, homes of the majority of King supporters. Smith persuaded Carey not to proceed with indiscriminate seizure which would provoke fighting and was severely reprimanded for this interference. Governor Grey praised Smith and instructed Carey to accept his advice. The local people were not impressed with any assurances given by civil authorities, especially as military reinforcements began arriving at Te Papa.

Meanwhile, a force of 200 men had been sent in March 1864 to Maketu where a redoubt was constructed on the site of the Pukemaire Pa. In September 1863 a war party of about 50 men of Ngati Porou from the East Coast passed Maketu en route to Tauranga and Waikato. There were rumours of more expeditions of East Coast tribes, collectively called Tai Rawhiti, intending to cross Te Arawa territory to go to the aid of Waikato. During January 1864 an estimated 700-800 warriors of the East Coast tribes of Ngati Porou, Whanau a te Ehutu, Ngai Tawarere, Te Whanau a Apanui, Whakatohea, Ngati Awa, Ngati Pukeko and others, assembled at Matata. Te Arawa emphatically refused their request for permission to cross their territory. It was this hostile situation which made Civil Commissioner Smith request troops to support Te Arawa, particularly as about 100 Ngati Pukiaho had decided to support the East Coast war party. Another Te Arawa hapu, Ngati Rangiwewehi, had already made known their support for the King Movement, and Government authorities feared more defections of "loyal" Te Arawa. Inland, Te Arawa tribes fortified the pa at Rotoiti called Komuhumu. The Tai Rawhiti fighting men moved into the area during the first week of March and battle commenced on 7 March. For the next three days fighting continued until a truce was declared. Tai Rawhiti retired to

the coast at Otamarakau on the understanding that battle would continue at Maketu. They were joined by men of Tuhoe, Ngati Tama, Ngati Makino (a hapu of Te Arawa who were tangata whenua of Otamarakau) and more Ngati Porou. On 24 March they arrived at the Waihi Estuary, east of Maketu. Three British troops crossing the Waihi lagoon in a canoe were fired on. Over 100 more troops were called out and the two sides exchanged rifle fire across the mouth of the lagoon for the next two days. On 26 March two warships arrived to assist, and Te Arawa reinforcements arrived from inland. Tai Rawhiti were driven back across the lagoon into the coastal sandhills and retreated to Otamarakau. The running battle continued on 28 March along the coast of Te Kaokaoroa between Otamarakau and Matata. The final stand was near the Puakowhai Stream just west of Matata. Tai Rawhiti were overcome and pursued to Te Awa o te Atua, where, in hand-to-hand combat, they were finally pushed back east of Tarawera River.

There had been no active hostility among Ngaiterangi and Ngati Ranginui at Tauranga but they were becoming very suspicious of government motives. Several fortifications were built up in readiness for the expected attack. Tiring of inaction with so many troops stationed at Te Papa, at the end of March 1864, Ngaiterangi, Ngati Ranginui and their allies issued a challenge and drew up a list of rules for the fight (AJHR 1864, E3):

To the Colonel, -

Friend, salutations to you. The end of that, friend, do you give heed to our laws for (regulating) the fight.

Rule 1. If wounded or (captured) whole, and the butt of the musket or hilt of the sword be turned to me (he) will be saved.

Rule 2. If any Pakeha, being a soldier by name, shall be travelling unarmed and meet me, he will be captured, and handed over to the directors of the law.

Rule 3. The soldier who flees, being carried away by his fears, and goes to the house of the priest with his gun (even though carrying arms) will be saved; I will not go there.

Rule 4. The unarmed Pakehas, women, and children will be spared.

The end. These are binding laws for Tauranga.

The suggested site of battle was at Waoku. Local Maori had built over 12 kilometres of road so that the Imperial troops could reach it more easily. This challenge brought no response and a further proposal was made to hold the fight closer to Te Papa.

It is important to note at this point that the term "Ngaiterangi" was used by Cowan (1983), Mair (1937) and nineteenth century observers and writers of official reports to refer to to all Maori people of the Tauranga district collectively. Modern usage of this name refers to those people of principally Mataatua descent, descendants of Rangihouhiri, who settled in Tauranga Moana. Ngati Ranginui is a collective title for several hapu of principally Takitimu descent. However, there is a long history of intermarriage between the two waka in Tauranga Moana. Unless otherwise indicated, the use of the term "Ngaiterangi" is to be interpreted in the nineteenth century context as all the hapu of Tauranga Moana, including Ngati Ranginui.

At the beginning of April 1864 local people began fortifying the Pukehinahina ridge, subsequently to be known as Gate Pa. On 21 April Cameron moved his headquarters to Tauranga and more troops were landed on 26 April to swell the numbers of military at Tauranga. A naval blockade was imposed on the Port of Tauranga. The stage was set for military action at Gate Pa. On 27 April Cameron moved some of his forces "toward the rebel entrenchment" which he described in his subsequent report of the battle.



Plate 2.

Contemporary sketch of Henare Taratoa by Lieutenant Robley. Source: Mair 1937.

HENARE TARATOA, who drafted the famous order for the protection of unarmed, or wounded men, and the respectful treatment of the dead

The war flag had: cross
 crescent moon
 & star

the Gate PAH placed outside the back

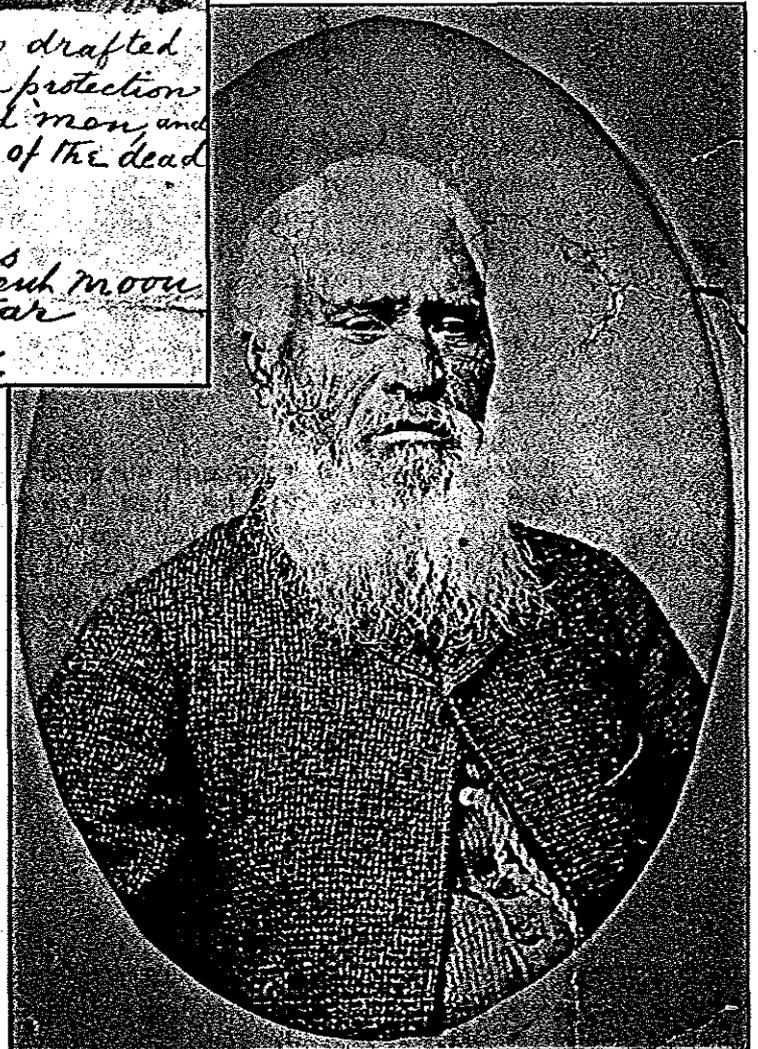


Plate 3.
 Hori Tupaea
 Photo: Rolleston Family

It was constructed on a neck of land about 500 yards wide, the slopes of which fell off with a swamp on either side. On the highest point of this neck they had constructed an oblong redoubt, well pallisaded and surrounded by a post and rail fence - a formidable obstacle to an assaulting column, and difficult to destroy with artillery. The intervals between the side faces of the redoubt and the swamps were defended by an entrenched line of rifle-pits (AJHR 1864, E3).

The following day the rest of the British forces, comprising both Army and Naval personnel, "10 field officers, 20 captains, 35 subalterns, 8 staff, 94 sergeants, 42 drummers, 1480 rank and file", a total of 1689, were moved into position in front of the pa. The artillery employed included "110-pounder Armstrong, 2 40-pounder Armstrongs, 2 6-pounder Armstrongs, 2 24-pounder howitzers, 2 1-inch mortars, 96 cohort mortars". Cameron continued his report as follows:

Having received information that, by moving along the beach of one of the branches of Tauranga Harbour at low water, it was possible for a body of troops to pass outside the swamp on the enemy's right, and gain the rear of his position, I ordered Colonel Greer to make the attempt with the 68th Regiment after dark on the evening of the 28th, and to divert the attention of the enemy from that side, I ordered a feigned attack to be made on his front.

Colonel Greer's movement succeeded perfectly, and on the morning of the 29th he had taken up a position in the rear of the enemy, which cut off his supply of water, and made his retreat in daylight impossible, but was necessarily too extended to prevent his escape by night
...

During the same night the guns and mortars were placed in position, and opened fire soon after daybreak on the morning of the 29th. I gave directions that their fire should be directed principally against the left angle of the centre work, which, from the nature of the ground, I considered the most favourable part to attack (AJHR 1864, E3).

About midday a six-pounder Armstrong gun was taken to high ground across the swamp "from which its fire completely enfiladed the left of the enemy's position, which he was thus compelled to abandon". The gun fire "continued

with short intermissions until 4 p.m. when a large portion of the fence and pallisading having been destroyed, and a practicable breach made in the parapet, I ordered the assault". About 300 men comprised the assaulting party, with another 300 following as reserve.

The assaulting column, protected by the nature of the ground, gained the breach with little loss, and effected an entrance into the main body of the work, when a fierce conflict ensued, in which the natives fought with the greatest desperation. Lieut.-Colonel Boston and Commander Hay, who led into line work work fell mortally wounded. Captain Hamilton was shot dead on the top of the parapet while in the act of encouraging his men to advance, and in a few minutes almost every officer of the column was either killed or wounded. Up to this moment the men, so nobly led by their officers, fought gallantly, and appeared to have carried the position, when they suddenly gave way, and fell back from the work to the nearest cover.

This repulse I am at a loss to explain otherwise than by attributing it to the confusion created among the men by the intricate nature of the interior defences, and the sudden fall of so many of their officers.

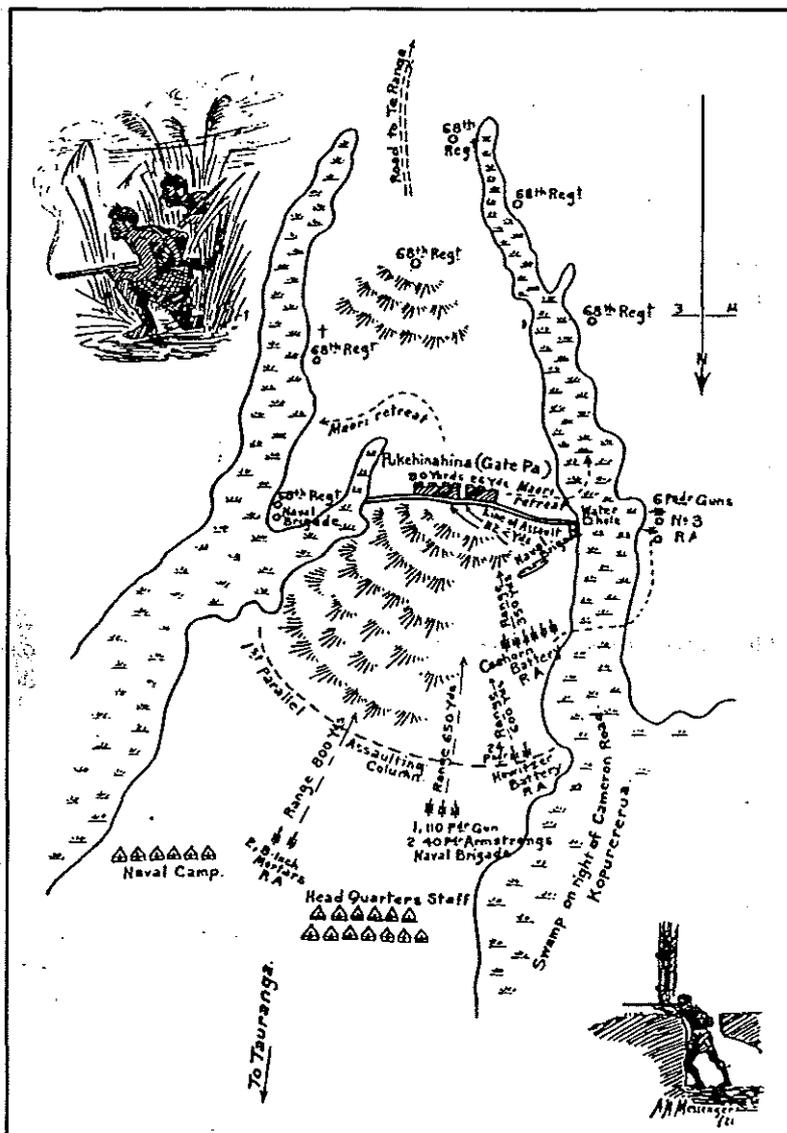
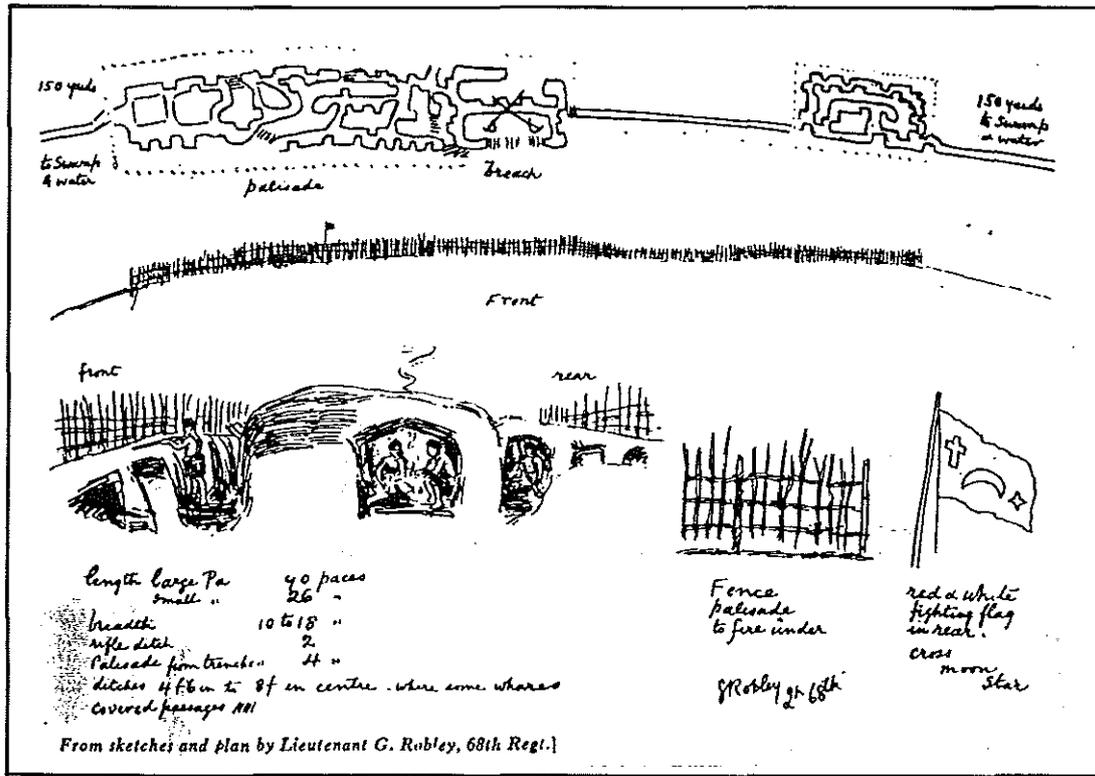
On my arrival at the spot I considered it unadvisable to renew the assault, and directed a line of entrenchment to be thrown up within the hundred yards of the work, so as to be able to maintain our advanced position, intending to resume operations the following morning.

The natives, availing themselves of the extreme darkness of the night, abandoned the work, leaving some of their killed and wounded behind.

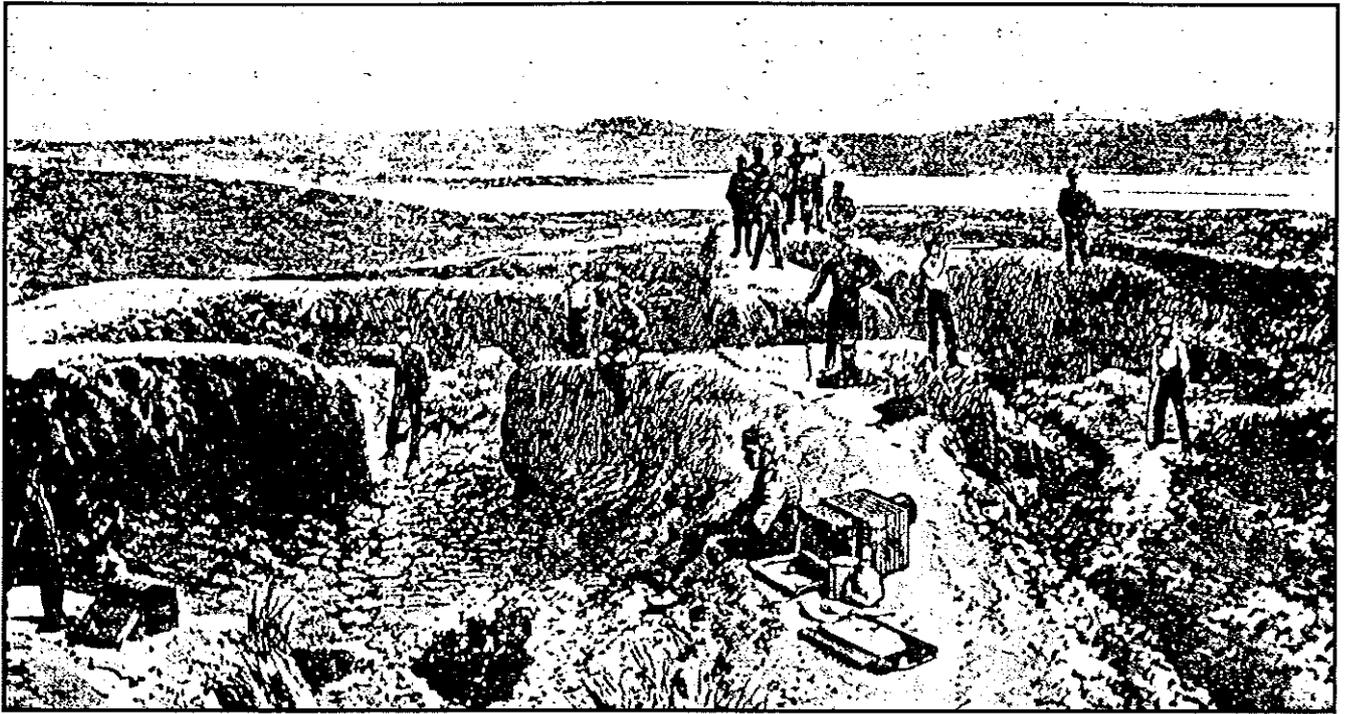
On taking possession of the work in the morning, Lieut.-Colonel Boston and some men were found still living, and, to the credit of the natives, had not been maltreated; nor had any of the bodies of the dead been mutilated (AJHR 1864, E3).

Colonel Greer's report described what happened at the rear of the pa, where his troops had maintained their positions since daybreak.

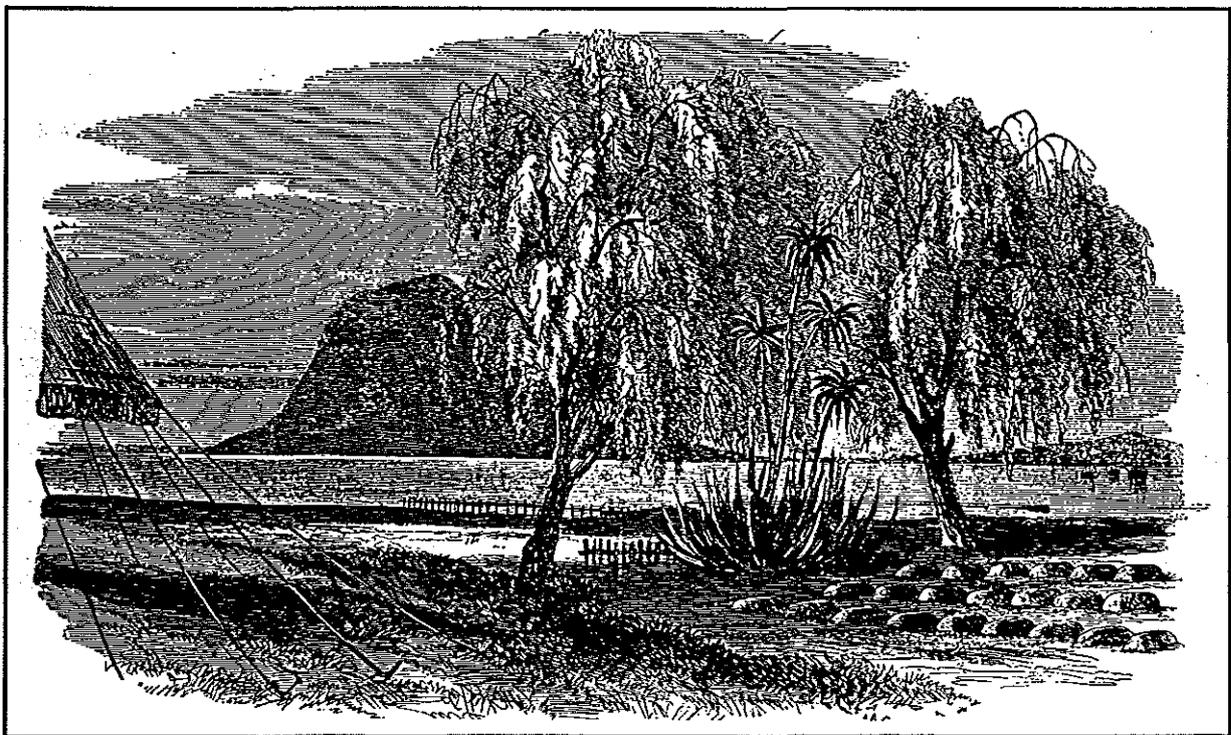
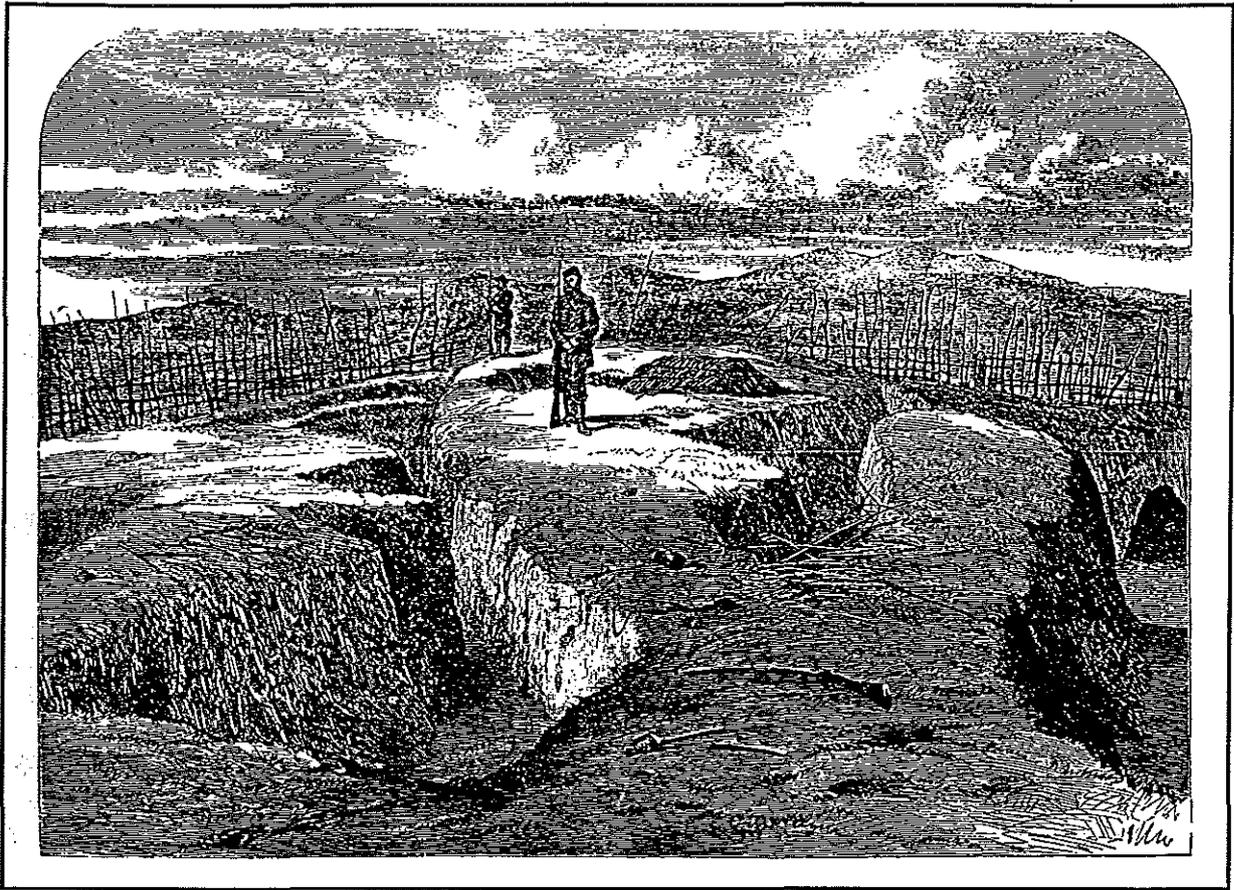
When the bombardment ceased, and the signal of a rocket let me know that the assault was about to be made, I moved up close around the rear of the pa in such a position that the Maoris could not come out without being met by a strong force.



Plates 4,5. Plan of Gate Pa (upper) and the Attack on the Gate Pa (lower) on 29th April, 1864. Source: Cowan 1983, Vol 1, pp 424 and 427.



Plates 6,7. In the Trenches at Gate Pa after the fight
Sources: Gifford and Williams 1940, f. p. 241. (upper)
H.G. Robley watercolour, University of Waikato Library (lower)



Plates 9, 10. The Trenches at Gate Pa (upper) and the Military Cemetery, Tauranga (lower). Engravings in the Illustrated London News based on sketches by H. G. Robley, 1864.

About 5 o'clock p.m., the Maoris made a determined rush from the right rear of their pa. I met them with three companies, and, after a skirmish, drove the main body back into the pa; about twenty got past my right, but they received a flank fire from Lieut. Cox's party (68th, 60 men) and Lieut. Holham's (30 men), Naval Brigade, and sixteen of the Maoris were seen to fall; a number of men pursued the remainder. By the time I had collected the men again and posted them it was very dark. My force available on the right was quite inadequate to cover the ground in such a manner as to prevent the Maoris from escaping during the night; in fact, I consider that on such a wet dark night as that was, nothing but a close chain of sentries strongly supported round the whole rear and flanks, could have kept the Maoris in, and to do that, a much stronger force than I had would have been necessary.

During the night the Maoris made their escape. I think that, taking advantage of the darkness, they crept away in small parties; for during the night every post either saw or heard some of them escaping, and fired volleys at them. The Maoris, careful not to expose themselves, never returned a shot during the night, but there were occasional shots fired from the pa, no doubt to deceive us as to their having left it (AJHR 1864, E3).

The total British casualties at Gate Pa were 10 officers and 25 men killed or died of wounds and 7 officers and 76 men wounded. A Maori account of the battle at Gate Pa by Hori Ngatai, recorded in 1903 by Captain Gilbert Mair, is reproduced in Appendix 11.

The Military returned to their camp at Te Papa. Soon afterwards, General Cameron and his entourage departed for Auckland and command was handed over to Colonel Greer. The Imperial Troops rebuilt the abandoned defences at Gate Pa and established a small redoubt. The Maori fortifications at Poteriwhi Pa near the Wairoa River mouth were destroyed and a small redoubt was built at Judea.

On 21 June 1864, Maori forces were overcome by British troops in a partly-constructed pa at Te Ranga. With "great satisfaction" General Cameron

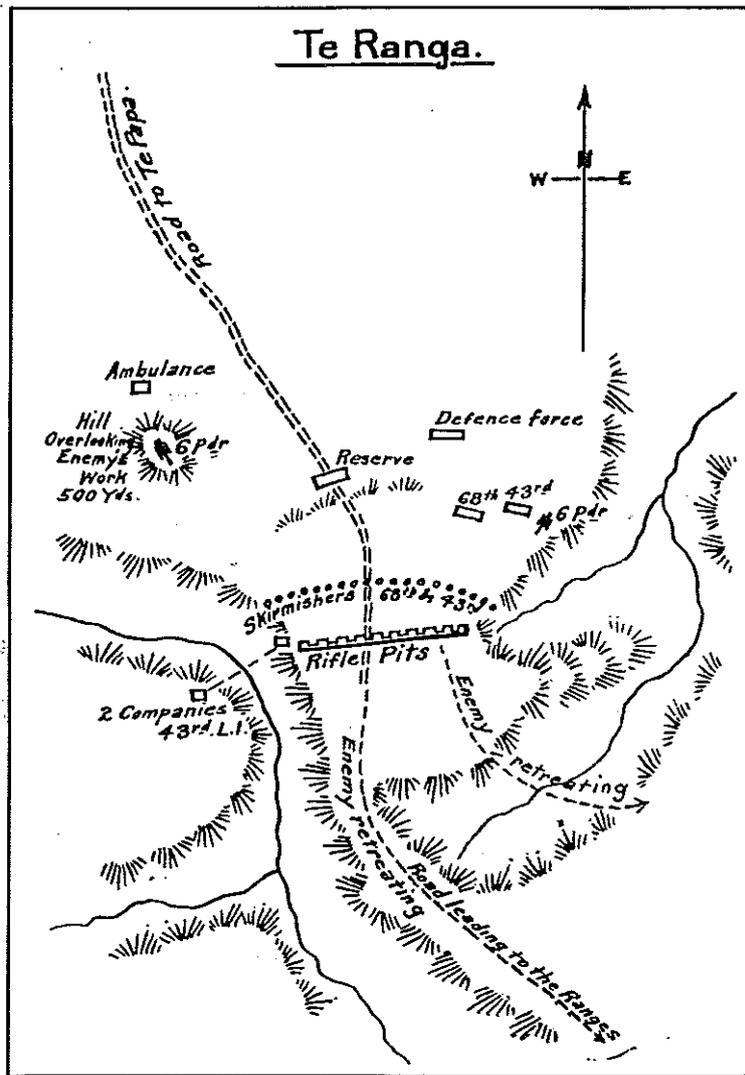
reported to Governor Grey on 23 June 1864 that "the rebels at Tauranga ... were defeated with great loss. Our own loss was small, considering the number engaged, the heavy fire to which they were exposed in advancing to the attack, and the resistance made by the enemy in their rifle-pits" (AJHR 1864, E3). Cameron enclosed the reports of the commanding officer in the Te Ranga engagement. Colonel Greer and the troops, comprising "3 Field officers, 9 Captains, 14 Subalterns, 21 Sergeants, 13 Buglers, 531 Rank and File" had marched out of camp at 8 a.m. on the morning of 21 June.

I found a large force of Maoris (about 600) entrenching themselves about 4 miles beyond Pukehinahina. They had made a single line of rifle-pits of the usual form across the road, in a position exactly similar to Pukehinahina - the commencement of a formidable pa. Having driven in some skirmishers they had thrown out, I extended the 43rd [regiment] and a portion of the 68th in their front and on the flanks as far as practicable, and kept up a sharp fire for about two hours while I sent back for reinforcements [1 gun, 220 men]. As soon as they were sufficiently near to support, I sounded the advance when the 43rd, 68th and 1st Waikato Militia charged and carried the rifle-pits in the most dashing manner, under a tremendous fire but which was for the most part too high. For a few minutes the Maoris fought desperately, when they were utterly routed. 68 were killed in the rifle-pits.

The position was a very favourable one for their retreat; otherwise few could have escaped.

The Defence Force pursued them several miles but could not get well at them, owing to the deep ravines with which the country is everywhere intersected (AJHR 1864, E3).

Greer's estimates of casualties were, on the British side, 9 men killed and 8 officers and 31 men wounded. William Baker, Resident Magistrate, reported that on the Maori side, 105 were killed, 27 wounded and 10 prisoners taken (AJHR 1864, E3).



Plates 11,12. Plan of Attack on the Te Ranga Entrenchments (21st June, 1864)
 Source: Cowan 1983, Vol. 1 p 436.
 Photo: Tauranga County Council

No records have been located which identify who, or how many, fought on the Maori side at Gate Pa and/or Te Ranga. Most reports put the Gate Pa figure at 200-230. Putnam (1872) noted, "At the Gate Pa all the hapus excepting two were present against us viz. Ngapotiki and Ngatihe who were living at Otawa some distance inland." Mair (1937 p.12) stated, "the Gate Pa garrison never exceeded 230 men - General Robley is very emphatic on this point". Hori Ngatai's account of Gate Pa (quoted by Mair 1937, p.23) indicated that the large eastern portion of the pa at Pukehinahina was garrisoned by about 200 Ngaiterangi. The smaller western portion was constructed by Pirirakau, Ngaitamawhariua and Koheriki, and garrisoned by Heta and 30-35 men. Cowan (1983, vol.1, p.423) adds no further detail except to comment that Koheriki were from Maraetai and had fought in the Wairoa Hills (Bombay Hills) in 1863 and had been staying at Tawhitinui, Omokoroa, since the Waikato Campaign. Koheriki were a hapu of Ngati Paoa. A small group were living at Te Umu o Korongaehe, near Poripori, in the Tauranga district, in the late 1860s. Hori Ngatai also recorded that "two noted fighting men of the Whakatohea (Opotiki) tribe, named Tamaki and Poihipi", participated at Gate Pa. British troops were guided to the rear of Pukehinahina by two local people, Tupotahi and Hamiora Tu (Mair 1937, p.25).

General Cameron's report on Gate Pa included no estimate of Maori numbers involved in fighting but did comment on the "large number of killed and wounded" (AJHR 1864, E3). Hori Ngatai reported,

Our loss in the fight was about 25 men killed including the following:- Petarika Te Reweti Manatini (taken next day to Te Papa, where he died), Eru Puhirake, Te Kani, Reka Tamatea, Ihaka, Te Wano, Te Rauhuhu, Tikuhu, Te Rangitau, Te Kani Te Wharepouri, and Parawai. We Heti was both bayoneted and shot but got away, also Hone Taharangi and Te Moananui, the latter with gunshot wounds. Our leader, Rawiri was killed at Te Ranga a few weeks afterwards. That is all. (Mair 1937, p. 28).

Cowan (1983 vol. 1, p.433) listed Maori dead as about 25 men, "including the Ngaiterangi chiefs Te Reweti, Eru Puhirake, Tikitu, Te Kani, Te Rangihau, and Te Wharepouri." Among the wounded were Te Moarianui and Te Ipu.

The situation at Te Ranga was even more complex. Cowan (1983 vol. 1, p.235) recorded that the defenders here included, in addition to "Ngaiterangi", some Ngati Rangiwewehi from Puhirua and Awahou, about 50 men from Ngati Hinekura and Ngati Tamateatutahi, both hapu of Ngati Pikiāo from Rotoiti, and a group of Ngati Porou, mainly the Whanau ia Hinerupe hapu from East Cape. Colonel Greer's first report described "a large force of Maoris (about 600) were found building a pa." In the attack,

68 were killed in the rifle pits ... 107 men were found and carried up to the rifle pits and we have brought in 27 wounded, all severely, and ten prisoners. Many more must have been killed in the ravines which we did not find (AJHR 1864, E3).

In his second report Greer stated that 108 were buried in the rifle pits and 15 of the wounded died subsequently. He sent to Auckland "8 wounded, 11 unwounded prisoners"; 9 were detained in hospital at Te Papa; thus a total of 151 were accounted for (AJHR E3, 1864, p.77). William Baker, Resident Magistrate, reported Maori casualties: "killed 105; wounded 27, prisoners 10; a total of 142 (AJHR E3 1864 p.75). He listed some names:

Rawiri Tuāia [Puhirake], a principal chief and "leader of the rebels at Gate Pa; Poihipi of the Whakatohea Tribe (Bay of Plenty); Henare Taratoa, the writer of the first challenge, and much respected by the rebels for his education and ability; Timoti, a man of note in Tauranga; Kaingarara of the Ngati Matuku, a man of great influence in that locality." Among the wounded were Te Tera of Tauranga, and among the prisoners Ihaia Motuiti of Te Arawa of Rotorua "claiming to be a chief of rank" (AJHR 1864, E3, p. 75).

Of the wounded, 14 subsequently died in hospital at Te Papa Camp and were buried in the C.M.S. Cemetery near the mission house. In 1870 the body of Rawiri Puhirake [Tuaia] was exhumed and re-interred at the C.M.S. Cemetery. On 21 June 1914 a monument was erected there in his memory and that of Henare Taratoa, author of the "rules for fighting" at Gate Pa and Te Ranga.

The Resident Magistrate, William Baker summed up the loss at Gate Pa and Te Ranga (AJHR E3 1864 p.75),

It will be seen that a severe blow has been given to the rebel force at Tauranga, nearly the whole of their leaders being killed. And I do not think that there are any men left of sufficient energy or influence to carry on the war among the Ngaiterangi (Tauranga) Tribe.

During July 1864 a large number of people surrendered their arms and were warned that they might be deprived of some of their land. The surrender took place under the supervision of Colonel Greer. Two civilian authorities, William Baker, Resident Magistrate, and James Mackay Jr., Civil Commissioner for the Hauraki District, questioned whether "Ngaiterangi" chiefs fully understood that surrender also meant forfeiture of their land, and criticised Greer's handling of the surrender. Greer responded that they were interfering, placed Mackay under arrest and restricted Baker's movements. Both men knew the Maori language and had been present at some of the meetings between British officers and Maori chiefs. Baker referred in his journal to a conversation with one of Greer's field officers "who emphatically declared that he did not care on what terms peace was made, so long as it resulted in their removal from the country" (AJHR 1869, A18). Baker commented further:

The military are tired of foreign service, and having no stake or interest in the country, care not for the future troubles and perplexities that may arise out of any error in the system by which terms of peace are negotiated. The war is unpopular with them, and their chief care is how quickest to get out of it. It is in this way that pressure has been brought to bear upon the question, and I feel daily more convinced that it is premature and not thoroughly understood, either by the rebel Maoris, or the parties engaged in the negotiations (AJHR 1869, A18).

The pattern of traditional tribal alliances, obligations, loyalties and kin relationships in the wars of the 1860s was very complex. The official reports of battles at Gate Pa and Te Ranga do not include Maori names. A despatch from Colonel Greer at Camp Te Papa 25 July 1864 (GBPP 1865 vol. 14 p.101) reported that since 21 June, the date of Te Ranga, "133 natives including several Chiefs of high rank have come in and laid down their arms." On 26 July he reported more "Ngaiterangi people coming in" and enclosed a list of names and hapu, prepared by H.E. Rice (Appendix 3). There is no evidence that all these participated in the battles. There were other people who surrendered subsequently, whose names may not all have appeared in official reports. James Mackay Jr., Civil Commissioner, Hauraki, reported on 27 July 1864 that a total of 27 people who were residing in his district had surrendered at Tauranga: "Ngaiterangi, 5; Ngare, 1; Pirirakau, 5; Ngatiwhiwhia [sic], 10; Ngatitokotoko, 6" (AJHR A18, 1869). There were some, particularly among Pirirakau, who retreated to the bush inland in the Kaimai ranges and remained in the category of "unsurrendered rebels".

Early in August Governor Grey, accompanied by the Colonial Secretary and Native Minister Fox and Attorney General Whitaker, visited Tauranga. In the course of meetings on 5 and 6 August Grey accepted "Ngaiterangi"

submission to the authority of Queen Victoria. This meeting was reported by H.T. Clarke, Civil Commissioner, Tauranga, and E.W. Puckey, Government Interpreter. A Maori version was not recorded. During the discussions on the first day, following speeches declaring submission to the Governor's authority, there was some debate on the meaning of "mana" or authority over the land. Enoka Te Whanake summed up:

We have nothing more to say. I have given up the mana of my land to you; it is in your hands. This is another word: Let the prisoners return to me. This is our request. Let Irala and his companions who were taken at the Gate Pa and Te Ranga be returned to us; but it is for you to decide. Enough of that. Here is another word for you and the General to take into consideration: Let the soldiers cease to suspect me; I am without arms, cease to suspect me when my canoes go past. Let all that cease now that I have seen your face. Do not make it necessary for me always to have a pass when going about Tauranga; let that be necessary only when about to proceed to a distance (AJHR 1867, A20).

The meeting agreed to these words. Grey sought further explanation of the meaning of mana:

Te Harawira replied: what we mean by the mana of the land being given up to you is, that you may consider the mana of the land yours. You may occupy it. Permit us to do so or not, as you please ...

I mean that you are to hold the land as your own, and to do what you like with it. When we made our submissions to the Colonel [Greer], we gave up our arms and ourselves. The question of the land was left for you to decide; the decision, therefore, rests with you.

His Excellency there upon made the following reply: I regret that you should have committed yourself to the evil courses that have caused so much misery to so many people. But since you have done this, you have the best amends in your power by the absolute and unconditional submission you have made to the Queen's authority, which submission is hereby accepted by me on the Queen's behalf. I will see you again tomorrow, and will then inform you of the decision which has been come to upon

all those questions we have spoken of this day; in the meantime informing you that in as far as circumstances will admit of, you shall be generously dealt with. You will, for the future, be cared for in all respects as other subjects of the Queen; and the prisoners taken at Pukehinahina (Gate Pa) and Te Ranga shall be allowed to return to you, if you undertake to be responsible for their future good conduct (AJHR 1867, A20).

On the second day of the hui, 6 August 1864, Governor Grey made the following statement to the assembled tribes at Tauranga:

At present I am not acquainted with the boundaries or extent of your land, or with the claims of any individuals or tribes. What I shall therefore do is this: I shall order that settlements be at once assigned to you, as far as possible in such localities as you may select, which shall be secured by Crown Grants to yourselves and your children. I will inform you in what manner the residue of your lands will be dealt with.

But as it is right in some manner to mark our sense of honourable manner in which you conducted hostilities, neither robbing nor murdering, but respecting the wounded, I promise you that in the ultimate settlement of your lands the amount taken shall not exceed one-fourth part of the whole lands.

In order that you may without delay again be placed in a position which will enable you to maintain yourselves, as soon as your localities have been decided, seed potatoes and the means of settling on your lands will be given you.

I now speak to you, the friendly Natives. I thank you warmly for your good conduct in the circumstances of great difficulty. I will consider in what manner you shall be rewarded for your fidelity. In the meantime, in any arrangement which may be made about the lands of your tribe, your rights will be scrupulously respected (AJHR 1867, A20).

In a report written in 1867 James Mackay Jr. described this meeting 5-6 August 1864.

At this time the Ngaiterangi publicly gave up all their lands to be dealt with as the Governor pleased. His Excellency then said he would "retain one fourth of the land, and the remaining three fourths should be returned to the Natives after due enquiry had been made". The boundaries of the land to be retained were not arranged at that time, which is one of the principal causes of the troubles which have since arisen (National Archives Le1/1867/114).

Soon after this surrender to Governor Grey, it was decided that the quarter of "Ngaiterangi" land to be confiscated should be located in the area between the Waimapu and Wairoa Rivers. In addition it was arranged that the Government should purchase "Ngaiterangi" land north of the Wairoa at the rate of three shillings per acre (30 cents per 0.4 hectares). It is not clear precisely how these decisions were made. In a letter to Fox dated 7 August 1864, H. T. Clarke reported.

In obedience to your instructions, I held a meeting on Friday night with the rebel Natives who have come in and submitted, for the purpose of endeavouring to ascertain their wishes on the subject of the land which the Governor should retain as a satisfaction for their having joined in the rebellion, and carried arms against Her Majesty's troops. After a discussion of several hours, which was continued on the following morning they unanimously declined to adopt any other course than to leave the entire settlement of their lands to his Excellency the Governor, as they had declared at the public interview with him on the previous day, and to receive back from him so much as His Excellency might think proper to restore (AJHR 1867, A 20).

Mackay's 1867 report on these meetings indicates that the decision to purchase the Katikati and Te Puna Blocks was made while Fox and Whitaker were still there.

The ex-rebel Natives being disarmed, fears were entertained by the Ngaiterangi tribe that their ancient enemies, Taraia and the Thames people, would take advantage of their defenceless position and attack them,

the Ongare tragedy of 1840 [sic, actually May 1842] presenting itself to their minds. They therefore offered to sell to the Government all the land between the river Puna and Ngakuriawhare [sic], considering that the occupation of that part of the district by Europeans would place an insurmountable barrier between them and the Thames people. Messrs Fox and Whitaker agreed to purchase the land for the Government. His Excellency and the Ministers returned to Auckland. Shortly afterwards several of the leading Ngaiterangi chiefs proceeded there and on the 26 August they received the sum of one thousand pounds deposit on the block of land between Te Puna and Ngakuriawhare, and extending back to the summit of the Aroha range. The understanding was that the land should be surveyed, and then when the area was ascertained either two or three shillings per acre should be paid for the whole of it. The actual rate per acre was never definitely settled (National Archives Lel/1867/114).

On 16 August 1864 Governor Grey had issued a proclamation setting a deadline of 21 days from this date for any others to "come in and give up their arms" on the same terms as those offered on 6 August, i.e. the return of three fourths of their lands (AJHR 1867, A 20). There was still no indication of boundaries of the lands to be confiscated and this issue was not addressed until early 1866.

Government people seemed to assume that by purchasing land from all of "Ngaiterangi", any inequalities as a result of confiscation of land belonging to "friendly" Maori would be compensated. Local spokesmen, on several occasions, pointed out that whatever block of land the Government chose to confiscate, it would likely include land belonging to "friendly" members of the tribe. Local people, however, were not really in a position to negotiate the terms of purchase and had little choice but to accept the Government's offer.

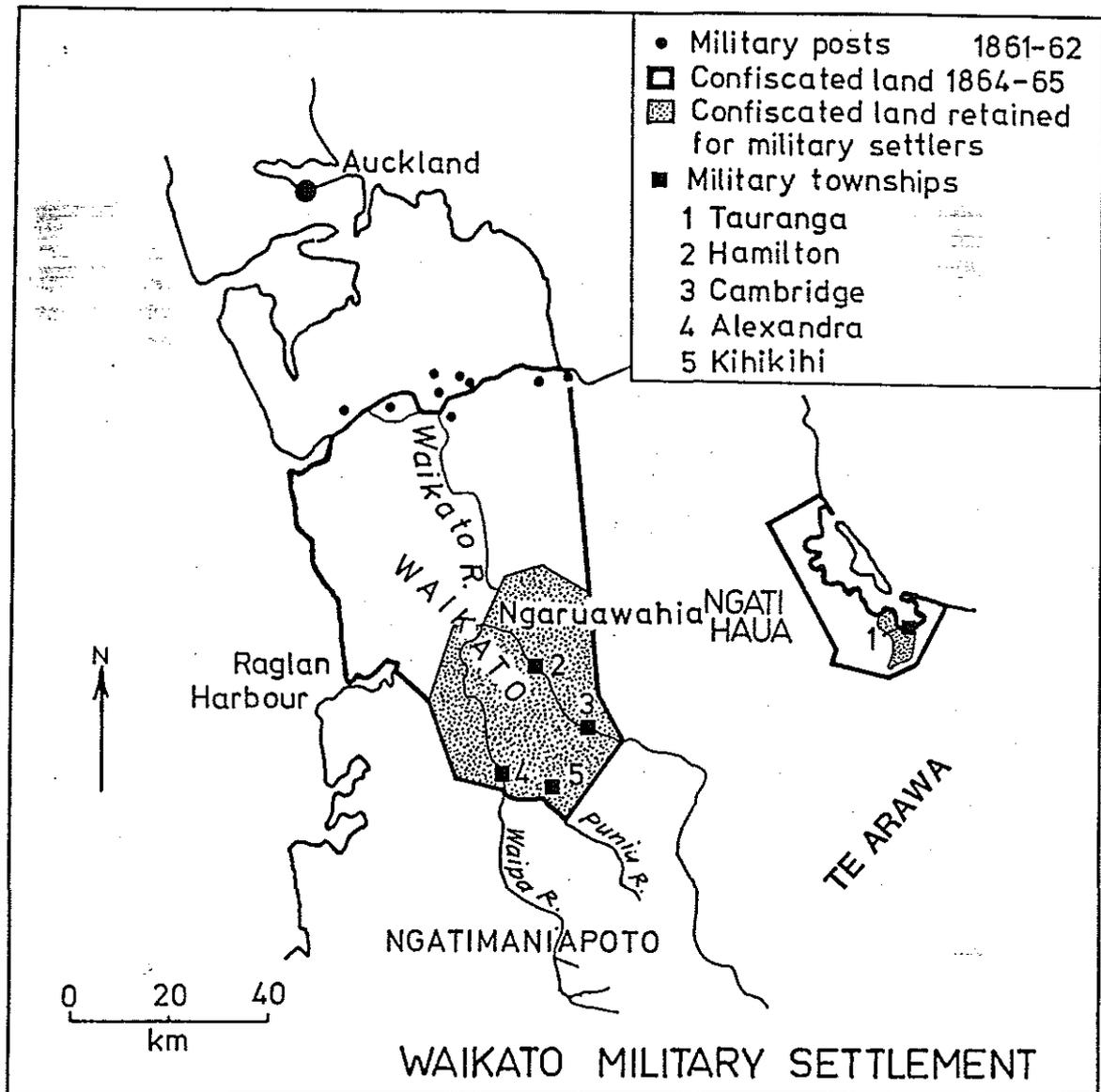
It was also clear in these negotiations that European officials, both military and government, did not distinguish the two tribes, Ngaiterangi and Ngati Ranginui. All the official reports of the time refer to "Ngaiterangi" as a description of all the tribes of Tauranga Moana. On 26 August 1864 a deposit of £1,000 was paid in Auckland to several "Ngaiterangi" chiefs for the land which became known as the Katikati and Te Puna Purchases.

The "List of Natives and Hapus who received the £1,000 from Mr Henry Clarke" was published as follows (AJHR 1867, A 20):

Enoka	Ngatipou	272
Hohepa	Ngaitukairangi	91
Parera	Ngaitamawhawa	91
	[sic = Ngaitamawhariua]	
Turere	Patutahora	91
Turere	Te Patu	91
Tomika	Ngaituwhiwhia	91
Raniera	Te Materawaha	91
	[sic = Materawaho]	
Hamiora Tu	Te Materawaha	91
	[sic = Materawaho]	
Tamati Mawao	Te Materawaha	91
	[sic = Materawaho]	
		<hr/>
		£ 1,000

It was also arranged that inalienable reserves be established at Ohuki, Matapihi, Rangiwaia, Matakana and Motuhua, as well as some compensation reserves within the confiscated and purchased areas (AJHR 1867, A20).

Figure 5



3. Military Settlement

The arrival of troops and the subsequent battles marked the opening of the Tauranga district to organised European settlement. Archdeacon Brown also saw that the disruption of war had undermined much of the work and influence of the mission. And the arrival of more Europeans posed greater threats to the Maori population. On 31 August 1864 Brown wrote:

On the 6th inst., the Governor and General, concluded a peace with these natives which I think will prove lasting, and exercise beneficial influence upon other tribes, although I fear that a long period will elapse before peace will be established throughout the Island. And even as regards Tauranga, our hands hang down and our knees wax feeble, our flocks are scattered, discipline is destroyed, the love of many waxes cold, and the example of the settlers and military who are located around us is proving a fearful stumbling block to the natives (quoted by Gifford and Williams, 1940, p. 252).

The establishment of permanent European settlement was not achieved easily. It was to be nearly three years after the surrender in 1864 before any military settlers could move out of the camp at Te Papa and take up their land.

Domett's scheme for military settlement set out in several memoranda (AJHR 1863, A8 and A8A) involved the establishment of a frontier zone of European settlement 193 kilometres long, stretching from Raglan in the west of the North Island, to Tauranga in the east, and extending south up the Waipa valley to within 48 kilometres of Taupo. He proposed to place 10,000 men on this frontier in 100 settlements of about 100 men in each. Domett appreciated that this military frontier could not be held by settlers already in the Auckland area whose militia duties were already affecting agriculture and trading interests. He suggested a source of military settlers:

The gold fields of Australia and Otago have attracted to these colonies a large number of men in every way fitted to supply the population required - men hardy, self reliant, accustomed to a bush life, expert in the use of firearms, and as a body, fully impressed with the maintenance of law and order. Many of these men, tired of a digger's life, are looking to establish for themselves a permanent home, and only require the inducement of the offer of a suitable locality and liberal terms to select the Northern Island of New Zealand (AJHR 1863, A8).

Government agents were duly despatched to Otago and the Australian gold fields. By October 1863, some 2,000 men had been recruited and Domett was making plans to introduce immigrants directly from England. Domett was also optimistic that sale of confiscated lands not allocated to military settlers would not only pay for the scheme of military settlement but cover the whole cost of the wars.

There was some disagreement between Grey and the Colonial Government over how much land was to be confiscated. The Government wanted to confiscate more than Grey could accept. Grey never doubted "the propriety and necessity of confiscating large portions of the territory of rebel tribes" but considered that the area confiscated should correspond "with the degree of guilt of the several Tribes, or sections of Tribes." Tribes who took up arms against the Queen should be punished, wrote Grey, but he was also concerned that this punishment should not be inflicted on succeeding generations (AJHR 1863, A8). Land was confiscated under the New Zealand Settlements Act, passed in December 1863, which authorised the Governor-in-Council to declare districts under the Act, to set apart sites for colonisation, and take any land within the districts for settlement (Appendix 12). Grey succeeded in reducing the amounts of land confiscated but little notice was taken of his plea for apportionment of confiscation according to "degree of guilt". Ngati Haua lost only a portion of land;

Waikato lost almost all their lands; Ngati Maniapoto lands in the King Country were preserved intact. But all were equally involved in the conflict. Of 86,590 hectares confiscated at Tauranga, 20,235 hectares of good land were retained by the Government and much of the rest immediately purchased. The Katikati Te Puna Purchase, in the circumstances, must be seen as having the nature of a compulsory purchase. There were certainly many unwilling sellers and subsequent disputes over the "rights" of "Ngaiterangi chiefs" to sell.

Four regiments of Waikato Militia were enlisted during 1863 under the scheme for military settlement. Sites for the settlements were selected at Hamilton, Cambridge, Alexandra (Pirongia), Kihikihi and Tauranga (Figure 5). On 19 May 1864 Grey wrote to Cameron:

I should be glad if you could make it a part of your arrangements to allow Government Military Settlers to be sent to Tauranga to hold one of the posts there, with a view to their ultimate location at that place. I will state for your consideration that the intention is that military settlers should be employed at any post in the same manner as other troops are, that they should always be available for military service, but that the Officer in Command should be authorised to employ them when not required for military duties, in preparing land for occupation, in order to facilitate their future settlement (AJHR 1864, E2C).

On 24 May 1864, 300 men of the first Waikato Regiment arrived by ship at Tauranga, followed by another 280 men in June. In June too, 400 men of the Second Waikato Regiment moved into Alexandra and Kihikihi. In July the Third Waikato Regiment occupied Cambridge with detachments sent to redoubts at Ohaupo and Pukerimu. In August 1864, the Fourth Waikato Regiment reached Hamilton. On 3 September 1864 the New Zealander reported that the whole of the First Waikato Regiment were now at Tauranga and a large staff of surveyors were laying out land for their occupation.

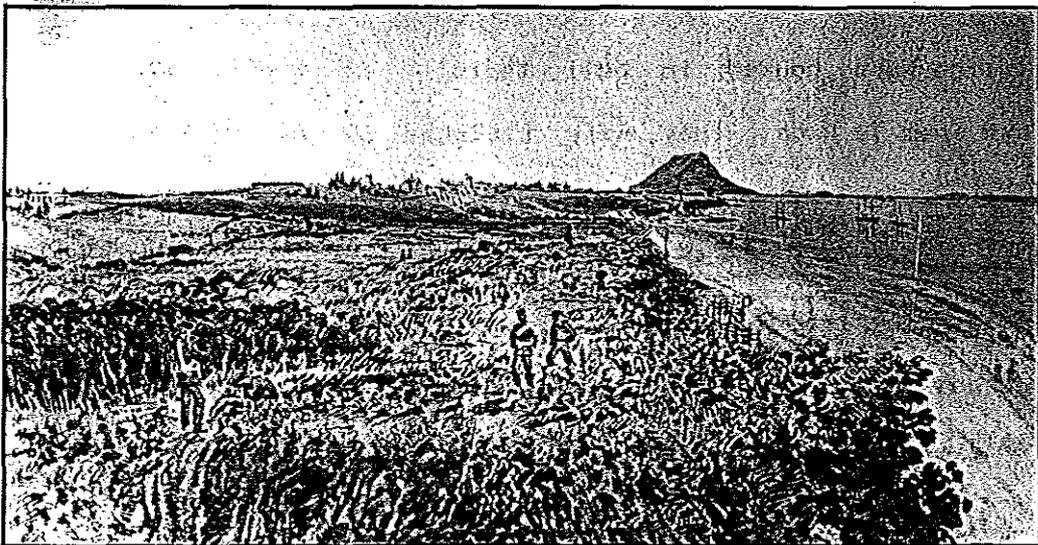
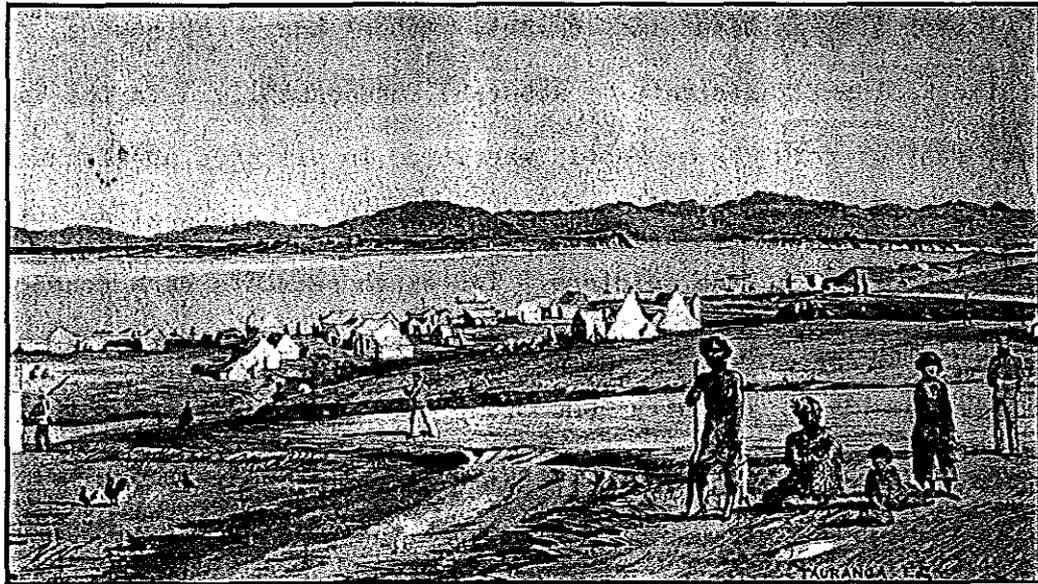
In recruiting military settlers, the government authorities preferred "respectable men" with wives and families whom they considered would be more likely than unmarried men to become permanent settlers. Military settlers had to be no more than 40 years old and had to provide certificates of good health and character. Each applicant from outside the North Island received a free passage and on arrival in Auckland was enrolled in the Waikato Militia. He was entitled to pay, rations and allowances according to rank until he received his land and was relieved from "actual service". Settlements were to be selected, surveyed and marked out by the Government. Each settlement, of not less than 100 town allotments and 100 farm sections, comprised a stockade erected by the Government, and around it a town laid out in one acre (0.4 hectare) sections. Farms were to be laid out around, or as near as possible to the town. The size of the farm depended on rank: a field officer received 400 acres (161.8 hectares); a captain 300 acres (121.4 hectares); a surgeon 250 acres (101 hectares); a subaltern 200 acres (80.9 hectares); a sergeant 80 acres (32.4 hectares); a corporal 60 acres (24.3 hectares); and a private 50 acres (20.2 hectares). Every settler who received a certificate of good conduct after service was entitled to one town allotment and one farm section. Priority of choice within each rank was determined by lot (AJHR 1863, A8).

After taking possession of his land, each settler was struck off pay but received free rations for 12 months, was allowed to retain his arms and accoutrements, and would be supplied with ammunition according to militia regulations. No settler could leave his settlement without the Governor's permission for more than one month in a year for the first three years after enrolment. During this period the settler was liable for training

and exercise as a militiaman and for actual service. After three years, each settler was subject only to the same militia service as any other colonist. A settler could dispose of his land to another person approved by the Government, who was then subject to the same liabilities and privileges as the original military settler. If a settler died before he became entitled to his Crown Grant, the land could be inherited, or payment according to its valuation made by the Government. Failure to comply with these regulations for military settlement resulted in forfeiture of the land grant.

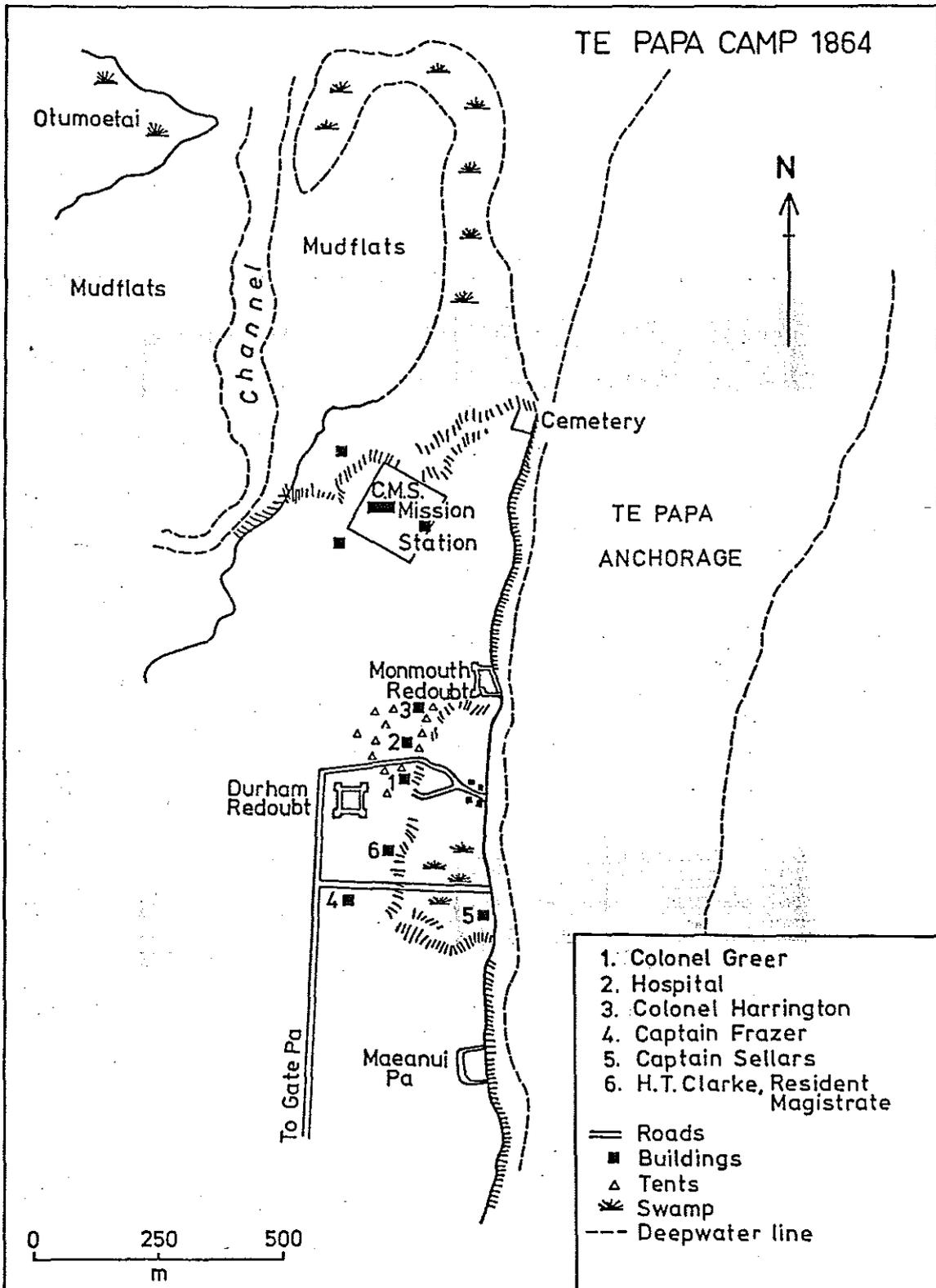
When the military occupied Te Papa, permanent European settlement consisted of the mission station with its chapel, school and three houses, and the home of the Resident Magistrate. About 30 Europeans lived in the Tauranga district, many of them Pakeha Maori who lived in villages about the shores of Tauranga Harbour. Some of them left when the troops arrived. Te Papa was soon transformed by the soldiers. Two earth redoubts were constructed, and named Monmouth and Durham, after the 43rd Monmouth Light Infantry and the 68th Durham Light Infantry who comprised a large proportion of the British Imperial Troops stationed there. Three of the mission buildings, but not Archdeacon Brown's house, were taken over for a hospital, commissariat and headquarters of the commander, Colonel Greer (Figure 6). The soldiers were housed in bell tents. As the Imperial Troops were withdrawn from Te Papa, they were replaced by men of the First Waikato Regiment.

The military settlers were soon joined by their wives and families and set about establishing a permanent settlement. The settlers were issued temporarily with bell tents but soon constructed homes - two-roomed huts of



Plates 13, 14, 15 Te Papa Camp 1865, Watercolours by (1) H.G. Robley (Rex Nan Kivell Collection, Alexander Turnbull Library), and (2 and 3) H.G. Robley (originals in National Museum, Photos in Alexander Turnbull Library).

Figure 6

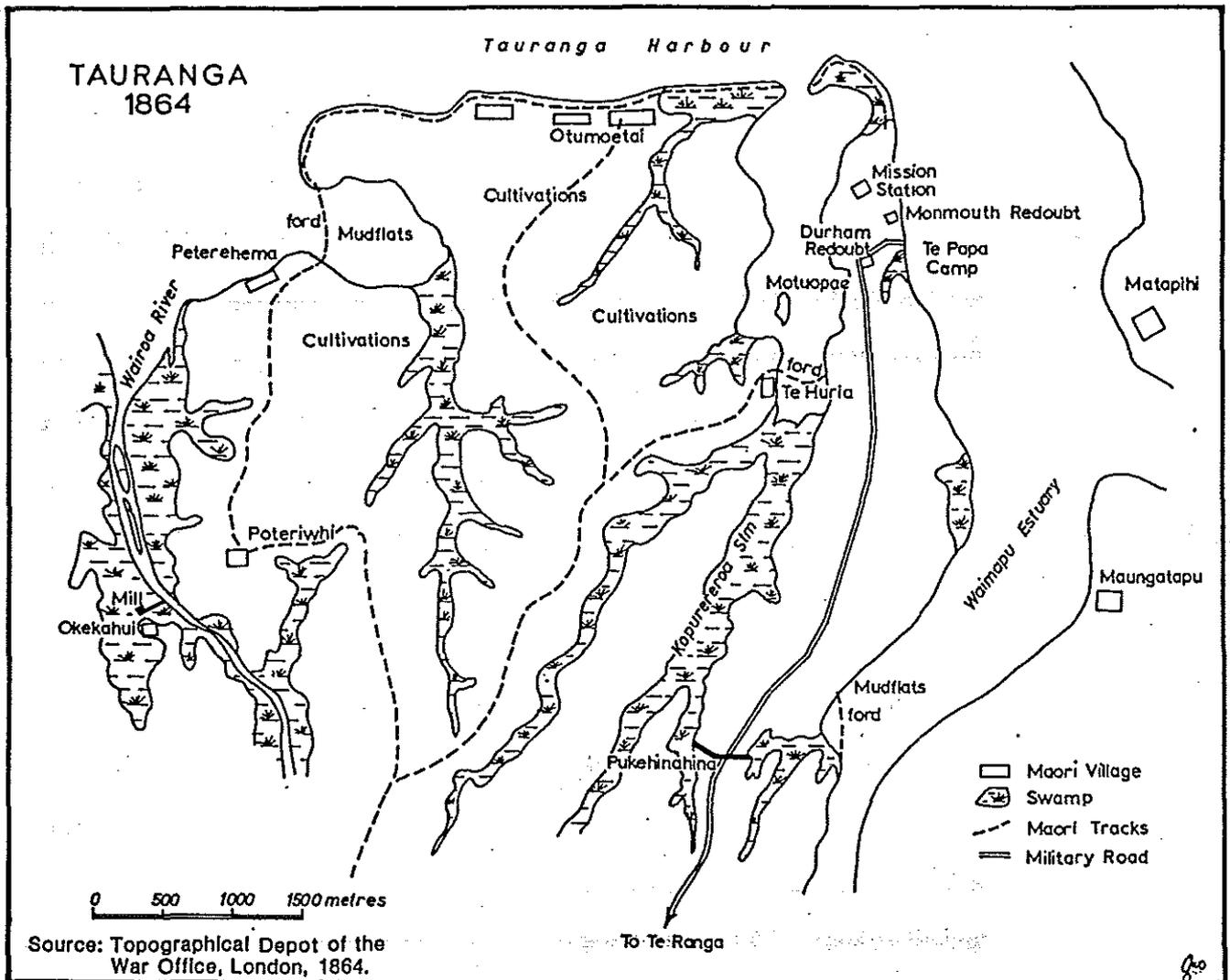


wood, galvanised iron, sod, raupo, canvas over a wooden frame, or any combination of these materials. Sawn timber and firewood had to be brought in by sea from the Coromandel Peninsula for the nearest forests were in "enemy" territory. The Army supplied basic rations for the men and their families. All supplies, including livestock, had to be imported from Auckland. Local Maori sold fruit, poultry, potatoes, eels, fish, pigs and honey. Tauranga became a busy port with up to 10 ships in the harbour at one time. In December 1864 a Pilot and Harbour-master was appointed for the Port of Tauranga. Tenders had already been called for the construction of a Post Office and Customs House. There was still no wharf. Ships anchored in the channel and discharged their goods onto the mudflats below Monmouth Redoubt at low tide, to be hauled up the beach by bullock teams or carried by hand.

By February 1865 most of the military settlers had houses to live in. Some were wood with galvanised iron roofs; others had sod walls and were thatched with raupo. The military settlement consisted of a conglomeration of these buildings set amongst the fern and dominated by the earth works of the Durham and Monmouth Redoubts. There were very few houses that did not belong to the military settlers. A Roman Catholic chapel was constructed and the congregation drawn from the many Irish settlers. Archdeacon Brown ministered to the needs of Anglicans and other Protestants.

A smaller military post was also established at Gate Pa. This consisted of six houses. One of these, built of wood and galvanised iron, was a store kept by an old sailor; another wooden building served as a officer's mess. Of the other sod and raupo thatch structures, two were residences, one was used by the storekeeper for selling beer, and the other was the home of a

Figure 7



horse soldier who acted as messenger between Gate Pa and Tauranga. The soldiers lived in bell tents inside a small redoubt, which had been constructed on the site of the Maori fortifications at Pukehinahina.

One difficulty in the way of establishing permanent European settlement at Tauranga was the ownership of the Te Papa Block. In 1838 and 1839 Archdeacon Brown had purchased, on behalf of the Church Missionary Society, Te Papa No. 1 and No. 2 Blocks. Copies of these deeds are included in Appendix 1. These purchases were investigated by the Old Land Claims Commission and a grant of 1333 acres made to the Trustees of the Church Missionary Society, dated 2 July 1852 (Turton and Bell 1882, pp.378-9, 621; AJHR 1863, D14).

In 1860 the C.M.S. was considering leasing Te Papa to Mr Samuel Clarke. Brown protested vigorously and as a result a "Land Committee" was set up in October 1861 to control the Tauranga property of the C.M.S. One member, Rev. Burrows, who had begun the negotiations with Clarke, went ahead with the lease of a large portion of the Te Papa Block to Clarke, ignoring the rest of the committee. In 1864, Burrows let the whole of Te Papa, with the exception of the mission house site, to the Government for £200 per annum. Brown protested that the figure was too low and that there ought to be provision for compensation for damage done by the military. Already some fencing had disappeared and ditches filled in, and some damage done to the school building. Bishop Williams censured Burrows for his actions, but like others on the committee, he realised that permanent European settlement at Te Papa was inevitable and some decision would have to be reached about the future of missionary activity in the district.

Brown protested to Governor Grey in August 1864 about the locating of military settlers without the permission of the C.M.S. and thus dealing a

heavy blow to mission work in the district. The C.M.S. was not prepared to sell the land, but if the land was required by the Government they were prepared to consider an exchange. Williams was also concerned at "the location of certain Popish Priests very near to the Archdeacon's premises". Nothing further was done by the Government during 1865 and rents for 1864 and 1865 were not paid until December 1865. Although a sale was eventually agreed the C.M.S. was persuaded, possibly by questioning the validity of the original transactions, into ceding four-fifths of the Te Papa Block to the Government. This transaction was finalised in September 1867. The distribution of the C.M.S. lots was arranged by ballot, every fifth lot to be drawn by the C.M.S., which resulted in haphazard scattering of C.M.S. reserves over the peninsula. Most of these lots were later sold by the C.M.S. (Gifford and Williams, 1940, pp. 253-261).

The military settlers had been granted temporary camp sites at Te Papa until surveys could be made for their town sections. During 1866 a town plan was laid out for Te Papa which envisaged a central commercial area on the beach by the camp and a town square on the site of Durham Redoubt. The District Surveyor, F.J. Utting, described his ideas for this in a letter to the Auckland Provincial Surveyor in May 1866 (District Surveyor Tauranga Letterbook 1866-68).

I have thought it better to lay out the square indicated in your memo a little further from the beach, as by so doing it occupies higher and more level grounds, leaves the valuable beach frontage for sale and includes the Commissariat and other buildings used for Army purposes.

In another letter in June, Utting commented, "The lower part of the reserved square will form an excellent Market Place and the site of the redoubt when no longer required for its present purpose will be an admirable situation for a Church or Town Hall." In spite of such ideas a Town Square was not included in the final plan for the central area of

Tauranga although a Market Reserve was retained in the block bounded by Cameron Road, Harrington, Durham and Hamilton Streets. A Town Hall was built several decades later on a site on the corner of Wharf and Willow Streets, on Lot 45, one of a large number of sections of Crown land set aside as endowments in aid of the Borough of Tauranga funds (N.Z. Gazette, 1885, p. 1019).

The original scheme for military settlement had recommended a township for every 100 farm sections. In September 1866 the District Surveyor wrote to the Auckland office asking whether it was intended to retain this formula, for it was impractical for Tauranga and "would be destructive of the best interests of the settlement." The conditions laid down implied that "the town shall be a real centre of communication; here the geographical configuration of the land...is such that only two spots on it can develop into real towns, namely one in the vicinity of Te Papa and one on the navigation of the Wairoa River (District Surveyor, Tauranga Letterbook, 1866-68). This latter recommendation was never acted upon. A military village of 125 one-acre (0.4 hectares) lots, the Township of Greerton, was surveyed near Gate Pa. Military settlers were allowed a choice of one acre there, or a quarter acre in Te Papa, where a total of 257 lots had been surveyed in an area that became known as the "Quarter Acres". Very few settlers took up town sections in Greerton. Some built homes in the Quarter Acres and set up business or worked for others in the town. Those who took up their farm sections built their homes there and their town lots remained empty. In September 1867 surveys in the Te Puna-Aongatete area were begun for further military settlers' farms since the Oropi-Omanawa area was still not "safe" for European settlement. By the time the surveys were complete and land allocated, most of the military settlers still awaiting land had drifted away. Neither Te Puna Township nor the farm sections on the Te Puna Block was settled immediately.



Plate 16. Governor Grey
(A.N. Brown Collection, The Elms, Tauranga)



Plate 17. "Ngaiterangi" Surrender of Arms, sketch by H.G. Robley. Source: Mair, 1937



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, SATURDAY, APRIL 29, 1865.

PROCLAMATION.

By His Excellency Sir GEORGE GREY, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS a fanatical sect, commonly called Paimarire, or Hau Hau, has been for some time, and is now, engaged in practices subversive of all order and morality; and whereas the rites and practices of such fanatical sect, consisting, as they partly do, in murder, in the public parade of the cooked heads of their victims, in cannibalism, and in other revolting acts, are repugnant to all humanity; and whereas Her Majesty the Queen has commanded her successive Governors in the Colony of New Zealand not to tolerate, under any pretext whatever of religious or superstitious belief, customs subversive of order and morality and repugnant to humanity:

Now therefore, I, Sir George Grey, the aforesaid Governor, do hereby proclaim and notify that I will, in behalf of Her Majesty, resist and suppress, by the force of arms if necessary, and by every other means in my power, fanatical doctrines, rites and practices of the aforesaid character; and I will cause to be punished all persons, whenever they may be apprehended, who may be convicted of instigating, or participating in, such atrocities and crimes; and, in Her Majesty's name, I call on all well-disposed persons, whether Native or European, to aid and assist me herein to the best of their ability.

Given under my hand at the Government House, at Auckland, and issued under the Seal of the Colony of New Zealand, this twenty-second day of April, in the year of our Lord one thousand eight hundred and sixty-five.

G. GREY.

By His Excellency's Command,
FRED. A. WELD.

GOD SAVE THE QUEEN!

PANUITANGA.

NA TA HORI KEREI,
&c., &c., &c.

NOTEMEA tenei tetahi iwi porangi, e kiia nei he Paimarire, he Hau Hau tona ingoa, te mahi nei i ana mahi kino, whakatupu i te raru, i te mate:

Notemea e tino anuanu rawa atu ana nga ritenga a taua hunga porangi nei, inahoki e uru ana ratou ki te kohuru i te tangata, ki te hari haere ki te whakakitekite i nga mokamokai, ki te kai tangata, me era atu mahi pera, e morikarika nei ki te tangata. a:

Notemea kua puta tonu mai te kupu a Te Kuini ki in Kawana, ki ia Kawana o Niu Tireni, kia kua e tukua kia mahia e te tangata te mahi penei, nga ritenga ranei o whakatupu ana i te mate, (ahakoa kiia he ritenga karakia) e morikarika nei ki te tangata.

Na, ko ahau, ko Ta Hori Kerei, Kawana, e panui ana, e whakatuturu ana—Maku i runga i te mana kua tukua mai ki au e Te Kuini, e pehi katoa aua ritenga anuanu, kohuru, kai tangata nei ki te rau o taku patu, ki te kore e tahuri mai i runga o te pai e horahia atu nei; a ka whakapakia ki nga tangata katoa kua uru ki nga mahi penei, kua whakahau, kua awihina i taua hunga porangi nei, ana kitea te tika, te utu totika mo te ratou hara.

A i runga i te ingoa o Te Kuini e karanga atu ana ahau, ki nga tangata katoa e tuturu nei tona whakaaro ki te pai kia pa mai ia ki te whakakaha, ki te awihina i au me tona kaha katoa—ahakoa ia Pakeha, ahakoa Maori.

Ho mea tuku atu i raro i taku ringa i te whare o Te Kawana ki Akarana, he mea whakaputa atu hoki i raro i te Hiri o Te Koroni o Niu Tireni, i tenei rua tekau ma rua o nga ra o Aperira, i te tau o to tatou Ariki, Kotahi mano e waru rau e ono tekau ma rima.

G. GREY,

Na Te Kawana i ki, Na Te Kawana.
FRED. A. WELD, Na Te Wera.

E TE ATUA, TOHUNGIA TE KUINI!

4. Pai Marire

Pai Marire, more commonly known as "Hauhauism", or "Hauhau Rebellion", is a much misunderstood and misinterpreted Maori movement which blossomed in the war-torn 1860s. It began in September 1862 in Taranaki. The ship "Lord Worsley" had foundered on the southwest coast of Taranaki. There was a good deal of argument among the local people over what to do with the ship, its passengers and cargo. In this tense atmosphere, one of the local people, Horopapera Tuwhakararo, who had been educated by Wesleyan missionaries at Kawhia, received a "visitation" from the Angel Gabriel. For some time the local people thought he was mad and deluded (porewarewa), but during 1863 he acquired a small following. The prophet took the name Te Ua Haumene and in his writings, known as Te Ua Rongopai, the Gospel of Te Ua, (reproduced as an Appendix in Clark, 1975), he described the beginnings of his divine inspiration.

The succession of Te Ua, the first prophet, took place in the month of September. It was on first day, 1862, that God's message of love was taken to his forgotten and deserted people. Little was known of the people's thinking and feeling and so was coined the term 'tuwareware' (forsaken). Those were days of controversy, disbelief which beset the people. I urged that the ship and its cargo be guarded so that the news might be taken and reach the councils of the Kingites. However this was not agreed upon. Who indeed would listen to the words of one whose bones have been silenced? It was on the fifth day of September that the Angel of God appeared to me. He asked me to keep my counsel on the sins of my people. I subjected myself to much anguish for one day and I was like someone in the hands of children who utter untruths while their right hands are dishonest. My friends, today I return to the beginning of time. I have rejected strangers at my table and still my people considered me not, for they believed I was mad. Yet God reminded and asked them to take me into midst of the people that my relations might taunt and chide me. Still my parents did not recall how Peter had the doors of bondage opened to him by the angel of God, thereby severing the ties of bondage. Thrice I was bound in chains and thrice I was freed by the angel.

On learning their decision, they set upon and thrashed me until innocent blood was drawn. My friends, the spirit beseeched the angel that the way of the Lord be revealed to this generation as was revealed to John by the Holy Spirit at Patmos. Indeed it was he who coined the name The Christ and all else that he found. It is the same Rura that brought those to pass that is here with you, his people, today.

May the glory of God Almighty be blessed, it is he who sits you upon a cloud. That your brothers did not stand in awe of God is the work of your ignorant brothers. They did not heed God nor consider others saying within their hearts: 'I shall not be moved or converted and will be forever free of sin.' His mouth is foul with curses, he is irresponsible and forever begging and his tongue is insolent. Such traits lead to avarice and worship of worldly goods. He will stoop and bend so that he who has nothing will fail because of such tactics. My friends, do not be like that. Strangers, look to Abraham your father and to Abel who begat you all. It was I who called him.

Te Ua has been accused of fomenting some of the most bloodthirsty incidents of the wars of the 1860s, and of engendering a fanaticism in his cult unparalleled before or since. As Clark (1975, p. 49) commented: "The vision of the prophet was often blurred in the dusts of war and in the politics of land." The writings of Te Ua Haumene in the Ua Rongopai, dated 13 January 1863, indicate the pacifist intentions of Pai Marire, the good and peaceful creed.

Return and go home in peace for the Lord has spoken to me twice and urged that his people, his forsaken, naked, separated, half-standing flock, return as did Abraham of Israel. It is the evil from without, which lives in the dark from time immemorial. It was time that begat the black and the white. Indeed this is the concern of the Lord of Peace. Taunting and jeering is an evil. Therefore the white must not bait the black nor the black the white.

The first European description of Pai Marire was published in the Taranaki Herald under the title "The New Maori Faith" and was included in Parliamentary papers in 1864.

It has been known for some time that a new faith or superstition has been gaining a hold on the minds of the Maoris, especially between this place and Whanganui; but it is not generally known what the nature of it is, nor how widely it is spreading. It is known among the friendly Maoris as the Pai Marire, this expression being of the most common use among believers; but they themselves call it by the same name as they call the Gospel - that is, Rongo Pai, or "good tidings". It appears that, in September 1862, when the "Lord Worsley" was wrecked, it was debated among the Taranaki natives what should be done with the goods. Among the few who wished them to be sent into town untouched was Horopapera Tuwhakararo a man having the reputation of being of a peaceable nature, but half or wholly crazy. When he found his advice was not taken, but, on the contrary, that the goods were plundered, he was so afflicted that he became very ill, and while in this state the Angel Gabriel appeared and spoke to him. We have not received any authentic account of the first and subsequent interviews, and for a long time Horopapera preached in vain. Apparently the angel must have recommended more a complete change of ritual than anything else; for though Bibles and Prayer-books have been discarded, it does not appear that any new gods have been set up ... The subject is a long one, and is worthy of attention on several accounts, and not the less because it is rapidly spreading, even friendly natives, assessors, and monitors becoming converts. (AJHR 1864, E8).

During 1864 Pakeha settlers and administrators were made acutely aware of Pai Marire. Clark (1975, p. 12) relates how,

On 6 April 1864 Captain Thomas Lloyd and a detachment from the 57th Regiment were on a crop-destroying expedition at Ahuahu, eight miles south-west of New Plymouth, when they were ambushed by Maoris. The bodies of the captain and six others were later found, five of them decapitated. It transpired that the head of Lloyd had been preserved as some form of trophy by followers of a strange new cult. Such a gruesome act, incomprehensible to the settlers, did have some sort of explanation besides blind religious zeal. It may have

been, as was rumoured, in retaliation for similar acts by Europeans, including a military doctor's head-hunting for specimens... The treatment of Lloyd's head can be better understood in terms of customary Maori attitudes to the human head. The decapitation of a dead enemy on the battlefield was a studied insult that symbolised spiritual conquest by the victor.

However, local Europeans were outraged and were in no mood to analyse Maori motives. The Resident Magistrate for Central Whanganui, John White, reported on 29 April 1864 on his reasons for dismissing a Native Assessor who had joined Pai Marire.

To understand the evil tendency of this new religion, I beg to submit some of its tenets, as promulgated by Te Ua, the great high priest, and to submit whether officers holding such monstrous ideas may retain their positions. And, first, I would show how Te Ua obtained his office of high priest.

A few days after the death of Captain Lloyd, whose blood had been drunk, his head cut off and buried, the Angel Gabriel appeared to those who had partaken of the blood, and by the medium of Captain Lloyd's spirit, ordered the head to be exhumed, cured in their own way, and taken throughout the length and breadth of New Zealand: that from henceforth this head should be the medium of man's communication with Jehovah. These injunctions were carefully obeyed, and immediately the head was taken up it appointed Te Ua to be high priest, and Epauaia and Rangitaira to be assistants, and communicated to them in the most solemn manner the tenets of this new religion, namely - The followers shall be called "Pai-Marire." The Angel Gabriel, with his legions, will protect them from their enemies. The Virgin Mary will constantly be present with them. The religion of England, as taught by the Scriptures, is false. The Scriptures must all be burnt. All days are alike sacred, and no notice must be taken of the Christian Sabbath. Men and women must live together promiscuously, so that their children may be as the sand of the sea shore for multitude. The priests have superhuman power, and can obtain for their followers complete victories, by uttering vigorously the word "Hau". The people who adopt this religion will shortly drive the whole European population out of New Zealand; this is only prevented now by the head not having completed its circuit of the whole land. Legions of angels await the bidding of the priests to aid the Maoris in exterminating the Europeans. Immediately the Europeans are destroyed and driven away, men will be sent from heaven to teach the Maoris all the arts of

sciences now known by Europeans. The priests have the power to teach the Maoris the English language in one lesson, provided certain stipulations are carefully observed, namely, the people to assemble at a certain time, in a certain position, near a flag-staff of a certain height, bearing a flag of a certain colour (AJHR 1864, E8).

It is beyond the scope of this paper to provide detailed discussion of the tenets and subsequent history of Pai Marire. The best researched and most sympathetic is by Clark (1975). Other writers on the subject include Lyons (1975), Winiata (1967, pp. 66-71), Winks, (1953), Babbage (1937) and Cowan (1983, Vol. 2).

During 1864 emissaries of Te Ua were sent to various parts of the North Island, including Waikato and Tauranga. The diffusion of Pai Marire into these areas forms part of a more general theme of prophetic movements among Maori tribes, a reaction to the wars, the stresses and social disruption of the struggle to retain possession of land, cultural conflicts, and attempts to adapt to cultural changes brought about by European colonisation. Clark (1975) commented in his Preface:

Concepts like relapse and barbarism seem too encumbered with Victorian value judgements to offer a useful understanding of a mid-nineteenth century movement of such significance and popular recognition. Pai Marire can be better approached as an effort to come to terms with European settlement; not to drive all Pakeha from New Zealand... Rather than a revival of tradition, Te Ua's movement can be better understood as an adjustment (cult) an effort to regulate the processes of cultural change for the benefit of Maoris. A new Maori identity and place in a nation becoming increasingly dominated by Pakehas, based on a new and uniquely Maori religious foundation, was Te Ua's goal. Pacifism and cultural syncretism, not rifles and reversion, were the prophet's means.

In August 1864, Tawhiao and a large party of Waikato and Maniapoto kinsfolk, went south to Taranaki to meet with Te Ua Haumene. Pei Jones (1968, p. 136) described how the King, hitherto known as Matutaera, was given the name Tawhiao, by Te Ua, who annointed him with these words:

I now anoint you O Matutaera, with this new oil and henceforth you will be called Tawhiao (Encircle the World). Your enemies will not succeed against you. The son of the Evil One will scourge you no more. Jehovah will smash all your enemies from your presence. Peace be with you.

Tawhiao's visit to Taranaki was also duly reported with some alarm by European administrators in the area. Resident Magistrate John White sent the following report to Wellington on 7 September 1864 (AJHR, 1864, E8):

I have the honour to report information obtained from a policeman of this department who has returned from a visit to the Waikato people lately arrived in the Patea District. He reports that the following Waikato chiefs are now at Taiporohenui - namely, Matutaera Tawhiao, Rewi Maniapoto, Reihana Haupokia, Pikia Haurua, Mareha Te Toto, Wiremu Te Ake, Tati Te Waru, Raureti Paiaka, Toma Te Ipuinanga, Maniwhera Te Keha, Tikaokao Pawhana, Wetere Waitara, Hikaka Taonui, Te Waitere, and many others whose names he could not obtain. That these Waikato people have fully taken the nonsense of Te Ua as their religion. That Te Ua has, in honour of the King, caused the Chiefs of the Tribes to be knighted, and others to be made Earls and Dukes, to attend on His Majesty, who keeps them in secret from the gaze of the vulgar. That the god "Rura" is represented by a small flag, to which all the people, the King included, bow.

On the arrival of Matutaera at Taiporohenui, the natives, especially the Taranaki Hapu Ngaruahine, expressed their joy, calling him their life, light, power, and asking him to tell them all his sorrows.

Reihana answered for the King, and said, "He had heard of the fame of the god Rura, and had come to see." Matutaera sent for Te Ua, who was questioned by Rewi, asking - Is this God a true God? Can he save? Is his bodily presence ever seen? - Each one was answered in the affirmative by Te Ua.

The Waikato, as a body, are now fully engaged in learning all the mummery of Te Ua.

Tikaokao has said if there is no war here he will return to Waikato.

The crown worn by Matutaera is made of a coarse red grass which grows on sandhills called "Pingao."

The Waikatos are expected shortly at Patea, where they will discuss with all the rebels on the coast war and peace, and decide as to their future action.

The following is a chapter out of the Book of Rura, their God, which contains eleven verses, and was given especially for the King. It is called "A Lament for King Tawhiao."

1. Now Rura called to his children, and said, Assemble together, my people, and I will tell you what will befall you in the days which are left.
2. Assemble here, and hearken also, O children of the King, and hearken also to Rura our father.
3. Tawhiao, you are my first-born, and the richness of my youth, and the commencement of my breath, and the greatness of glory and the greatness of power.
4. O Tawhiao, you are the praise of your elder brothers and the praise of your younger brothers; thy hand will hold firmly the neck of thy enemies, and to you will bow the children of my father.
5. The sceptre of Rura shall not depart, nor the lawgiver from his feet, till Tawhiao come, and to you will all people assemble.
6. Rura will sit at the mouth of the ocean to push away all the ships, and his borders will extend to Canaan.
7. Thy salvation has now come, O Jehovah!
8. Te Ua is a fruitful branch: he is a fruitful branch by the water spring, and his branches extend over the fence.
9. His parents brought him up in evil, and his relatives were evil towards him.
10. But his bow will still be strong, and the sinews of his arms are made powerful by the power of the hands of Rura, whose sceptre is of the stone of Canaan.
11. Arise, O God of thy father Potatau! and he will succour thee: He the greatness. He will bestow on thee the goodness of Heaven above and the praise of the tribes now bowing (to thee).

Te Ua has told Matutaera Tawhiao that New Zealand is Canaan. The Maoris are Jews. The books of Moses are their law.

Another version of this "Lament for King Tawhiao" which bears a close relationship with passages from Genesis, Chapter 49, was obtained by R.C. Mainwaring, Resident Magistrate in Whatawhata. The scriptural relations are discussed by Clark (1975, pp. 132-137). English and Maori versions sent to Wellington in December 1864 were published in AJHR 1865, E4, and are transcribed as follows, including errors in the Maori version.

The Blessing of the King at Taiporohenui

The blessing of King Tawhiao at Taiporohenui, a lamentation of the Poutewea (priests) and of the Tuku (Dukes). Gather together, O my people, listen ye children of the King! I will tell you the things which will happen to you in these times. Tawhiao (another name of Potatau) thou art my eldest son, my might, the excellency of strength, the excellency of glory, and the excellency of power: thou art he whom thy brethren shall praise, thy hand shall be on the neck of thine enemies, thy father's children shall bow down before thee. The sceptre shall not depart from Rura (an Angel) nor a lawgiver from between his feet until Tawhiao come, and unto his shall the gathering of the people be. Rura shall dwell at the heaven of the sea to drive away the ships, and his border shall be unto Canaan. Thy salvation hath come, O Lord.

Te Ua (an Angel) is a fruitful bough, a fruitful bough by the wells whose branches reach over the wall. His father and relations have sorely grieved him, but his bow abode in strength, and the arms of his hands were made strong by the might of Rura, his is the shepherd the stone of Canaan, even by the God of thy father Potatau who shall help thee and bless thee with the blessings of heaven and the blessings of the people about thee. O Lord, bless thy King in the land of Canaan.

Hana te kororia, Hua ti Koroni, Riri Riri Amene.

Ko Te Manaakitanga O Te Kingi Ki Taiporohenui

Ko te manaakitanga o te Ingiki Tawhiao ki Taiporohenui - he tangi ua nga Poutenea ua nga Tuku. Huihui mai e aku Iwi whakaronga hoki e nga tamariki o te Ingiki. Ka korerotia atu e ahau kia koutau nga ra e takoto ake nei. Tawhiao ko koe taku matamua taku Pakaritanga te hiranga ake o te Kaha, te hiranga o te Kororia, to hiranga ake o toku kaha. Ko koe e whakapaingia e o tuakana e o teina ka u to ringaringa ki te kaki au hoa riri. Ci [sic = ka] piko iho ki a koe nga tamariki a to papa. Ekore e riro ke te Heparā a Rura one te kai whakatakoto tikanga o roto o ona waewae ki a tae mai ra ano a Tawhiao, ki a ia te huihuinga o nga Iwi ka noho a Rura ki te wahapa o te mo aera, hei pei atu i nga Kaipuke a tutuki otu tana rohe ki Kenana. Kua tae mai tau Whakaoranga e Ihowa, he peka hua a te Ua, he peka hua ia i te taha o te Puna, e totoro atu ana ona hua ki tua i te taiepa. I whakatupu kino ona matua i a ia me ona Whanaunga, otira i mau tana Kopere i runga i te Kaha Whakapakuritia nga takakau ona ringaringa e te kaha o Rura nona nei te hepara te Kamaka of Kenana; ara te Atua o to papa o Potatau mana koe e awhina mana koe a manaaki, mana e homai ki a koe nga manaakitanga i te rangi me nga manaakitanga a te Iwi, e takoto ake nei. Manaakitia e Ihowa tou Ingiki i te takiwa o Kenana.

Hana te Kororia hana to Kororia hana te Kororia, Rire, rire, Amene.

A letter was sent to Wiremu Tamihana of Ngati Haua, and his people, from Taiporohenui on 6 September 1864. The letter fell into the hands of H.T. Clarke, Civil Commissioner at Tauranga. The following translation was published in AJHR 1864, E8.

To Te Waharoa, and his Tribes at that place.

Friends. Salutations to you and the tribe. O the tribe! Salutations to you, the people who have been made holy by Jehovah for His Holy mountain. Yes! salutations to you, of friends, beneath the shadow of the Almighty. The words of greeting end. The subject stands (commences). Friend, Te Waharoa, a word to you and your tribes on the side to the East throughout your boundaries; to request you to shut all the doors of the sword whether there or beyond you, so that they be stopped up; cease to lift the sword during these days; though he perish yet what will be the result of his persistence. Friend, here is the sword which has been given by Jehovah of Hosts, the sword he gave to Sampson and Gideon, the sword which saved Israel from the hand

of the Philistines and Midianites, that is Gabriel Rura the angel. Friends, he has appeared at this place like a torrent upon his people and upon his man annointed by him. Wherefore I say unto you, fasten up all the doors of the Island Canaan. Enough, then, incline your ears hither my friends to the words of my mouth. I will open my mouth in a proverb, I will speak to you of the secret things of ancient times. Which are the hidden things? The precepts which he now sends to you to close the four doors - that on the East, that on the West, that on the North, and that on the South - in order that your faces may be turned hitherward, that we may all enter and vote (take the same side).

O, tribe, turn hither. Your God has descended to the untouched soil (papatupu) of the Canaan because of his love to his sacred people, because he is bringing you back to your Rock, even Jehovah.

Enough; O Waharoa, do you send (this) to Hakaraia, and his tribes, that they may do likewise; do you also send (this) to all fighting men in your boundaries. It is for you to consider attentively the appearance of these words (purport), for they are not uttered by human man, but given of his own "Paimarire" (good will). Ended.

From Tehanatana, from Ahitana, from the Tribes of all the winds (quarters) of Tamarura (The sons of Rura).

The Government expressed consternation that Tamihana appeared to have joined Pai Marire. The Civil Commissioner at Tauranga, H.T. Clarke, reported on 14 November 1864, "I regret to say that there is every reason to believe that William Thompson has become a convert to this new faith. This will give the whole movement additional weight" (AJHR 1864, E8). Governor Grey maintained that he had information that Tamihana "has not joined the faith of the false prophet, and that he desires the continuance of peace, and has no wish for war" (AJHR 1864, E8). The Colonial Secretary, William Fox, was adamant that Tamihana had become involved, on the basis of information from other chiefs. One example was a letter sent to the Native Secretary by Wi Maihi Te Rangikaheke of Te Arawa on 1 November 1864, and translated as follows:

Greeting. A Letter from Wm. Thompson has been received here, and I have seen the words of that letter.

1. That the works of the priest are right (or true), his name is Hau Anahera, and he is coming to Waikato this summer.
2. The word of the priest (tohunga) is that the fighting is to be at Taranaki, and at no other place in this island.
3. The Maoris are not to fight with the Queen Maoris, but the Queen Maoris who join with the Pakehas are to be rebuked (or the Queen Maoris are not to be molested unless they are allies of the Pakeha).
4. Matutaera has been deposed by this tohunga, and has absolutely ceased to be King. And all the Chiefs of Taranaki and Waikato are soldiers of the priest. (This is, perhaps, that he may be made King himself). At some future time, however, when the strife is over, then, according to this tohunga, a real King for this Island is to be set up; but Matutaera will not be reinstated, so says the tohunga, and Thompson also. Thompson's name is Te pou te ua - "The pillar not to be shaken".

There has been another letter from Wi Katene, Te Mapu, of the Ngatirangiwewehi, trying to draw off the Ngatikereru hapu, my own hapu, from their allegiance to the Queen, saying that the Hau Anahera is a reality, that his feet have trodden this earth, and that according to this tohunga, this island is New Canaan; and another word is that Jehovah God of Hosts has really made the land of this island his dwelling.

Friend, listen to what is going on in Waikato and Taranaki. A false prophet has truly appeared to lead those people on the path of madness. The Arawa laugh at these insane doings. The Arawa is advised to come forth from the shadow of the Queen. We laugh. The threat that the Arawa will be destroyed by this Hau Anahera is laughed at. We look at Matthew xxiv 23, 24, 25: and 2 Corinth. xi., 13, 14. These are the words which we are considering in connection with this prophet calling himself a Hau Anahera (AJHR 1864, E8).

This letter was an enclosure with a report from H.T. Clarke, 14 November 1864, who described the atmosphere in the Tauranga area.

Various rumours are current amongst the Natives - some of the most extravagant kind were in circulation, to the effect that the Angel Gabriel had appeared upon earth, and had interposed on behalf of the Native race. That a wonderful deliverance was to be wrought for them: that

those Natives who did not remain faithful to the Maori King, nor become believers in the "Pai Marire" religion, should be involved in one common ruin with the Pakeha. I enclose a document, sent to William Thompson for circulation amongst the Tauranga people, which will give you some idea of this strange fanaticism. Similar papers have been sent, I am told, into the Rotorua district, and all along the East coast, with a warning that unless they separated from the Pakeha they would meet the Pakeha's doom. Absurdly ridiculous as this story may sound to English ears, we ought not to lose sight of the fact that there are many Natives who believe in it; and I am further persuaded that this strange religion is gaining fresh adherents every day. Should any temporary success meet their hostile operations against us, it is impossible to say what the result might be amongst a people so proverbially superstitious and fanatical.

The great day of deliverance, in which all the Pakehas are to be destroyed, is to be in the latter part of December. An old Maori Chief, residing at Tauranga, whispered confidentially into my ear that, from what he had gathered, the day of deliverance would be much earlier. He desired me to warn the Government to be prepared (AJHR 1864, E8).

News of Pai Marire had spread rapidly through September and October. By 24 November 1864 the Resident Magistrate for Central Whanganui, John White, reported that "the Hauhau fanaticism is spreading very rapidly in this Province, and I fear will be the cause of great mischief. It is now the mainstay of the King Movement" (AJHR 1865, E4). E.W. Puckey reported on 14 December 1864 that only 30 of Ngati Tamatera of the Thames area had also joined. Rumours had been circulating in the King Country even before Tawhiao's visit to Taranaki. The Resident Magistrate at Raglan, R.H. McGregor, had reported on 11 July 1864 and enclosed copies of several letters (AJHR 1865, E4). One of these was written by Wiremu King to Te Ao o te Rangī, indicating a boundary suggested by the Taranaki tribes, from Tauranga to Maungatautari to Kawhia, and all Europeans were to be restricted to the north of this line.

In the Ua Rongopai, Chapter 2, dated 13 January 1863, Te Ua had indicated his hopes of an alliance between Taranaki and the Kingitanga. "It was in the last year of the encounter that I began to speak out and argue, my chief concern being my love for this my homeland, in the hope that the peoples or tribes of Taranaki and Ngati Ruanui would support the King Movement." Te Ua also looked for unity among the tribes against the Pakeha and saw the Kingitanga as having played a major role in this.

Cease the battle between brothers over the land; the battle between you and your father since it belongs to you both. The Pakeha is wrong and that is a fact. This is a message to the King Movement, for it has grown in stature and prestige. They have seen the light, and how did they succeed? They strove and sought for the support of the will of the God of Peace. So did the forgetful, the thoughtless, the inconsiderate who destroyed that which was good, see the light and were converted (Clark 1975, pp 123-124).

There were strong millennial qualities in the gospel of Pai Marire carried by the emissaries of Te Ua. The Maori people were identified with the lost tribes of Israel, and there were biblical overtones in the promised day of deliverance. Meade (1871) who variously described Pai Marire as "a mental disease", "superstition", "delusion" and "fanaticism" also tried to describe the biblical origins of the tenets of Pai Marire. It is clear from the following description (after he had been captured by a party of Te Ua's emissaries near Taupo in 1864) the the millennial emphasis was strong before Pai Marire reached Waikato and Tauranga.

They told us that as soon as all the Maoris, or at least all the Kingites, shall have been converted, a certain number of warriors from every tribe are to assemble at some place on the Waikato, whence after a grand praying-match, a certain holy Seventy will be selected by Divine inspiration, and march down to the sacred river Puniu (a tributary of the Waikato) where they will perform the "Karakia" by the banks of the stream, and forthwith the troops will be impelled to advance against them; when a

misty veil will descend from heaven, rendering the faithful Seventy invisible to the soldiers, who will be divided by the miraculous cloud, and cut to pieces with impunity by the remaining warriors. Then the Maori race shall do unto the Pakeha as the Jews did to the Gentiles, whose cities they went in to possess.

It was obvious that delusions such as these could not long survive the success of our arms... (Meade 1871, pp 142-143).

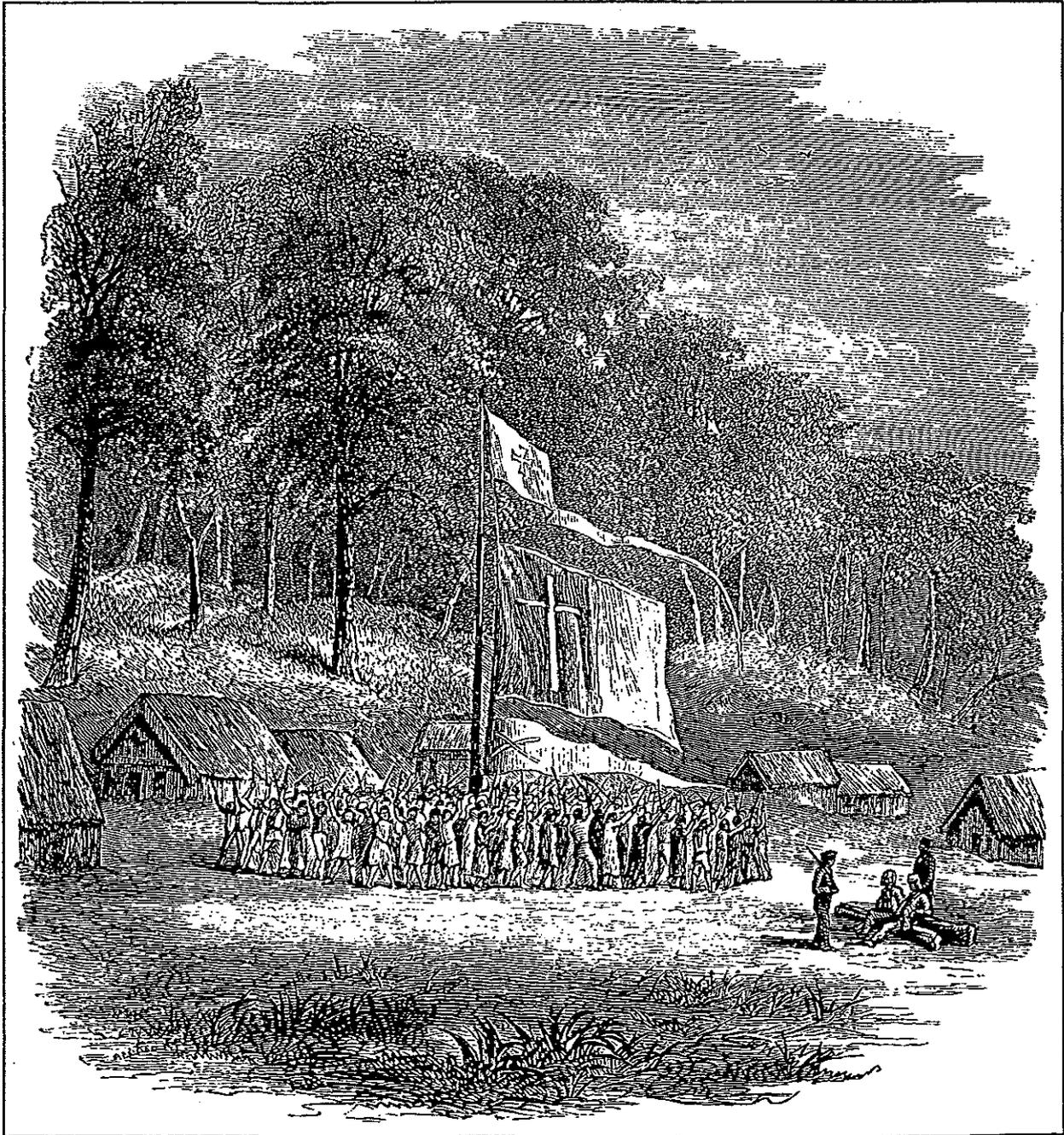


Plate 18. Pai Marire Karakia Source: Meade, 1871

5. The "Day of Deliverance"

In November 1864 the Civil Commissioner at Tauranga, H.T. Clarke, reported that all was quiet in the district.

One circumstance has caused me some perplexity; with all this quiet there is a sullen gloom hanging over many of the Natives who have made their submission. Whether this arises from disappointment, or the loss of friends, or from what other cause unknown, certain it is that something is weighing upon their minds (AJHR 1864, E8).

In the same report, Clarke also noted the rumours quoted earlier of an expected "day of deliverance".

In December 1864, the Europeans in the military camp of Te Papa were thrown into panic by the news that the teachings of the prophet Te Ua had reached the region. On 28 December, Mr Rice, Official Interpreter at Tauranga, reported to the Native Minister on "the great movement that has shaken the whole of Tauranga" (GBPP 1865, vol. 14, p. 263). In mid-December, emissaries had arrived in Tauranga and there was word of a meeting to be held inland on 25 December when the new teachings would be fully explained by the Tiu, Te Hau Anahera. Rice commented "It was about the 19th that the people, who up to that time showed no signs of uneasiness, began to confess publicly the new doctrine." On 23 December, the Tauranga chief, Hori Tupaea, had sent letters to various hapu, entreating them to go to the meeting. Rice was told that Tupaea's message was that

unless all people took the oath before the 26th and separated themselves from the Europeans, they would meet one death. But going inland, waiting and watching the turn of events, no harm could attend them, but more, they would see before the close of January the

fulfilment of the angel's prophecy, that all Europeans will be out of this island.

Rice visited the settlements in the Wairoa area on Christmas Eve and found nothing untoward. He was assured by many people that they were not interested in the movement but commented, "I could not, however, fail to notice the marked change in some of them." He returned to Te Papa on Christmas morning.

While passing through the Otumoetai settlement of Rome and the pa, I took particular notice of the aspect of matters generally. The people were all pursuing their usual evening practices. Not one instance could I remember of anything that could have led to the deduction of the subsequent movement. I noticed, however, in our camp natives on Christmas morning, a marked change for the worse, and Raniera, the guide, remained crouched up sulkily in his blanket all day talking 'Paimarire'. Not one move escaped him, and towards evening I questioned two of the police, who had returned from the Wairoa, whether any fresh accounts had been received. They replied no, but I doubted them and hastened to obtain the Colonel's permission to detain them and prevent their crossing to Matapihi. Too late, however, for they used extra haste and got over.

Immediately after these two men left our camp, the natives began packing up their bundles and started to carry same to the beach to canoes. I reported this circumstance to the Officer Commanding, and they were detained. I crossed over to Matapihi. Not twenty minutes could have elapsed since the arrival of the two policemen, and yet, when I went into the pa the scene was beyond description. Men, women and children were bundling their chattels in every direction, and now and then an energetic organ of speech would shout urging the people to 'Hasten on, the allotted time is short for your salvation; tomorrow, the 26th, it will be too late for the Anahera, and we shall be murdered by the pakeha; kia tere kia tere' (be quick, be quick).

I succeeded in getting some of the people together - and on my entreating them to consider carefully before they took such a step, they replied 'It is God's work, not ours', giving at the same time a singular jerk with the neck and waving the hand... The people of Matapihi took scarcely any clothing save their blankets and what they wore. The appearance of the pa on Monday morning was peculiar. They had left cooking utensils, food, saddles, clothes etc. all over the place, and the pa

had the appearance of having been suddenly cleared of everything living by a whirlwind.

On Monday the 26th, I learnt that there was scarcely a native left in the settlement, but before noon some stragglers came in... One striking proof of the suddenness with which their minds were made up is that where rivers were to be crossed no horses were taken, but from the settlements on the high roads inland all went on horseback... I refrain from offering any opinion on the matter, or its probable result. Wiser and older heads than mine, I fear, will find it difficult to do so. The terror, the utter carelessness of consequences, the determined aspect of fanaticism about the whole affair is astonishing (GBPP 1865, Vol. 14, p. 264).

On 31 December 1864 Rice again reported:

Eight of the Matapihi natives returned on the 29th in a whaleboat to look after their crops and horses. I brought six before the Colonel. Nothing of importance was elicited, only that Te Tiu had not arrived. They persisted in stating it would injure 'Paimarire' to take up worldly arms; it is to the spiritual that we are to be indebted for our destruction... This returned party assures us that the people are all coming back in a week or two. However this may be, as also the declaration that the movement is not an hostile one remains to be seen. The fact of their having joined such a force plainly shows a real desire to recover their land by any means. I do really think that the chief part of the people are deluded as to the real intention of the movement, but the leaders are not, is certain. Neither do I agree with Colonel Greer that the absence of the principal chiefs of Ngatirangi has assisted in bringing this movement about (GBPP 1865, Vol. 14, p. 264).

On 26 December, Colonel Greer commented on how "very secretly" the movement had been made to go into the bush. Greer continued his report, trying to interpret the events of the previous day.

Paimarire, an angel or god believed to have miraculous powers. In fact they appear to be mad on the subject. They believe that all natives who have not by this day given in their adhesion to him will be destroyed. That is they will fall down and die before the end of the month, and that the Europeans will be destroyed before the end of January, and that Waikato and Tauranga will be the first to be swept clean. They add that a great

many of the pakehas will go away in ships, and those who wish to do so will be permitted, but that those who remain will be destroyed. They stated that the Ngaiterangi people are to go up to Rangitoto, [in the King Country] one or two days' journey from Maungatautari, where there is to be a great gathering of many tribes to meet Te Tiu, or the Jew, as they call the prophet of the real Christ whom they believe their angel and god to be. The natives wish the white man no ill and would not destroy them, but their god would destroy the pakehas and them also if they did not immediately go out and they were afraid (GBPP 1865, Vol. 14, p. 265-266).

The Tauranga correspondent of the newspaper The New Zealander wrote an account on 30 December which was published on 5 January 1865 and indicates the panic felt by Europeans in the military camp at Te Papa.

As I intend writing you more at length by the next mail, I shall on this occasion content myself by simply stating that we are on the eve of trouble, and that, allow me to assure you, of such a universal and combined nature, that the very thoughts of the future fill our breasts with sorrow and regret at what is awaiting us in the womb of Providence.

It is now beyond doubt that a powerful concentrated force has been for some time going about and secretly destroying those sacred attachments and devotions to Christianity, and what is still more, those ties of regard and goodwill which always existed between the Natives and the European settlers of this district.

The King movement was only a shadow compared to what has taken place with the Pai Mariri [sic] devotees, a newly introduced system of superstition, extending its influences through Taupo and the whole district of the Bay of Plenty (not including the Arawas) and lately introduced from Taranaki.

In my last communication I hinted to you that a portion of the Ngaiterangis had embraced this horrible and detestable faith.

My having facilities of obtaining information which few have, caused me to unfold to your readers the objects which those infatuated people are proposing to accomplish: for in fact they are now become perfectly mad from the effects of the Pai Mariri fanaticism, and the assurances of victory they are expecting from Te Hoi and his disciples. The religion which they had hitherto, both Roman Catholics and Protestants, is now

totally set aside, and nothing can be performed without first using the Pai Marire as a pass-word which, they are led to believe, protects them from all evil.

This is a lamentable fact, which every true friend of the Maori race must look upon with sorrow and regret, for no one can doubt but that it will, if not averted, produce their utter destruction.

Christmas Day is a day that will long be remembered in Tauranga. Instead of being a day of rejoicing it proved a day of sorrow and grief, the results of which time alone will be able to unfold, for it was on this memorable and sacred day that we became for the first time acquainted with the extent to which this vile serpent has spread his ravages in this neighbourhood. Early on Christmas morn three Natives came across from the Matapihi settlement with their horses.

On their arrival on the beach, I enquired from them as to where they were going; to which I received an evasive answer. In fact I saw considerable hesitancy in their minds, which led me to believe that a movement amongst them was contemplated; for on Christmas Eve Mr Burns, who is in charge of one of Mr Heale's surveying parties at the Puna, had arrived in Camp with intelligence of his Natives having left him and having joined the Pai Marire fanatics, and having actually gone to the mountains. This fact, combined with the absence of Mr Rice from the Camp, who is always ready and on the alert night and day, keeping a close observation on all that is passing within his district, led me to surmise that these Natives, two of whom were receiving pay from Government, were seeking or conveying messages to their friends in the neighbourhood of the Wairoa and Otamaitai. Towards evening these Natives returned, and on arriving in Camp were accosted by Mr Rice, but all his attempts to obtain information was no use. This circumstance led me to follow these choice youths to that portion of the camp, where the natives encamped, and there try my best to elicit some tidings of what they had seen or heard; but in this I was for a considerable time frustrated, and it was only a stratagem that caused them to divulge the startling fact that the whole body of Tauranga were believers and adherents of the new faith, and that they were all going to leave that very night on their pilgrimage to the Pai Mariris. One of them actually became so serious and urgent as to request me to make flight with them, in order that I might be secured from destruction. After receiving this painful information, I communicated with Mr Rice, who instantly informed Colonel Greer; but whilst Mr Rice was doing so, the whole natives in camp, with one solitary exception, were diligently packing their beds and clothing, and had got them down to the beach, when Mr Rice returned from the Colonel's, and caused the natives not to remove anything from the camp

without permission. The natives, who had their steed to ferry across, galloped up a distance from the camp, where a canoe was awaiting them, and got safely away. Raniera Te Hiahia, a native who has been all along in the service of Government as an informer and guide, was the most obstinate and determined character amongst them, for which he was censured by the commanding officer, who caused all canoes or natives not to pass or repass; he also took every military precaution which the exigencies of case required.

Mr Rice, late in the evening, went over to the Matapihi settlement, and I believe he witnessed a sight that language can never express or pen describe. All was confusion and disorder; it was indeed a true moon-light flight.

The Matapihi settlement was the only one which professed loyalty etc. to the Government during our last troubles, but I am sorry to say that these very men are now become the most inveterate worshippers of the Pai Mariri system.

The following day, the 26th, unfolded to us the sorrowful and painful truth that Tauranga, containing upwards of 1000 souls, had all left their homes and their plantations for the mountain fastnesses, and we now found ourselves left in possession of Tauranga with the exception of about fifty scattered Natives, including women and children, who have been left behind.

All communication is partially closed so that it is utterly impossible to come to any definite conclusion as to what is about to take place. However, there is one thing quite evident, that is if the "Tohunga" declares war, which there is not the slightest doubt but he will do, the whole tribe will rise en masse and endeavour to drive us into the sea.

A boat with eight of these infatuated beings was seen landing the other day at the Matapihi; which caused Mr Rice to follow them up and see what they were after. On his arrival at the settlement he found only three of the party there. The others were out collecting their horses ready to take away, had not Mr Rice disturbed their repose and frustrated their designs.

When asked any questions, they had to pass the usual salutations of holding up the hand and saying Pai Mariri. Nothing at all satisfactory could be obtained from them. Mr Rice, however, brought them to the camp, where I believe, they are at present staying.

All this has produced the greatest excitement in camp, and extra duties have been imposed upon our men.

The regatta which ought to have taken place on the 26th,

was, in consequence of the flight and other circumstances, postponed until the 2nd of January.

On 4 January 1865 The Daily Southern Cross pontificated on the "critical state of native affairs" and in particular the events at Tauranga.

This occurrence bears a very grave aspect, and speaks volumes as it regards what we may expect in the future. What more telling proof would we have of the false sympathy which has been thrown away upon these men, who, upon the first opportunity that occurred, have virtually renounced the allegiance which they have so lately acknowledged?

The Civil Commissioner for Tauranga, Henry Tacy Clarke, arrived on 7 January and the next day he left to visit settlements in the ranges inland of Waimapu while Rice visited those inland of Wairoa. Clarke reported on 10 January.

We left as early as possible on Sunday morning the 8th.

We came upon a large party of Natives in the evening and found men, women, and children, standing round a Flagstaff, upon which was flying a small white Flag, engaged in some of their senseless worship, I suppose for our particular benefit. The worshippers and the symbol of the Angel Rura received very unceremonious treatment from the chiefs who accompanied me. I have not time to give you full particulars of all that passed at this meeting, suffice it to say, that our expedition was most successful, all the natives without exception gladly consented to return at once to their homes. I accompanied a large party of them down yesterday morning to their canoes. They are now at Ohuki.

After seeing this party off, I returned again to the Ranges to meet another party with the same good result. They appear to me to be too glad to be allowed to return.

Mr Rice has not yet returned, but I heard yesterday from a Native Messenger who came across the country that he had also been successful.

The cause for this sudden move on the part of these

Natives was from no design on their part to provoke hostilities with us. But they suffered themselves to be persuaded by the Pai Marire advocates from Waikato who have been very busy amongst them backed by the repeated warnings and influence of Hori Tupaea with the belief that the Pakehas would certainly be destroyed and that they would meet the same fate if they continued to associate with us. There is a deep design in the whole movement.

From information I have received from these returned Natives, I have not the least doubt in my own mind that the Waikatos are determined to use any means to drag all the New Zealand Tribes into one general war. Kingism has failed, and they are now trying to work upon the superstitious minds of their countrymen, not a very difficult task at any time.

I hope shortly to be able to report that all these foolish misguided people have returned to their different settlements (AJHR 1865, E4).

The Tauranga correspondent for The New Zealander (15 January 1865) provided a much more graphic account of how the Tauranga people were persuaded to return home.

Since my last communication matters here have taken a different aspect, and I am happy to say for the better.

The infatuated Maoris who went to visit Pai Mirire [sic] have to some extent returned to their settlements, and as an explanation of their sudden flight give some very feasible reasons, amongst them that they are disgusted with the step they took; they now relent, and appear to be repentant, and it is to be hoped for their own sakes, that their repentance is sincere. They explain that their only reason for going away was to see and hear what the new prophet Pai Mirire had to say to them, and also as they thought to be protected from the imminent danger which they were led to believe was to drive all Europeans, and also those Natives who remained behind into the sea; but being now disgusted with his doctrines, and made sensible of the imposition which had been wrought upon them they have now returned, much humbled, with the intention of peacefully remaining under our protection.

As soon as Mr Commissioner Clarke arrived here, he took the initiative to endeavour to bring the Natives to a proper sense of their position, and with this view he and Mr Rice, who represented at that time the Native

Department at Tauranga, at once proceeded to the principal strongholds of the Pai Mirires, who are all residing on the mountain ranges, and through the indefatigable exertions of these gentlemen managed ultimately to thwart the false and ridiculous ideas that had been implanted by the impostor Pai Mirire. Mr H. Clarke took the ranges to the south, accompanied by several of the leading chiefs, who had only recently returned from Auckland. Mr H.E. Rice took the more western ranges, and was likewise accompanied by two powerful and influential chiefs, who had also but just returned from Auckland. All these chiefs were equally anxious and doubly interested in this mission than the gentlemen whom they accompanied, inasmuch as their wives and families had all been led under the influence of Pai Mirire to flee from the danger which would befall them if they remained in their settlements unprotected.

Amongst the party who accompanied Mr Clarke were two noted characters well and favorably known as determined, persevering, and bold in everything which they undertook, and who were not to be daunted by the influence of such an impostor as Pai Marire, whose names are Enoka, a nephew of the late most regretted Raniri Tunia [sic = Rawiri Tuaia], who was killed at Te Ranga. The other was Hohepa Kukutaia [sic = Hikutaia], the most eloquent and graceful chief in Tauranga, and no doubt those two chiefs, independent of Mr Clarke's assistance, assisted to some extent in bringing about the present favorable change in the minds of the Natives whom they visited. As soon as Mr Clarke and his party neared the encampment they saw approaching them an office-bearer of the high priest of the Pai Marire, and who was so much under the infatuated belief of the power of his god, that he, regardless of all danger, thought that by approaching the party it would be the means of preventing their progress towards the tribe; but in this he was of course disappointed. The party no sooner saw the antics which this crazy man was practising Hohepa jumped from his horse to obtain a weapon in the shape of an Irish shillelagh, in order, as he told me, that if he should find this impostor to be of the Waikato or Taranaki tribe, that he would, if he could, leave him low on the road; it happening to be a Ngaitirangi [sic = Ngaiterangi] native, the poor fellow escaped uninjured. Whilst all this was going on in Hohepa's mind, the bold and intrepid Enoka spurred his steed on at full speed, and had not this poor infatuated priest stepped aside, there is no doubt but he would have been ridden down. Hohepa was not to be left behind, and was soon up with Enoka, when they espied the encampment of those fanatics, who no doubt were wondering within themselves how it was possible by their god to approach so near to their camp.

Enoka, bold and intrepid, rode on again at full speed until he reached the encampment; the people were all

standing bowing and worshipping the flag which was waving on the top of a high staff, the staff itself was held sacred, and, consequently, was equally venerated and respected by them; the people were astounded at the daring of Enoka, still they continued to murmur something that was quite unintelligible both to the Maoris and Mr Clarke, whilst Enoka was in the act of fastening his horse to the sacred flagstaff, Hohepa rode up, regardless of consequences, leaving his horse to the mercy of the Pai Mirires [sic], mounted the flagstaff, and in less than no time had their sacred flag flourishing in his hand, much to the astonishment and indignation of the Pai Mirire devotees.

Whilst this was going on, Enoka's attention was directed to one of their priests, who was leading, or rather pretending to conduct an evening religious service; he held in his hand a sheet of paper, which Enoka seized out of his hand, a copy of which I enclose.

Karakia mo te ahiahi

Kia Whakaka rotia koe e
 I hoa i rung rawa - tau te
 Korone - tau te kone - tau terire rire.
 Ko tite Pata mai rire
 Ko _____
 Ko _____to; rire rire
 Ko tite kori koti tangi korei maime rire
 Ko _____
 Ko _____to; rire rire
 Kororia me te pata; ko te rau
 Mikaere mai Pata, ko te
 Kororia, nui oropata
 He ma ko te kororia, kororia, to rire rire
 Kia tohu koe e I hoa i tau
 Ini e whakatuha whotia
 a koe i te ao tau te korone rire rire.

For the perusal of those of your readers who are more familiar with Maori gibberish than I am; still had it been purely Maori, I think I could have mastered it, as it is perhaps some of your intelligent Maori linguists, who are readers of your paper, will be kind enough to furnish you with a translation of this important document.

Whilst all this was going on, the Pai Mirires were dealing out their gibberish by wholesale, but no one but themselves could understand what they said. At last their tongues became untied, and a sharp altercation took place betwixt them and Enoka and Hohepa, who, in plain language, exposed to their view the disgrace that they had been laboring under for the false step they had taken in leaving their peaceful settlements and abusing the kindness already shown them by Government, in supplying them with provisions at the time when they were literally starving. After awhile they became a little subdued, and Mr Clarke, taking advantage of it,

addressed them in a most feeling and eloquent manner, which brought them once more to their senses, and literally before he had finished speaking the majority of them had made up their minds to return to their homes.

I am happy to say that the whole of this encampment, which were the most part Natives from the Mata Pihi settlement, came back the following morning.

Mr H.E. Rice and party were likewise successful in inducing the Otumaetai [sic = Otumoetai] Natives to return, but they could not make any impression of the Nga te Pirirakau, who are a turbulent, obstinate people. Mr Rice has been twice amongst them, but I regret to say with no favourable results. It is supposed that about one-half have returned to their settlements, about 200 are at Rangitoto [in the King Country], and the remainder are encamped on the mountains.

We have authenticated information as to the Nga te Porous [sic = Ngati Porou] having left the Eastward, and being now on their way to the Arawa, with the full determination of obtaining satisfaction for the Matata massacre (The New Zealander 15 January 1865).

Colonel Greer also reported on the return of the people from the ranges.

Most of the Ngaiterangi people have returned to their settlements. They have only partially given up Pai Marire; those who remain out state they will not interfere with those who have come in, but that they will draw a line from the Wairoa, across by Te Ranga and from those toward Maketu, and that neither Queen's natives nor Pakeha must cross it: of course that would be to undo all that has been done and take back the land.

I have sent Mr Rice up to Hori Tupaea's settlement in the ranges (where I hear there is a prophet, and a good number of Pai Marire Maoris collected) to see what they are up to.

The reports about East Cape natives coming to attack Maketu are, as usual, conflicting. I don't think they will do anything of the sort, but the fact is, the eyes of all Maoridom are on Taranaki - there is the headquarters of their "Atua" of God: and if he cannot drive the Pakeha into the sea there, I think they will give up as a bad bargain, all over this side of the Island (AJHR 1865, E5).

Rice commented further on Pai Marire and the situation in the Tauranga District.

Since my last communication I have been constantly upon the road in this district, visiting the camp grounds in the ranges of the Pai Marire proselytes.

With few exceptions the whole of the Natives on the western side of this district have already returned to the coast, in some instances willingly, in others with apparent reluctance; they have in some cases brought with them the determination to continue the worship to their "Niu" or "Atua", and in one, that of the Piri Rakau tribe, positively declined giving it up, asserting that if compelled to do so, their intention is to return to their mountain camps again. It is now stated that another and a superior disciple of the Atua "Hau" will shortly visit them and convince even the incredulous of the truth of this new god and offer further powers to present believers.

Much has been said about the crops now ripe, as to the desirability of allowing those who persist in this worship to avail themselves of them, lest after digging and part consumption, they should return fortified to back up any belligerent movement now in contemplation. The officer commanding this district has however in every instance instructed me to inform these people that so long as they remain peacefully at home, no notice will be taken of them, but in any case, should they attempt anything like preparation for a lengthened stay in the event of their return to the Bush, such preparations will be taken as evidence of an intention antagonistic to the Government. The Natives themselves have stated to me "Our intentions were not hostile in going out, and we anticipate in future to plant largely inland, as we find the land yields two-fold: we shall, therefore, be sometimes inland and at others on the Coast." Whether this is or is not the real reason, or the result of fear, doubts, or some plan not yet matured, at present remains in the dark. A short time since a report was circulated that Tupaea, Tamihana (Te Tiu) and 200 followers intended crossing from "Kai Mai" (Tupaea's place) to Te Ranga and on to Maketu, marking as they went the future boundary line for the Pai Marire people, and that portion they consider is the property of the Queenites, black and white. I immediately went up to Kai Mai and found that Tupaea had left for Maketu, but with only 10 or 12 followers; he, it is said has gone on eastward, leaving Tamihana (Te Tiu) at Te Puke near Kenana where he has been joined by some 40 or 50 people from Rotorua and other places; they are all closely watched by the Arawa.

No circumstances have tended so considerably to weaken the Pai Marire doctrine in this district as the constant surveillance that has been kept up over the inland parties, they have never known when to expect or not expect a visit from the Government officials and the contradiction given to the assertion of "Te Tiu" "That no Pakeha could approach their 'Niu' or god under penalty of death," has been entirely overthrown. Their prayers by the road side, their prayers in the camp daily, for some accident to befall our horses or ourselves, and so prevent our access to them have all been found useless, and they are now fain to build their hopes on the god's promise of their shortly acquiring a knowledge of arts, sciences, and manufactures; for the latter (to them the principal) they anxiously look forward so that they may be able to make shoes, blankets, trousers, etc. like Europeans, and above all speak English, if, however, their accomplishment of the latter is not more perfect than at present. Interpreters, I fear, will not be found able to elucidate the meaning of the ridiculous gibberish now current.

That their return to the coast can be taken as a stable proof of their intention to remain is doubtful, but such a general clearance as the last will not I think again take place (AJHR 1865, E4).

The millennial qualities of Pai Marire were emphasised more in Tauranga than in any other area visited by the emissaries of Te Ua. The unsettled atmosphere of late 1864 following defeat, the surrender of some, and refusal to surrender of others, ambiguity over the terms of confiscation of land, doubts about whose land would be involved and where, all contributed to this millennial emphasis.

These circumstances may have encouraged a high degree of uncertainty and a proclivity towards rapid, climactic solutions to the problems of war at Tauranga. This view depends on two presumptions: first that millenarianism is an extreme inclination which requires an extreme frame of mind, and second, that Tauranga was worse affected by the war than elsewhere. A dramatic mass renunciation of war might have seemed attractive to the politically divided people (Clarke 1975, p.30).

European settlers and military were in no frame of mind to analyse Maori motives, nor comprehend the true nature of Pai Marire. The expedition of Hori Tupaea and Tiu Tamihana into Arawa territory was treated with great suspicion. Greer reported on 7 February 1865 (AJHR A5, 1865, p. 7) that their intentions were "doubtless to stir up hostility to the Queen in the East" and was greatly relieved when the party was apprehended by Te Arawa near Rotoiti. Heni Te Kirikaramu described the capture of Hori Tupaea to James Cowan in 1919, (Cowan, 1983, Vol. 2, pp. 79-81). She had been living with her relatives near Otaramarae, on Lake Rotoiti, and had been warned to look out for Tupaea's party. One morning an empty canoe was seen floating near the middle of the lake, and the local people went to investigate. Evidence of recent disturbance of a cliff face was noticed.

We landed and climbed the cliff, and soon we came upon the foot tracks of a party of people leading into the forest. We followed them up rapidly into the bush south of Ruato, and we soon came upon a number of Maoris with Hori Tupaea among them. An elderly man named Tiu Tamehana ("Jew Thompson") was with them; he was their kai-karakia (religious leader) or poropiti (prophet). Our chief Matenga called on the party to stop, threatening to fire on them unless they stood fast. Hori and his companions thereupon came to a halt, but made no move to surrender. Instead they gathered round their prophet and chanted their Pai-marire incantations and called upon their gods to strike us blind (Cowan 1983, Vol. 2, p. 80).

Heni Te Kirikaramu was emphatic that "Hori and his people were all unarmed; there was not even a stone patu among them" although it was discovered later that one old man had secretly carried a short-handled tomahawk under his shirt. "The prophet had ordered that no weapons should be carried on the secret expedition, and when he learned of Timoti's tomahawk he declared that this breach of his instructions was the *aitua* which had brought misfortune on the party." This account also contradicts the interpretation

by military and civil authorities at Tauranga that this expedition was a war party.

On 2 March 1865, the worst fears of the Europeans at Tauranga seemed to be confirmed by the murder of the missionary Volkner at Opotiki, soon after the arrival of emissaries of Te Ua. The local issues leading to this murder were complex and partly connected with Maori knowledge of Volkner's activities as a government spy during the wars. It can be partly understood as an expression of traditional *utu*. While Pai Marire people were involved, the murder can also be interpreted, in general, as a strong reaction against missionaries, and in particular, as an expression of the strong Whakatohea feeling that Volkner had deserted them for the Pakeha Governor (Clark 1975, pp. 31-41).

Meanwhile, Governor Grey offered a pardon to Tupaea, the conditions of which included his taking of the oath of allegiance, that he would "truly and faithfully assist the Governor in putting an end to the present disturbance", he would reside where directed by the Governor until he received "permission to return to his own country" and he would "faithfully observe the terms given by the Governor to the Tauranga Natives" (AJHR 1865, A5). Tupaea had told Greer after his arrest that he no longer held intentions opposed to Government, his "fault had been expiated" by being brought prisoner to Te Papa, and he would "not go inland again" (AJHR 1865, A5). Clarke and Greer had hoped that the arrest and submission of Tupaea would effectively dampen Pai Marire enthusiasm.

Reports of activities on the East Coast and other intelligence strengthened the conviction of European authorities, civil and military, that there was

an extensive Pai Marire-Kingite conspiracy in operation. Clarke reported on "the state of the Natives" on 18 April 1865, and commented that it was "evident that a hostile movement is in contemplation by the Waikato and their confederates against the Arawa, which, if carried out, will inevitably involve many of Ngaiterangi Hapus" (AJHR 1865, E4). Te Arawa were traditional enemies of Waikato and Tauranga people. Some of this feeling against Te Arawa is expressed in the song of derision composed by Tomika Te Mutu and other Ngaiterangi chiefs because Te Arawa had captured Hori Tupaea (Cowan 1923, Vol. 2, p. 79).

Ko wai te iwi e kō rerotia kinotia nei?
 Ko te Arawa māngai nui.
 He aha tōno kino?
 He tohe nona ki te whakatutū ki te taha Māori
 He aha te take e kaha ai ki te whakatutū i te
 taha Māori?
 He pati moni, he pati kai
 He aha tōna hē e kitea nei e ngā iwi
 He tōna pakanga ki te patu i ngā iwi i Te
 Awa-o-te-Atua
 Tēnā tētahi?
 Ko te kōhurutanga i a Te Āporotanga
 Tēnā tētahi?
 Ko tōna whakaī ki te hopu huhua kore i te ariki o
 Tauranga, i a Hori Tūpaea.
 Meatia e mutu ai ēnei hē?
 Me whakahoki pai mārire a Te Arawa ki tōna tupunga
 mai ki Hawaiki

Who are the people that speak words of evil?
 The big-mouthed Arawa
 Wherein does their evil lie?
 They urge insistently violence and mischief among
 the Maori people.
 For what reason do they persist in this mischief?
 They are bribed with money, they are bribed with food.
 What was their sin in the eyes of the tribes?
 They made war upon and slew the people of the
 Awa-o-te-Atua.
 What was another of their evil deeds?
 The murder of Te Aporotanga.
 And another?
 They surrounded and unjustly seized the high chief
 of Tauranga, Hori Tupaea.
 What can be done to end these evils?

The Arawa should be returned peacefully to the fatherland whence they came, to Hawaiki.

(Te Aporotanga was the Whakatohea chief captured in the Kaōkaoroa battle near Matata in 1864 and shot by Tohi Te Ururangi's widow in revenge for the death of her husband.)

While Civil Commissioner Clarke was aware of tribal animosities, his main concern was to protect "loyal" Arawa and establish firm Government control in the Tauranga district. He reported on 18 April 1865.

From information derived from many different sources, it is evident that a hostile movement is in contemplation by the Waikato and their confederates, against the Arawa; which if carried out, will inevitably involve many of Ngatirangi Hapus.

The success of Kereopa and Patara on the East Coast, on the one hand; and the apparent inaction of the Government on the other, is producing a most baneful effect upon the Natives in this neighbourhood. The Pai Marire party are exulting, and say to our friends, "There it has happened just as we have told you. The Hau Hau God has paralysed the efforts of the Pakeha: they cannot avenge the death of Mr Volkner, they are fleeing before him."

Although many have ostensibly given up the Pai Marire worship, it has only been from fear of the consequences to themselves, on account of the close proximity of the troops. I will venture to predict that should the troops be removed from Tauranga, while the present feeling exists it would be untenable, twenty four hours after the ships left the harbor, for any Europeans...

Many of the Natives of this District especially those closely connected with the Patetere and William Thompson's people have again left for their inland Kaingas, so that (it is reported) they can practice their Pai Marire worship unmolested. Under these circumstances I have thought it advisable to caution the surveyors against carrying on surveys in that neighbourhood.

In every respect we are in a most unsatisfactory state.

The acts of the Pai Marire Natives on the East Coast, and the evident satisfaction evinced by the Pai Marire professors every where at the fearful Opotiki Tragedy; and the discomfiture of the bulk of the native population. They firmly believe that the Pakeha will be

driven into the sea (AJHR 1865, E4).

By late March the newspaper New Zealander (quoted by Clark 1975, p. 31) reported that three-quarters of the people at Tauranga were adherents of Pai Marire.

The term Hauhau was applied by Europeans to anyone with any connection with Pai Marire or expressed any opposition to land sales. The real role of Pai Marire as an expression of Maori identity, an effort to reintegrate Maori society to accommodate Pakeha presence, was not perceived. European settler reaction to Pai Marire "superstition" and Hauhau "rebellion" (the terms were synonymous) was little short of hysterical. Although the millennium did not occur in January 1865, the teachings of the Maori prophet, Te Ua, did provide something for Tauranga people to hang on to in the face of the social disruption and political instability caused by the wars in general and the battles at Gate Pa and Te Ranga in particular.

Pai Marire ritual continued in the villages of the Kaimai ranges. The rugged bush clad hill country inland of Tauranga became a refuge area. A niu, a Pai Marire worshipping pole, named Te Pou o Motai, still stands in an old kainga called Kuranui. Restored by the N.Z. Historic Places Trust in 1982 and rededicated on 25 April 1983, the niu at Kuranui stands as a monument to Pai Marire in the eastern Waikato and Tauranga Moana. It is also a monument to the efforts of civil and military authorities in the 1860s to stamp out a religious and political movement which here, more than anywhere else, was essentially pacifist. Because the pacifist intentions of Pai Marire believers were not perceived by Europeans, it was inevitable that there would be further confrontation.



Plates 19,20.

Te Pou o Motai, the Niu at Kuranui
Photos: Evelyn Stokes.



THE
NEW ZEALAND GAZETTE.

Published by Authority.

WELLINGTON, TUESDAY, JUNE 27, 1865.

ORDER IN COUNCIL,

Proclaiming certain Lands under "The New Zealand Settlements Act, 1863."

G. GREY, Governor.

At the Government House, at Auckland, on the eighteenth day of May, 1865.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by "The New Zealand Settlements Act, 1863," it was enacted amongst other things, that whenever the Governor in Council should be satisfied that any Native Tribe or section of a tribe or any considerable number thereof, have, since the first day of January, 1863, been engaged in rebellion against Her Majesty's authority, it should be lawful for the Governor in Council to declare that the District within which any land being the property or in possession of such tribe or section or considerable number thereof should be situate, should be a District within the provisions of the said Act, and the boundaries of such District in like manner to define and vary as he should think fit;

And whereas the Governor in Council is satisfied that certain Native tribes, or sections of tribes, having respectively as their property or in their possession the lands hereunder described, have been engaged in rebellion against Her Majesty's authority;

Now therefore, His Excellency the Governor, in exercise of the power vested in him by the said recited Act, doth hereby, with the advice and consent of the Executive Council of the Colony, declare that from the date hereof, all the lands of the tribe "Ngaiterangi" described in the Schedule to this Proclamation, shall be a District within the provisions of the "New Zealand Settlements Act, 1863," and shall be designated by the name mentioned in such Schedule, and doth declare that the said Lands are required for the purposes of the said Act and are subject to the provisions thereof, and doth order that the said Lands shall be and the same are hereby set apart and reserved as sites for settlements and colonization agreeably to the Provisions of the said Act; And doth order, that in accordance with

the promise made by His Excellency the Governor at Tauranga, on the sixth day of August, 1864, three-fourths in quantity of the said lands shall be set apart for such persons of the tribe Ngaiterangi as shall be determined by the Governor, after due enquiry shall have been made.

FRED. THATCHER,

Acting Clerk of the Executive Council.

LANDS ABOVE REFERRED TO.

Schedule—Tauranga District.

All that land estimated to contain 214,000 acres, known as the Tauranga Block

Bounded on the north-east by the sea from the mouth of Wairaki Creek to Ngakuria-whare Point; on the south-east by a line bearing south 45° west (true) 16 miles; thence on the south-west by a line bearing north 45° west (true) to the summit or watershed of the dividing range of hills between the East Coast and the Thames Valley; and thence following the said watershed northward to the summit of the Aroha Mountain; and on the north-west by a straight line from the summit of the Aroha Mountain to Ngakuria-whare Point.

Together with the Island of Tahua or Mayor Island, and such portions of Motiti or Flat Island as shall be adjudged to belong to the Ngaiterangi Tribe, or to individual members thereof.

6. Surveys of the Confiscated Block and Katikati Te Puna Purchase

No further progress in European settlement of Tauranga was possible until a decision was made on the boundaries of the land to be confiscated, settlement reached of the various Maori land claims, and allocation of "Native Reserves". The Tauranga District Surveyor, Theophilus Heale, reported in April 1865 that he could do nothing further and expressed his concern at the "disastrous condition of excitement and discontent" among local Maori because of the delays in settling the land question.

When I first went to Tauranga and commenced surveys in September last, I found the Natives everywhere near the coast in the full expectation that all the available land in the front would be immediately surveyed for occupation by Military Settlers. Far from being opposed to this they were generally anxious for it to be done quickly. They looked upon the settlement of the district as a defence to themselves against their declared enemies on the South and their over bearing friends on the North and West, and they considered the Government pledged to effect it immediately (AJHR 1867, A20).

Heale pleaded for Government action in carrying out the proposed military settlement on the coastal area between Te Puna and Te Papa.

The non-settlement of the land question is looked upon by some of the Natives as a deception and a wrong, while others affect to regard it as an abandonment by the Government of the intention to confiscate any portion of their lands (AJHR 1867, A20).

There was also the problem of speculators seeking desirable coastal land and offering up to £4 an acre (compared with the Government offer of three shillings per acre). Parts of the Te Puna Township and Otumoetai areas had already been surveyed at government expense. Henry Tacy Clarke, former

Resident Magistrate at Tauranga who took over as Civil Commissioner, commented in a report in May 1867 on agreements reached at "the great Ngaiterangi Peacemaking" held at Tauranga in August 1864:

The Natives were distinctly promised that a Military Settlement should be formed at Te Puna.

This promise was made at the earnest request of the Natives themselves, as they stated they were in great dread of the Thames Natives who would most probably take advantage of the weakened and disarmed condition of the Ngaiterangi to revive their old land quarrels.

By this arrangement of having an interposing armed European force, they hoped to be protected against their enemies...

The whole question was then allowed to remain in abeyance. European settlers were everyday making matters more complicated by paying large deposits on these lands to Natives who had been implicated in the rebellion (AJHR 1867, A20).

District Surveyor Heale was concerned at the injustices to the Maori inhabitants of Tauranga caused by Government delays in proceeding with the scheme for military settlement.

The local people are abstaining from cultivating beyond what is necessary to supply their immediate wants and are deterred from entering any settled course of life while they are distracted between the importunate and tempting offers of speculative land buyers, and the assurances of others that such sales are illegal.

Heale concluded his report by remarking:

In addition to these evils to the Natives, the opportunity is passing away of locating a regiment on one of the few spots where its settlement would be a great success to the Military Settlers themselves, and where it would effect the object of the scheme by affording the best guarantees for the peace of the district (AJHR 1867, A20).

James Mackay Jr. also commented on the state of surveys and impact of land speculators in his 1867 review.

Owing to the unsettled state of the Natives and the threats held out by William Thompson and others, Capt. Heale withdraw his survey parties about April 1865.

A good deal of this opposition was caused by land speculators going to the Natives and trying to purchase choice pieces of land at prices higher than that offered by the Government and by their telling them the Government were not giving enough for the land, these persons and the Natives overlooking the fact that about one half of the land in the Puna and Katikati Blocks will never be of much use to anyone, and the price offered by the speculators was for the front land only. Some persons even wished to give the Natives a sum of £1000 to enable them to return to the Government the deposit paid on the land. After this it suited the policy of the Hauhau party to keep up and foment a bad feeling between the Ngaiterangi and the Government in order to distract attention from Whakatane, Opotiki and Waiapu, which soon became the seat of war (National Archives Le 1/1867/114).

Mackay provided no evidence for this latter assertion, made with hindsight in June 1867, following further military campaigns in the Tauranga district.

Although the survey of the district for military settlement had begun in 1864 it was not until 18 May 1865 that an Order-in-Council brought the Tauranga district under the provisions of the New Zealand Settlements Act 1863, and thus allowed confiscation of land and military settlement to go ahead. The total area confiscated was some 86,590 hectares, of which three-quarters were to be returned to Maori owners, although Government had

already made arrangements to purchase 32,375 hectares of this at Katikati and Te Puna. Of the confiscated 20,235 hectares, 10,117 hectares were allocated for military settlement and 809 hectares in compensation and reserves for "friendly" Maori. Mountain and swamp comprised some 4,451 hectares. The remaining 4,853 hectares were regarded as saleable land, of which it was thought 4,046 hectares could be sold by the Government at 5/- per acre (50 cents per 0.4 hectares) and the rest at £1 (\$2) per acre. The expected revenue of £4,500 (\$9,000) was assumed would cover the costs of the military settlement.

At the western end of Tauranga Harbour, Hauraki (Marutuahu) tribes, described in official reports as "the Thames Natives", were claiming land inside the Katikati Te Puna Purchase. James Mackay Jr., Civil Commissioner at Thames, writing in 1867, described the reaction to Government payment of a deposit of \$1000 to several "Ngaiterangi chiefs" in August 1864.

This purchase included the Katikati block which had for many years been disputed between the Thames and Tauranga people. When the Thames Natives heard of the payment of the deposit, Te Moananui, several of Taraia's relations, and others of the tribe Ngaitamatera came to Auckland and objected to the Ngaiterangi selling the land. Te Tawera tribe of Manaia, Hauraki, also entered a protest against it. All these Natives had an interview with Mr Fox at which myself and Mr H.T. Clarke, Civil Commissioner at Tauranga, were also present. It was then proposed to settle the question by arbitration. This was at once agreed to by the Natives. The Thames people asking me to act on their behalf and the Ngaiterangi electing Mr Clarke to be their arbitrator ((National Archives Le1/1867/114).

In December 1864 Clarke and Mackay heard evidence over five days in Auckland. Spokesman for Hauraki was Te Moananui; Hohepa Hikutaia and Te Harawira represented Ngaiterangi. The decision of the arbitrators in

respect of Hauraki claims in the Katikati Block was set out as follows:

That Ranginui and Waitaha were the original owners of the Tauranga District. That Te Moananui is descended from Ranginui, and that title is not disputed in that respect, and that Ngaiterangi admit his title by inheritance.

That Ngaiterangi came from Hakuranui, south of Maketu, and fought with the various branches of the Ranginui and Waitaha tribes, and then located themselves at Tauranga.

That Ngaiterangi proper have no claims by right of inheritance to lands in the District of Tauranga, but they have their claims on right of conquest only.

That Ngaiterangi frequently fought the ancestors of Te Moananui; that on some occasions the former were victorious, and on others the latter were the conquerors. That Ngaiterangi occupied Katikati on several occasions. That in despite of these conflicts and occupations Te Moananui was personally in possession of the land now claimed by him, immediately antecedent to Hongi Hika's invasion of Tauranga.

That Te Moananui left the land now claimed by him just before Hongi's invasion, and that neither he (Moananui) or Ngaiterangi have ever permanently resided on it since that date. That since Hongi's invasion Ngaiterangi have exercised certain rights of ownership over the land in question. That Te Moananui has exercised similar rights but not to the same extent (AJHR 1867, A20; DOSLI files).

The Arbitrators recommended that "the amount of the purchase money should be equally divided between Ngaiterangi and Ngatitamatera". It was also noted that all burial grounds and sacred places should be reserved from sale.

Clarke and Mackay also took evidence from others, including Ngati Pukenga (Tawera), although these claims were not covered in the decision quoted above. Mackay's 1867 review of the investigation provided a broader picture.

The evidence given at this investigation was to the effect that Tauranga formerly belonged to the Ranginui and Waitaha tribes from whom the Tawera or Ngatipukenga were descended. That the Ngatitamatera, Arawa and Ngatiraukawa tribes were also connected by ancestry with Ranginui and Waitaha. The Ngatitamatera held the greater portion of the country between Katikati and Te Puna. The others (Tawera, Arawa and Ngatipukenga) [sic = Ngatiraukawa] held the land between Te Puna and Maketu. The Ngaiterangi came from the neighbourhood of the East Cape (they were a subdivision of the tribe Ngatiawa) under the leadership of their great warrior chief Te Rangihouhiri, and they speedily conquered the whole Tauranga district. The Arawa and Ngatiraukawa withdrew altogether and have not occupied any land in the neighbourhood of Te Puna for seven generations. A portion of the Tawera allied themselves to the Ngaiterangi, and the remainder retreated to the Thames. The Ngaiterangi and Ngatitamatera appear to have alternately occupied the Katikati block since that period...

Although the claims of the Tawera were investigated, no decision was made in their case, as they had forwarded a petition to the House of Representatives through Mr Fitzgerald. We merely took the evidence for the information of the Government and for our own guidance (National Archives Le 1/ 1867/114).

Further agreement on valuation and location of boundaries of Hauraki claims was delayed by the arrival of Pai Marire emissaries, and subsequent events in late December 1864 and January 1865. It was not until June 1865 that Mackay and Clarke completed their report on Tawera claims which, in their petition, extended from the western boundary of the Katikati Block to the Waimapu River (AJHR 1867, A20). As with the Katikati decision quoted above, the Ngaiterangi right by conquest was acknowledged, and that Waitaha and Ranginui formerly occupied the Tauranga district. Tawera also claimed descent from Ranginui. The details of Tawera (Ngati Pukenga) claims are outlined in Chapter 9.

In a report dated 23 June 1865, Clarke recognised the complexity of

ancestral claims in Tauranga Moana.

Most of the difficulties in settling the claims in this district will arise from the fact that the Ngaiterangi claim only by conquest. They did not destroy the original inhabitants, but allowed them to remain as cultivators of the soil (not slaves), subject to the conquerors. Some of the principal chiefs took the best of the women as wives, and in some cases, some of the Ngaiterangi women married men of the conquered tribe - the pure Ngaiterangi are now in the minority. The issue of these marriages have, when they thought it would suit their purpose, ignored their claims through Ngaiterangi, and have fallen back on claims derived from the original occupants; this has been the cause of much bloodshed, even down to a very late date, and is now frequently the cause of angry debate. If any trouble arises in carrying out the plans of the Government it will arise from those who support the claims of the original inhabitants (AJHR 1867, A20).

The most vociferous group in disputing Ngaiterangi claims were the Pirirakau who had refused to participate in the surrender in August 1864. At the end of June 1865 Heale wrote another memorandum to the Government, reviewing local disputes to date and pointing out the need to settle land claims at Tauranga and establish a military settlement.

In the great loss which the tribe sustained at the Gate Pa and Te Ranga, every leading supporter of the King Movement fell. The remainder of the tribe thoroughly repentant, cordially returned to the old proposal of submission to the Government and close alliance with the settlers; and in all the terms of their submissions, it is evident that their one earnest desire was to bury all the old lands feuds for ever, and to become independent of their tribal enmities and entanglements by complete submission to the Government, and by obtaining the support of a numerous settlement of colonists in their territory.

Thus at the meeting with His Excellency the Governor on the 5th August 1864, all the speakers most emphatically declared that they gave up the mana of all their land absolutely to the Governor. When pressed to explain the mana, they stated they gave up all their land to him for him to deal with as he thought fit. When informed that only the fourth part would be confiscated, and pressed

to set aside a block of land for that purpose, they again unanimously declined to adopt any of the course then to leave the entire settlement of the lands to the Governor...

As these terms were then accepted, I conceive that this has become an absolute treaty engagement (AJHR 1867, A20).

Heale went on to list the "further promises" made when Ngaiterangi chiefs went to Auckland and received £1000 as a deposit on land to be purchased.

These included:

1. That surveyors should be sent back with them.
2. That roads should be commenced, and the Natives be employed on them.
3. That European settlers should be speedily sent.
4. That Crown Grants should be issued to the Natives etc.

Heale was concerned about longer-term consequences of Government inaction.

It is impossible to deny that the long delay in taking any decisive steps at Tauranga is at variance with the spirit of the engagement made in August 1864, and that it has been productive of consequences unfavourable to the credit of the Government in the eyes of the Natives, and which may be the source of serious embarrassments hereafter. Had the whole Ngaiterangi territory been promptly proclaimed under the Settlements Act, and formal possession of it taken by the occupation of two or three commanding and very defensible position which effectually cover the sea-board lands from the interior, the Ngaiterangi tribe would then to a man cheerfully acquiesced, and opposition from Ngatihaua would have been hopeless. The occupation of the front land would have enabled the 1st Waikatos to have settled on those sections long before this, and the division of the great bulk of the land among the Natives, with clear individual titles, would have remedied all inequalities in the burden of confiscation, would have extinguished for ever their fatal land feuds, and would have so enriched them as to stifle any latent dissatisfaction with so new an order of things. As it is, the Natives, disappointed in their expectations of prompt action on the part of the Government, and wearied by the long interval of absolute uncertainty as to the tenure of their lands, have gradually relaxed the fervent loyalty

they had adopted after Te Ranga. The Pirirakau, and other outlying hapus, have adopted the Pai Marire faith (but without any offensive disposition). Wm. Thompson, who, in his letter to the writer, had fully assented to the surveying of Te Puna, has since written to Colonel Greer announcing his intention to dispute its occupation; and affairs appear to be drifting back into the confusion which first led the Ngaiterangi into the King party, in despair of obtaining a solution of their difficulties by any other means (AJHR 1867, A20).

There had not yet been any confrontation but opposition to European settlement was increasing and threats to survey parties were taken seriously. No surveys had started at Katikati and no further progress had been made in establishing the boundaries of the confiscated block. Heale requested immediate "steps by the Government to terminate this confusion and uncertainty". He considered the possible abandonment of the military settlement, allowing the C.M.S to settle the Te Papa township and open the Tauranga district to sale through the Native Land Court. But there were strong objections to this course for it would not fulfill the terms laid down at the surrender of Ngaiterangi, it would break contracts made with the First Waikato Regiment, and "it leaves almost to accident the formation of a strong settlement at Tauranga, the securing of which appears equally necessary for political and commercial purposes". It was also likely to cost more in the long run. Heale considered that "the only prudent course" was to keep to the original arrangements made with Ngaiterangi in August 1864 and establish the military settlement.

Negotiations over land claims in the Katikati Te Puna Purchase and Confiscated Block dragged on. Maori complainants alleged that some who had not fought were losing land and not all owners had been consulted, or consented to the purchase. Only eight Ngaiterangi chiefs had signed the original agreement. Not all had been involved in the fighting and the

paramount Ngaiterangi chief Tupaea had been ignored. There was some correspondence on the question of jurisdiction of the newly-established Native Land Court, which is discussed in Chapter 8, but no effective decisions were made over the second half of 1865.

Maori dissatisfaction was voiced at a meeting at Tauranga attended by Colonel Haultain on 26 February 1866. Enoka responded to Haultain's question about the boundaries of the land given up at the meeting with the Governor in August 1864:

All I gave at the surrender was from Katikati and along by the mountains to Wairake [sic]. I explained to the Governor that there were certain lands at Katikati disputed by the Thames Natives. The Governor replied: Give me the land; bye and bye I will give you every third acre and keep the fourth acre. The fourth acre was taken for the sin (hara) I had committed, my land only was taken because I had sinned: it was not taken from the men who did not fight. The Governor said, let there be one price (i.e. of land). I objected, and said it would not be just that another should suffer for me; let me pay with my property at Katikati and Wairake. Also, those who own the forest land, let them do likewise. Then the mana of the land was given to the Governor, and the conversation ended; I have repeated all that was said then (AJHR 1867, A20).

Enoka complained that while the mana of the land had been given to the Governor at the surrender in 1864, it seemed that the Governor was now demanding an excessive amount of their land. "Why has the Governor raised his demands? Why is the amount increased?" Colonel Haultain maintained that the amount had not been increased. Pene Taka commented: "How many men were in arms that the Governor should take so many acres?" Haultain's reply was that "Government will require certain lands of friendly Natives, on which to put settlers for the protection of the district. What they take they will pay for." Pene Taka was not impressed and replied: "When

you have taken these lands you will keep returning and taking more and more." Enoke questioned the Katikati Te Puna Purchase agreement and £1000 deposit as "the work of the men who went to Auckland", that he "knew nothing of the arrangement" and wanted to know the boundaries. "Some of the people who lived peaceably on the land would object..."

On 26 March 1866 Governor Grey and Frederick Whitaker came to a meeting at Tauranga. Enoke Te Whanake reiterated his complaints that they understood that they had ceded the mana of the land, that Government demands for land for settlement were increased and there were other Maori claimants to land in the Katikati Te Puna Purchase who had not been consulted. Reserves had been promised in the Confiscated Block between the Wairoa and Waimapu but these promises had not allayed suspicions. A major cause of dissension was the suggestion that land would also be confiscated west of the Wairoa River. Resident Magistrate, Opotiki, W.G. Mair, who had acted as interpreter for the Governor's meeting reported:

The Natives were informed that the Eastern boundary should be the Waimapu river for a considerable distance, and then a line over a hill on which a single tree was visible and on to the wooded country about Waoku but Mr Civil Commissioner Clarke was to decide upon the exact course the line should take.

The survey was then to extend westward as far as would be necessary to include an area of 50,000 acres. The Natives were distinctly informed that no point could be named as the probable limit on that side but that it might extend as far as Te Puna, they were rather excited at this and said that they could not consent, but upon being informed by the Governor that they had been treated better than any other tribe, but if necessary they should again be put down by force of arms, they accepted the proposals made to them.

The words of their principal speaker Enoke being "Governor, we have consented to your acres" (AJHR 1867, A20).

Mackay in his 1867 review summarised events since the Order-in-Council of 18 May 1865.

Subsequent to this but little was done towards surveying the district or locating "military settlers" on the land until Colonel Haultain visited Tauranga in February 1866. He then found the Natives disinclined either to sell the land or give up quietly the one fourth which His Excellency the Governor said he would take for the rebellion of the tribe.

His Excellency the Governor and Mr Whitaker, Agent for the General Government, next visited Tauranga, and I am told by the Natives that His Excellency then told them, "he wanted 50,000 acres of land, and if they would not give that he would take the whole of it". The Natives then agreed to abide by the arrangement made on the 6th August 1864, and let the Crown retain 50,000 acres. A question arose as to the starting point; Mr Whitaker wished "the South Eastern boundary to be fixed at Maungatapu" and the Natives desired it "to be at Waimapu". It was then agreed that the land should be taken from thence towards Te Puna going as far back as possible. Mr Whitaker made several arrangements for reserving pieces of land for Natives in compensation for their claims within this block, and also fulfil engagements entered into with Europeans for the sale of some of the land (National Archives Lel/1867/114).

The Township of Te Puna had already been surveyed west of the Wairoa in April 1865. The coast had been surveyed and farm sections laid off near Te Papa and Otumoetai, but this section of the survey was closed by the District Surveyor, Theophilus Heale, pending a decision on the confiscation boundary. On 29 May 1866, the new District Surveyor, H.J. Utting, commented on the work of survey parties on the "Waimapu Block".

They report however that nothing like an adequate quantity of "good agricultural land" can be obtained within the limits of the confiscated block, as the greater part of it is of so rugged and broken a character, that scarcely any practicable road at all can be laid out upon it, and that roads laid out as required by the Specification would be impassable (District Surveyor, Tauranga, Letterbook 1866-68).

This appears to be the first indication that the Confiscated Block would include land west of the Wairoa River.

Meanwhile, the negotiations on the Katikati Te Puna Purchase had to be completed. Following the March meeting, Whitaker instructed that Clarke and Mackay call a meeting at Katikati to settle outstanding claims. A notice was issued on 12 May 1866 for a meeting on 20 June. Mackay described the sequence of events which followed:

On the 16th May William Thompson Te Waharoa wrote a letter to the Pirirakau ordering them to establish a "kati" on the Wairere road between Tauranga and the Thames. This road was included in the Puna block and in the receipt for the deposit is specially alluded to. Captain Wilson when attempting to journey to Waikato by that route was stopped and his horses taken from him. The horses were afterwards given up by Thompson through the influence of Te Raihi, Native Assessor.

At the time appointed, I, with several persons of the tribe Ngatitamatera, Ngatimaru and Tawera, travelled through the Thames and via Ohinemuri pass to Katikati. We were there met by Mr Commissioner Clarke, and as there was no food there it was determined to adjourn the meeting to Te Papa, Tauranga.

Natives of the Arawa, Ngatihaua, Ngatitamatera, Ngatimaru, Tawera, Ngatipaoa and Ngaiterangi tribes assembled at Te Papa, Tauranga, and the Pirirakau hapu came from the back ranges and also joined the meeting. Some of the latter had not been at Te Papa since the commencement of hostilities.

The investigation of the various claims was commenced by Mr Clarke and myself on the 29th June and lasted until the 19th July. The result was as follows, viz:

1. The Arawa tribe were found to have no valid claim over the lands to the North West of Te Puna, they had not occupied it for seven generations and they moreover admitted that in the statement they made to His Excellency the Governor. They claim lands to the south of a line drawn from Maunganui (at the entrance of the harbour) to Waimapu and thence to Puwhenua. They strongly contested the claims of the Ngaiterangi to lands at Puwhenua.

2. The Ngatihaua tribe represented by both loyal and rebel Natives only succeeded in making out claims to a piece of about four hundred acres at Omokoroa and about fifty acres at Purakaunui. It appeared that at one time they had been entitled to occupy more land on account of the aid rendered to the Ngaiterangi by Te Waharoa (the father of William Thompson) in their wars with the Arawa and Thames tribes, but the Ngatihaua had given up all claims to these at a great meeting held some years ago at Ohuki, Tauranga. The pieces at Omokoroa and Purakaunui were reserved for them; this was however, much against the wish of the Ngaiterangi who would rather have seen them receive cash compensation.

It was evident that the Ngatihaua had no claim either through ancestry or conquest; but merely from being allowed to occupy for reasons above stated. Te Waharoa had asked for permission to do so in order to be near a port where he could obtain supplies of gunpowder etc. from trading vessels.

3. The Ngatimaru made out a claim as joint occupiers with the Ngaiterangi of lands in the neighbourhood of Tuapiro and Te Tahawai. They agreed to take five hundred and thirty pounds for their claims. They afterwards combined their interest with that of the Ngatitamatera tribe.
4. The Ngatitamatera tribe (Taraia and Te Moananui's portion thereof) agreed to take six hundred pounds for their claims to the Katikati Block arbitrated on by Mr Clarke and myself in December 1865 [sic, actually 1864] They objected to waiting for the survey in accordance with the award. Some burial grounds were to be reserved for them. Te Moananui had previously arranged with Mr Whitaker to accept three hundred and eighty pounds for some other claims of that tribe.
5. The Tawera or Ngatipukenga tribe of the Thames agreed to accept for their claims over the Katikati, Puna, Wairoa and Waimapu blocks the sum of five hundred pounds, also reserves of two town allotments and one hundred acres of rural land.
6. The Ngatihaua [sic = Ngatihura] hapu of the Ngatipaoa tribe, represented by Maihi te Hinaki, agreed to accept the sum of one hundred pounds for their claims to land near Hikurangi.
7. A small claim made by Te Ruihana on behalf of the tribe Ngatiwhanaunga of the Thames was arranged for twenty five pounds.

8. The Ngaiterangi tribe, although combined against all the people above mentioned, have innumerable family feuds among themselves and it was found impossible to come to any definite terms with them because of their own disagreements. The only point they were unanimous in was that the land should not be surveyed and paid for at a uniform rate per acre, they preferred a lump sum and required nearly all the best of the land to be made into reserves for them.

9. The claim of the Pirirakau hapu was investigated. It appears they originally lived in the Waikato district, at a place called Kaitotehe at Taupiri (Ashwell's station) [CMS mission] and were compelled to move to Tauranga. They then took up their abode in the forest between Tauranga and the Thames, and were alternately the prey of the Ngatihaua and Ngaiterangi tribes. They were up to the time of the Native insurrection vassals of Hori Tupaea. Some of them had intermarried with Ngatihaua and Ngaiterangi and had become to a certain extent incorporated into the latter tribe. They set up a claim to all the land from Te Wairoa to Waipapa [Rivers] and thence back to the range between Thames and Tauranga. This was denied by the whole of Ngaiterangi and Hori Tupaea. They contended that the Pirirakau claims were confined to the back forest between Te Wairoa and Te Puna [river] and that those were only the rights of a debased tribe, the 'mana' was with them. Hohepa Hikutaia enraged them very much by saying they were "he pataka kai no te Rangihouhiri" (a food store of the Rangihouhiri, the great conqueror of Tauranga and from whom Hohepa Hikutaia is descended). The Ngaiterangi allowed the claim of the old chief Maungapohatu, of the Pirirakau, to some of the land near the coast between the Wairoa and Waipapa. After the dispute between the Pirirakau and Hohepa Hikutaia they would not attend the meeting and left on the 11th July. I however saw Te Keepa Ringatu and others and offered to make a separate arrangement for payment for any claims which they could substantiate within the block under negotiation, and to make reserves where required. He approved of this and went to his tribe to make the proposal. On the 12th July he wrote to say his tribe would not make any terms.

The whole of the people in the hapu have been in rebellion from the commencement of the war, and with the exception of Maungapohatu and his family were all Hauhau at the time of the meeting. Only four of them surrendered their arms to Colonel Greer in July 1864. They admitted having received a portion of the £1000 deposit paid on the Katikati and Puna blocks, but said they did not consider it

binding between them and the Government, as it was given to them by the Ngaiterangi and not by any offer of the Crown (National Archives L1/1867/114).

The Hauraki claims in the Katikati Te Puna Purchase were settled by cash offered by Clarke and Mackay. Between 10 August and 3 September 1866 final payments were made to Tawera, Ngati Paoa, Ngati Tamatera and Ngati Maru to extinguish their claims to land at Tauranga (see Appendix 4). Mackay expressed the hope that the settlement of all these claims would "be found to have finally and effectually removed one of the great obstructions to the completion of the long outstanding and troublesome question" (AJHR 1867, A20).

The final payment to "Ngaiterangi" awaited the survey of the boundary of the confiscated block. The District Surveyor had reported to Clarke that 20,235 hectares required could not be found between the Wairoa and Waimapu Rivers and a survey was begun to include land on the north bank of the Wairoa within the confiscated area. Pirirakau, claiming the support of Ngati Haua, objected to this move and stopped the survey by taking away the surveyors' instruments. Wiremu Tamihana of Ngati Haua wrote to Clarke on 22 August and offered his services as a mediator, provided a government inquiry into the dispute was held. A similar letter was written on 2 September to the surveyors requesting no further survey of the north west bank of the Wairoa. Clarke was not prepared to accede to such a request "in the face of the arrangement made by His Excellency the Governor and Mr Whitaker with the Tauranga Natives on his late visit", i.e. that if the 50,000 acres to be confiscated could not be obtained between the Wairoa and Waimapu Rivers, then the deficiency was to be made up on the north bank of the Wairoa (AJHR 1867, A20).

In a report dated 25 October, Clarke expressed unease about the relations of Ngaiterangi with Pirirakau and other tribes around the margins of Tauranga Moana, and rumours of hostile intentions, "but without wishing to be an alarmist I believe there is some important movement in contemplation... The greatest vigilance will be required" (AJHR 1867, A20). Ngaiterangi representatives had agreed to the continuation of the surveys but Pirirakau refused to attend any meetings between Mackay, Clarke and Ngaiterangi, or accept any decisions made there. It was obvious to Pirirakau that the Government inquiry promised to Tamihana by Governor Grey in a letter dated 22 October (AJHR 1867, A20) was not forthcoming. Clarke was suspicious of Tamihana's involvement and considered Pirirakau "have assumed a very defiant attitude very prejudicial to the peace and quiet of the district, and unless they are at once checked the disaffection will I fear spread and cause much future trouble" (AJHR 1867, A20). Mackay was subsequently reprimanded by Assistant Under Secretary Halse for not passing on a letter to Tamihana assuring him there would be an inquiry. Both Mackay and Clarke considered such an inquiry unnecessary.

Whitaker instructed Clarke and Mackay at the end of October to proceed with settling the Katikati Te Puna Purchase with Ngaiterangi. A meeting was called on Motuhua and began on 31 October 1866. Pirirakau were invited and given assurances of protection, but did not attend, with the exception of Maungapohatu. There were representatives of "all the hapus of the Ngaiterangi tribe". In the few days prior to this, Mackay tried to establish the state of surveys for military settlement in the district.

The district surveyor Mr Utting had just been removed, and judging from the state of this office he must have been a very unfit man for the situation. Mr H N Warner of the Auckland Waste Lands Office had just then taken charge, and he, with very considerable personal trouble,

managed to compile an approximate return of the lands surveyed or in course of survey... From this return it appears that up to the point where Mr Jordan had been stopped 55,000 acres had been taken as follows viz:

Between the Waimapu and Wairoa Rivers	38,000 acres
Between the Wairoa and Puna Rivers (including Capt. Heale's survey of Otumoetai West)	17,000 acres
Total Acres	55,000

(National Archives Le1/1867,144).

At the meeting on Motuhoa on 1 November Mackay recorded that discussion was centred on whether the 50,000 acres to be confiscated could be found between the Waimapu and Wairoa Rivers.

Some discussion ensued and the Arawa claims near Puwhenua were mentioned as a reason for the surveys not being carried further back. Mr Clarke explained that the arrangement entered into with His Excellency the Governor and Mr Whitaker was that "if the fifty thousand acres could not be obtained between the rivers Waimapu and Wairoa, then the balance required was to be taken on the north bank of the Wairoa extending toward the Puna," that the surveyors had reported there were not 50,000 acres between the two rivers, consequently land had been surveyed between the Wairoa and the Puna. I then stated I had ascertained from the Survey Department that the surveyors had included 55,000 acres within their lines, and that this was wrong, being in excess of the quantity fixed by His Excellency the Governor in August 1864, and also the final arrangements in 1866. I therefore proposed to give back five thousand acres by cutting a line from the Ruangarara branch of the Wairoa to the Puna River, excluding the Pirirakau cultivations near Waiwhatawhata and Te Irihanga. As it also appeared that some loyal Natives had lost a good deal of land within the confiscated block; and some ex-rebels had little land elsewhere, I offered to make certain reserves which with those previously sanctioned by Mr Whitaker made a total of upwards of six thousand acres within this block, reducing the actual quantity retained by the Government to about forty-four thousand acres. The greater portion of these reserves either had water frontage or were near to it. After some discussion this proposition was unanimously agreed to, the old chief Maungapohatu being a consenting party. A reserve of about four hundred acres was set apart for him and the Pirirakau.

I then expressed "my regret that the Pirirakau were not

present" and the general exclamation was, "Who are they? What have those slaves to do with it? The only man of any rank is Maungapohatu, he is connected with us. Take the land. Do not ask them about it". I however told them "I should like to see Pirirakau and would write to them again to come to the meeting" (National Archives Le1/1867/114).

Pirirakau did not respond to further invitations and Mackay proceeded with settling a purchase agreement with Ngaiterangi. On 3 November 1866 a deed was signed by 24 people on behalf of "Chiefs and people of the Tribe Ngaiterangi and its Hapus" (Turton Deed No. 461 see Appendix 4). In addition to the £1000 deposit already paid, £6000 was paid for the Te Puna Block, £600 for the Katikati Block, being their half share with Ngatitamatera.

One hundred pounds was also allowed for some old burial grounds and "tapu" in the Katikati block. Six thousand acres of reserves of great value mostly with harbour frontage were arranged to be set apart for Native occupation and cultivation. A reserve of 1000 acres subject to the Native Reserves Act was also to be made.

The Natives although pressed to have the land surveyed and the area ascertained before permanently fixing the amount of cash payment to be made for it obstinately refused to do so. I think they did this for two reasons; - first they did not wish any longer delay, and secondly they found that Messrs. Fox and Whitaker made no stipulation of any reserves and they had an idea if the land was once surveyed it all became Government property (National Archives Le1/1867/114).

Pirirakau still refused to participate and so Mackay decided to go to Waiwhatawhata on 6 November. Clarke was ill and agreed, but did not participate. Mackay was accompanied by "Kuka te Mea, Native Assesor, Rawiri Ruato, and Hohepa, Native policeman". They talked with about 25 men of Ngatirangi and Pirirakau but they were not to be persuaded.

Rawiri Tata replied "that the land from Te Wairoa to Waipapa belonged to him and that none should be given up, either for his participation in the rebellion or for the Government money. They had fought at Waikato, Taranaki and Tauranga. He had lost land at Waikato, had not made peace and did not mean to do so... He admitted he was Hori Tupaea's vassal but denied his right to the land" (in so doing he placed his hand on his forehead and said "Hori Tupaea has 'mana' here", and pointing to the ground said "he has no mana there") He said, "It would be for Thompson to decide". I offered to accompany him to see Thompson but he refused to go. A long discussion ensued and threats were made respecting the surveyors and myself. It ended in my stating: "it was my intention to cut a line from the Ruangarara stream to the River Puna" (National Archives Le1/1867/114).

There was little discussion of the Katikati Te Puna Purchase, although Mackay was prepared to offer reserves in it.

It did however seem necessary to be firm on the subject of the 50,000 acre block, as the Ngaiterangi had willingly agreed to give it up at the time of the surrender in 1864; and four of the Pirirakau at any rate had been parties to that arrangement. The Government also on the strength of that understanding had undertaken surveys and expended large sums of money with the view to the occupation of the land by military settlers. The whole conduct of the Pirirakau hapu in joining in the rebellion, refusing to make peace, stopping the road between Tauranga and the Thames, and interrupting the surveys, coupled with the hostile attitude assumed by them, rendered it advisable that a check should be given to their proceedings. I therefore determined to cut the boundary line, even though it should be necessary to do so under the protection of a military force (National Archives Le1/1867/114).

Mackay returned to Te Puna and held a further meeting with Ngaiterangi.

"They asked me before taking any decisive step to allow them to visit the Pirirakau". On 8 November several "Ngaiterangi chiefs" met with Pirirakau and Ngaiterangi at Te Irihanga. That afternoon they reported back to Mackay that Pirirakau "would not interfere with the cutting of the line but would

leave it for another tribe to do". Mackay interpreted this to mean the Ngati Porou of Mataora (Coromandel Peninsula) who were with Pirirakau.

On 9 November, Mackay went with the survey party and "200 men of H M 12th Regiment as a covering party". They were accompanied by several "Ngaiterangi chiefs". The survey of the boundary of the Confiscated Block between the Te Puna River and Ruangarara Stream, a tributary of the Wairoa, was completed without further incident. At the time it was noted that Pirirakau numbered a total of 87 men, women and children. The fears of both Clarke and Mackay seemed to be augmented by concern about Ngati Porou presence, "disaffected Arawa" led by Hakaraia in the Te Puke district, and rumours of possible alliances with tribes in the Waikato.

Meanwhile, the military settlers were confined to their town allotments at Te Papa. In November 1864 the Daily Southern Cross had reported that the men of the First Waikato Regiment at Tauranga were "beginning to get uneasy as to when they are to go on their lands". Early in May 1865 the strength of the Waikato Regiment at Tauranga was reported at 522. The question of their land had been referred back to Government but the Government had decided not to place the men on the land "at present". The difficulties in completing the surveys were the main cause of the delay and many of the prospective settlers gave up hope and departed. An Army return for January 1866 listed only 211 military settlers of all ranks at Tauranga. It was not until 8 June 1866 that Colonel Harrington could report, "In the presence of all of the officers now at Headquarters lots have been drawn this day for the companies to be located at Tauranga and Opotiki respectively." Companies 1, 3, 5, 6 and 10 were allotted farm sections at Tauranga, and the other five companies were allotted sections in the Figure

Opotiki district. During September most of the men were granted their farm sections and by October were struck off pay. By the end of the year, military settlers were attempting to establish themselves on their farms.

The Confiscated Block contained a large number of Maori villages (Figure 8). The villages on the harbour were linked by tracks to those on the forest margins and these tracks continued on to link up with Ngati Haua and Ngati Raukawa villages on the other side of the ranges. There were large areas of cultivated land and many old pa sites dotted over the block.

The kainga marked on Figure 8 are the occupied villages indicated on the first survey plans of the block. Figure 9 on the same scale indicates the farm sections allocated to military settlers. This does not mean that all this land was occupied by them, only that these areas were balloted for and a Crown Grant issued to a member of the First Waikato Regiment according to the Land Register of that regiment. The officers, who were first to ballot for their lands, acquired farms close to Te Papa and many immediately embarked on a farming career. Most of the privates received sections in more remote areas with no road access.

The main reason for not settling on remote farm sections immediately was the continuing fear of Maori hostility and "Hauhau rebellion". On 16 November the Acting District Surveyor, H.N. Warner (District Surveyor, Tauranga, Letterbook, 1866-1868), reported he had warned his survey parties in the Oropi-Omanawa area of "the danger of a meditated attack upon them by 13 armed men of the Ngati Porou tribe which will doubtless cause them to refrain from further operations at present". Mackay reported a meeting at Waiwhatawhata on 22 November where Pirirakau opposition to surveys west of the Wairoa River was expressed. At least one speech had been made "full of

pai marireism and fierce invectives against the Government". He also recorded "Pirirakau had a Pai Marire flag flying at Waiwhatawhata" but it was "not a fighting flag, only a Pai Marire one" (AJHR 1867; A20). The surveyors were told at the end of November they could not expect any further military protection "but in the event of any interruption whatever from the Natives the surveyors will at once fall back on the military post for protection". On 18 November Colonel Haultain had visited Tauranga and had directed "a party of 100 men of the 1st Waikato Militia to be stationed at Omanawa to protect the surveyors" (National Archives Lel/1867/114). By the end of the month all troops were back at Te Papa.

On 12 December 1866 Clarke reported that "everything has remained perfectly quiet in this district". Clarke expressed his concern about the intentions of Hakarala and "a party of twenty Natives from Puhirua (disaffected Arawas)" who were visiting at Kenana, Hakarala's village in the Te Puke district. "Small bands of Natives are known to be wandering from place to place in the disaffected district". Clarke also reported on "good authority that Wiremu Tamihana Te Waharoa has signified his disapproval to the Pirirakau Natives for inviting the assistance of the lawless Ngati Porou". Tamihana was already very ill and died at the end of December. It is tempting to speculate whether the outcome of events in the Tauranga district would have been different if the Government had accepted Tamihana's earlier offer of mediation, or carried out the Governor's promise of an inquiry. As rumours abounded in the district, civil administration was left in the hands of the two Civil Commissioners, Clarke and Mackay, backed by a military presence at Te Papa.

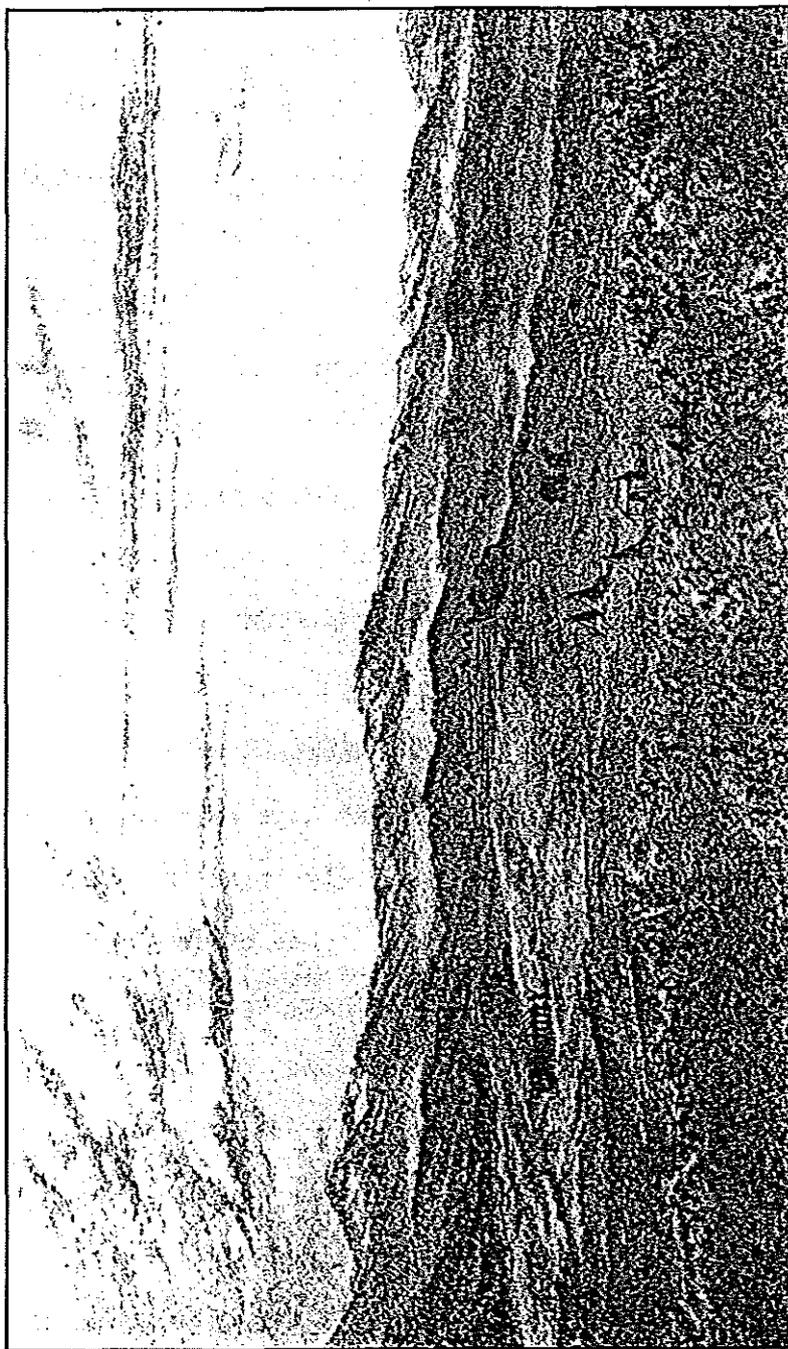


Plate 21. Gate Pa Redoubt, view looking inland on the Confiscated Block.
Source: Meade, 1871.

7. The Tauranga Bush Campaign 1867

On 31 December 1866 the new District Surveyor, H.L. Skeet; reported to Clarke that a survey party had been warned to move out of the Oropi area as "rebel Hauhaus were on their way to seize both surveyors and camp" (AJHR 1867, A20). All the survey parties were ordered back to Te Papa and the survey of the Oropi-Omanawa area abandoned for the time being. Rumours abounded at Te Puna during early January 1867 of an imminent attack by "Hauhaus" who lived in the inland villages, supported by the Ngati Porou party, and Hakaraia's Waitaha people from the Te Puke area who were said to be based at Taumata. On 8 January Clarke reported to the Native Minister, J C Richmond:

It is with great regret that I have again to report, for the information of the Government, that the repeated threats of the Ngatiporou Hauhaus to stop the surveys of confiscated lands in the district have at length been carried out.

A party of Hauhaus under Ropata and Kewine ... have again put a stop to line surveys, this time in the Waimapu Block, on that portion of the survey left incomplete by Mr Gundry. Mr Gundry left, having been warned by Mr Mackay that it was unsafe for him to continue the work...

The property of the surveyors has been carried off, and but for the timely warning given by the friendly Natives to the surveyors, I have very little doubt that murder would have been committed. The surveyors took a hasty departure having left their camp half an hour before the Hauhaus came up...

Pene Taka, Tupara, Hunia and others of the disaffected Ngaiterangi were of the party, which numbered in all seventy-four, all armed with double-barrelled guns. After carrying off the goods and instruments of the surveyors, the depredators went on their way on a visit to old Hakaraia, it is said on an invitation from that chief.

Since the Hauhau party have arrived at Hakaraia's settlement, at Te Puke, the accompanying original letter had been sent by Tupara, to his friends, the language of which is ominous. He recommends their going a distance from this place. Other friendly Natives have also been warned to withdraw themselves from all contact with us.

This morning I have heard that these Ngatiporou Hauhaus were the bearers of a letter from the King to Hakaraia, the purport of the letter is reported to be as follows: "This sick man has recovered, he will soon move his feet, the sword is unsheathed". Hakaraia is said to have acquiesced and that we are all to be attacked on the 15th instant.

All the surveys are at a standstill. I do not think it safe for the surveyors to go on with their work, unless made under the protection of a sufficient armed party. Covering parties of soldiers or Militia cannot be obtained without the sanction of His Excellency the Governor. His Excellency strictly charged me on a late occasion that neither troops nor Militia should be employed on such service without his approval having been first obtained.

Covering parties of Natives could be procured should the Government so order.

As may be expected from what I have reported above, there is great excitement among the friendly Natives; application has been made to me for firearms, which I have hitherto declined to supply. I have promised that when the emergency does arise that I will assist them as far as lies in my power (AJHR 1867, A20).

Mackay's report of the incident, dated 10 January, stated, "I have received information of twenty-four men of the Ngatiporou tribe (of Mataora, near Katikati), having proceeded on to the confiscated block..., with the intention of murdering the persons engaged in the survey of the same". In the same report Mackay reported discussion with "the chief Tioriori Te Hura and several Natives of Ngatihaua" and others who had attended the tangi for Wiremu Tamihana.

They tell me that several of the Ngaiterangi and Pirirakau tribes of Tauranga were at the meeting; also Te Hira and his people from Ohinemuri (Thames). All present objected to the proceedings of the Ngati Porou in stopping the survey at Tauranga; and ascribed it to

the fact of the removal of the covering party of Militia (100 men) who acted as a guard to the surveying parties (AJHR 1867, A20).

Various suggestions were made to go to Hakarala and ask that Ngatiporou be sent away. "The chief Tioriori says that he has persuaded the Pirirakau to remain quiet". Mackay also reported that at a "large political meeting of friendly Natives" at Taupiri on 4 January it had been unanimously decided that "friendly Natives would not go out of their own district to fight any rebels; but in the event of any attack within it, they would assist their European neighbours in repelling it".

The troops at Te Papa were ordered out on 17 January 1867. On 19 January, Lieut. Colonel Philip Harrington, Commander of the first Waikato Regiment reported to Colonel Haultain in Wellington that in accordance with instructions he had occupied the Omanawa Redoubt on 17 January and left one subaltern and 20 men at Poteriwhi "to watch the ferry of the Wairoa River". Harrington returned to headquarters at Te Papa the same day, leaving Captain Goldsmith in charge at Omanawa. On 18 January, Goldsmith reported that he had patrolled along the bank of the Wairoa, found a whare had been burnt but no other damage. One patrol had gone up the Ruangarara Stream in a whale boat and found a "War Canoe" hidden on the bank and brought it back to the redoubt up the Omanawa Stream. In his report Goldsmith described an encounter to the west of the Wairoa River.

Having received instructions from his Honour the Defence Minister to make myself acquainted with the roads on the left bank of the Wairoa I considered this a good opportunity to effect that purpose. I accordingly crossed the Wairoa at the bend near Captain Tovey's farm.

We marched westwards for about 2½ miles when the north and south roads were crossed. These are excellent bush roads and evidently much frequented.

We followed the East West road for about half a mile further when some Natives showed themselves on the hills to the west.

We continued our march - the Sergeant Major leading the advance guard - I had personal command of the main body. Ensign Horne had charge of support.

On approaching some Tupaki bushes fire was opened by the Maoris from behind the bushes - the Sergeant Major was shot through the shoulder - upon this I extended the men in the fern and returned the fire - the Maoris retreated, occasionally stopping to deliver their fire, we followed and drove them into the bush. We then retired in good order. Two Natives were seen to fall but were carried off by their comrades (National Archives Lel/1867/120).

Harrington's response to this report was to ride out to Omanawa and arrest Goldsmith "for leaving his post and bringing on a collision with the enemy without my instructions". The incident occurred in the vicinity of the village of Te Irihanga.

This was the first of a series of engagements over the next three months in the hill country between Whakamarama and Te Puke (Figure 10). The men of the First Waikato Regiment were supported by Major William Mair and a troop of 280 fighting men of Te Arawa called in during February. Gilbert Mair, brother of William, also participated, and some of the surveyors and chainmen acted as guides and interpreters. A section of Waitaha under Hakaraia from Te Puke went to the aid of Pirirakau. It is doubtful whether there were more than 70 men all told among the "rebels", but rumours circulated that Hakaraia commanded a force of 150 men and expected reinforcements to augment this to 400. Clarke had reported on 28 January "It is estimated that the Natives have supplies enough in the ranges for a force of five hundred men for twelve months" (AJHR 1867, A20).

Over the next three months in a series of engagements beginning with the Pirirakau villages in the Whakamarama area and then moving to Kaimai, Te

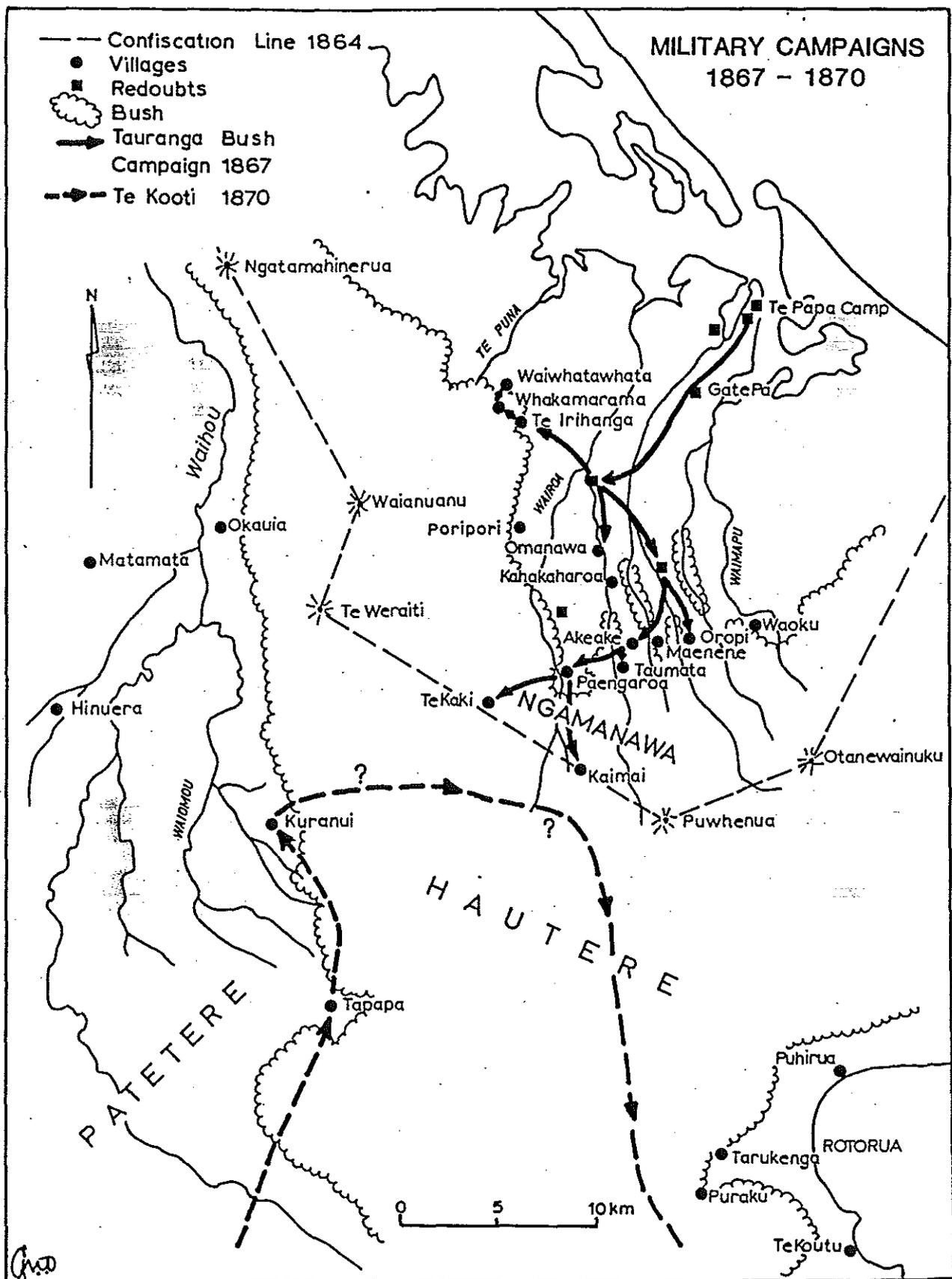
Kaki, Paengaroa, Taumata and Oropi, all these villages and their extensive cultivations were systematically destroyed (AJHR 1867, A20). Clarke reported on 10 February 1867 that a "great number of Hauhau flags had been seen flying at Taumata". After the destruction of this village "Hakaraia's great flag, said to have been a gift from the King, was also discovered, together with a large number of Hauhau flags... concealed in the woods." The military expected a fierce contest and embarked on a campaign of destruction to cripple Pirirakau and their allies. In the process all the Ngati Ranginui villages from Whakamarama to Waoku were burned, and all the crops of potatoes, maize, kumara, pumpkins and other vegetables dug up and destroyed. In their biography of the Mair family, Andersen and Petersen (1956) commented:

Apparently the government of the time could conceive of no other way of dealing with this poor remnant of the defeated tribes than harrying them into the bush and, by the destruction of their homes and food plantations, rendering them homeless and foodless, and later by the confiscation of the land itself, landless. The extent of their cultivations and the attractiveness of their villages showed them to be industrious and orderly. No doubt conquering and dispersing them seemed the simpler way of dealing with them, but it left an aftermath of bitterness which never healed.

Colonel Harrington's reports provide details of military action. On 24 January, Harrington reported to Haultain that with a force of 219 men he had proceeded from Omanawa Redoubt to the village of Te Irihanga, reaching it at 6.30am previous day.

On approaching the village which is situated on the top of a steep hill, with dense bush in the rear and on the right flank, I observed an old pah, which commanded the

Figure 10.



road up to the settlement. I threw out two companies in skirmishing order, and then advanced with the main body. Some shots were exchanged, but the enemy were speedily driven from the settlement. Pickets were posted and orders given for the destruction of all the whares and crops. During this operation a volley was fired from the bush when Lieutenant Turner with a few volunteers quickly dislodged the Natives.

After a short halt we went through a dense bush for nearly 2 miles, when we came to the village of Wai-wata-wata [Waiwhatawhata].

This had been evacuated by the Natives prior to our arrival, but the whares were burnt and plantations destroyed as far as possible.

On arriving at this village I observed a large party of the 12th Regt. under command of Colonel Hamilton on the opposite hill, which I have no doubt, tendered to our easy capture of the settlement. I then marched back towards Irihanga with the intention of returning to this camp [Omanawa Redoubt], but on going through the bush the advanced guard mistook the track and suddenly came on some natives in the village of Whakamarama situated in the middle of an open clearing of about 50 acres of wheat, completely surrounded by bush.

Lieutenant Turner and his Volunteers, forming the advanced guard, immediately rushed ahead, followed by the remainder of the force.

After some sharp firing, the Natives took to the bush, when we destroyed their whares and plantations as far as practicable.

I then ordered the force to return to camp, which we reached at 9pm (National Archives Lel/1867/120).

After noting the "good conduct of the whole force" and some in particular, Harrington ended his report with the comment:

I think it right to add that there are very large quantities of wheat, potatoes, maize etc. etc. in the three villages, which it would be impossible to destroy except by remaining there for a few days.

On 5 February 1867, Harrington reported to Haultain from "Camp Ake Ake" on further action the previous day. The force under his command comprised "Tauranga Militia" 164, "Volunteer Engineers" 20 and "Native Contingent" (mainly Te Arawa) 52, a total of 236 men. On the evening of 3 February, a few Maori had been seen from Pyes Pa "on a hill at the edge of the bush near Maenene". At 3am on 4 February, the forces moved out to investigate.

About a mile from Pyes Pa I instructed Major St John to take 3 Companies and endeavour to find his way round to the right flank of the supposed position of the enemy, whilst I advanced with the remainder of the force straight up the track.

As this road was commanded by a steep hill on each side I threw out skirmishers on these ridges to cover the advance of the main body.

The Native Contingent (52) under Mr Mair Civil Commissioner pushed on and occupied a hill in front of the edge of the bush. At this time no rebel Natives were seen but were distinctly heard in the bush.

I then directed the Volunteer Engineers and 3 Companies of Militia to extend to the right and advance straight to the bush in skirmishing order. I soon found this to be impracticable owing to the great height of the fern and was compelled to proceed by a Surveyor's "Cut Line" towards the right flank.

I was here joined by Major St John's party who was directed to occupy a commanding position on a ridge at the edge of the bush, whilst the remainder of the force advanced in skirmishing order.

The whole force then pushed through the dense bush under fire, crossed the Kopurererua Creek and advanced up a steep hill till Ake Ake was in possession.

The enemy retired towards Taumata from whence they were driven by a party under Major St John who continued to follow them for some distance through the bush. I enclose Dr Henry's casualty return by which you will see that two men were wounded.

Finding no water at Taumata I returned and took up a position at this place from whence I shall be able to make expeditions and destroy the crops of the neighbouring villages. On arriving at Ake Ake, the 12th Regt. under command of Colonel Hamilton and a body of Arawas under Captain Walker were observed advancing on Taumata from Kahakaharoa Pa which no doubt caused the Enemy to evacuate their position (National Archives Lel/1867/120).

Although the "Enemy" were described as Pirirakau, the villages of Ake Ake and Taumata, and Kahakaharoa Pa, were within lands of Ngai Tamarawaho. There is little or no evidence of who the "Enemy" were in tribal or hapu terms in the military reports. All were labelled Hauhau.

James Bodell was one of the recently-discharged Waikato Militia called in to action in the Tauranga Bush Campaign. He described his experiences as a soldier in his "Reminiscences", written in the 1880s.

A fortnight after [his discharge] the Natives again mustered in force and for the next six months another little war was carried on and several engagements took place within 14 miles of Tauranga. In about a month we had 800 men comprised of the 12 Regt. Militia and native allies, the tribe known as the 'Arawas' professed to be Queen Natives, and fight for Her Majesty. On several occasions sharp engagements took place and several militia men were killed. All native villages that we came across were burnt and their crops destroyed. The Natives never made a stand but took to the Bush and we never seen above 20 at a time. Every European in the District was compelled to take Arms and all men under 40 years of age went to the front. The 3rd class Militia men married over 40 years protected the Town. At this time I was 36 although I did not belong to the force, still I had to carry Arms and do military duty. One Native Settlement we looted a fine Lot of Poultry and the best Potatoes I had seen in New Zealand. We destroyed several Villages, could not tell how many of the Enemy we killed, they being in detached Parties, being in dense Bush. Their Presence were made known by the Ping of their bullets and a loud report. One of our men were killed who had volunteered, a Storekeeper, he left a Wife and 6 Children. I was told by a Native Chief some years after the enemy did not muster above 50 - 60 and they harassed fully 800 men for months. About July 1867 this little war ended and Peace reigned Supreme (Bodell 1982, pp. 165-166).

Bodell also wrote a second, separate account of this campaign.

The Natives commenced hostilities again every morning all hands under Arms. Sentries posted all round the Town, detachments at Gate Pah, Judea and Maketu. We had to put women and children in the Monmouth Redoubt. A building about 60 ft long was partitioned off, the Guardroom in the end and women and children occupied the remainder. In 1867 about 500 troops went on an expedition to all the native settlements and burnt all Crops, Poultry and Buildings in each settlement. Hundreds of tons of splendid Potatoes, Cattle and Horses were all destroyed and in retaliation the Natives shot down several Militia and Soldiers. The miserablist night I ever spent was on one of these expeditions. It was a wet windy Night and I was with others in an old Whare or house and the wind came through it like a sieve. I was glad when morning came. It is all nonsense to send soldiers on these expeditions because a body of men cannot keep together. I knew from my Waikato experience the best way was for 3 or 4 good men to keep together on these occasions and then take care of yourselves. One poor fellow was shot close alongside the eye and nose. The bullet left only a small mark about the size of a Threepenny bit. The man felt no pain he was dead instantly. Another was shot just as he looked over a dead log in the centre of the forehead. Another was shot in the breast and many wounded. Officers could do very little commanding. They soon lose their men. In 1867 just after this expedition all the British Soldiers left New Zealand, and the Settlers were left to take care of themselves. At the time I thought this was very foolish for the Government to do but I ascertained the British Troops were very costly. Then the Men of War used to come in the harbour. These cowed the Natives (Bodell, 1982, pp. 165-166).

James Cowan was some years later commissioned to write an historical account of the "New Zealand War" which was published by the Government Printer in 1923. His account of the Tauranga Bush Campaign (Cowan 1983, Vol. 2, pp. 153-160) tends to magnify the exploits of the militia, play down the grievances of local people and interpret them as Hauhau rebels, the enemy. There are significant differences in style between Cowan's version which almost romanticises war, and Harrington's more matter-of-fact account. For example, Cowan's narrative of the initial engagement at Te Irihanga on 18 January 1867 described it as "premature" and omits Harrington's arrest of Goldsmith for crossing the Wairoa without orders and

so precipitating military action. Mair's biographers also interpret the campaign differently from the impression given by Cowan's account which follows:

The opening action of the campaign occurred on the 18th January, 1867, at the village of Te Irihanga. On the previous day a force of the 1st Waikato Militia was moved out to the Omanawa Redoubt for the purpose of covering the arrest of Pene Taka and others of Ngai-te-Rangi, and Te Kewene and others of Ngati-Porou, on charges of interference with the surveyors by taking their instruments and threatening them with death. On the morning of the 18th the officer in charge of the force at Omanawa crossed over towards Te Irihanga with forty men. This movement, which was premature, quickly brought on a fight. A volley from the Hauhaus, as the small force began its ascent of Te Irihanga Hill, mortally wounded Sergeant-Major Emus of the Militia; he died four days later. On receiving this surprise volley the Militia quickly extended in skirmishing order, and hot firing lasted for about three-quarters of an hour. After an indecisive encounter the Militia force drew off and returned to the Omanawa post.

The next expedition (21st-22nd January) consisted of detachments of the 1st Waikato Regiment of Militia, under Colonel Harrington, and the 12th Regiment, commanded by Colonel Hamilton. The force crossed the Wairoa River at Poteriwhi in canoes and boats (just above the present bridge), and ascended the long fern-clad slopes of Minden Peak, where the 12th Regiment bivouacked for the night. Mr Gilbert Mair, who was soon afterwards given a commission as ensign and received promotion to Lieutenant, was attached to the Imperials as interpreter, but obtained Colonel Hamilton's permission to act in that capacity for Colonel Harrington's force which was in the advance, and which did all the fighting.

Passing through Te Irihanga the Militia skirmished through the belt of bush which separated it from the next settlement, Whakamarama. On entering the large fields of maize and potatoes at Whakamarama the Militia came under a heavy fire from the edge of the forest all round. The tall maize afforded good cover, and no casualties occurred just then. Gilbert Mair was one of the few who were on horseback and led the attack on the village. Seeing a party of seven Hauhaus making for a slab hut, he galloped up, trying to turn them to the right, where they would have run against Captain A.C. Turner's company of the Militia. The enemy reached the shelter first, and fired a volley at short range through the doorway and two open windows. Mair's horse, a heavy one, fell dead, its spine smashed by a bullet, and other

shots through its head and heart. In its fall it pinned Mair's left leg and spurred boot so that he could not move. In the meantime the natives rushed out, reloading as they ran towards him, while he kept snapping his revolver, which had been wet through when he swam the Judea estuary at high water that morning. Fortunately one cartridge exploded, wounding the foremost man, which checked the rush, and Captain Turner, hurrying up, extracted Mair from his perilous position. A bullet had cut the peak of his cap, another grazed his sleeve, and another cut the pommel of his saddle. Several 1st Waikato men now ran up, and the party gave chase to the natives. The Hauhaus retired into the bush, and the pursuers got in among some fallen timber. Here Private Henry Jeffs was mortally wounded at close range, and was brought out with great difficulty. While the advance-party was so engaged, the main body of the Militia reached the spot where Mair's dead horse was lying, and Private Burslem, by way of a joke, stood up on the animal and began soliciting bids, when about a dozen shots rang out from the edge of the bush and a bullet deprived the self-constituted auctioneer of part of an ear.

At the request of the Government, Major William Mair, R.M. at Maketu, raised a force of two hundred armed Arawa, at a pay of 3s. a day, for the purpose of following up the Hauhaus to their forest villages and dispersing them and destroying their cultivations. Mair was instructed to begin at Te Puke; then the headquarters of Hakaraia's band (Waitaha and Tapuika clans), to destroy food crops there, and then to push on to Oropi. After burning the village and making havoc in the food-gardens the Arawa pushed on along the edge of the bush. The instruments belonging to Mr Graham, the surveyor, were found at Te Puke. Oropi was found unoccupied and was destroyed. Here a large quantity of loot and some gunpowder was found, and Hakaraia's great flag and other Hauhaus banners were discovered in the bush.

On the 4th February a combined attack was made on the Hauhaus assembled at Te Akeake, a short distance inland of the redoubt called Pye's Pa (after Captain Pye, V.C., of the Colonial Defence Force Cavalry) at Otupuraho. The column was made up of the 1st Waikato Militia under Colonel Harrington, Mair's Arawa, and some other Arawa under Captain Walker. The Hauhaus were collected in some strength in a wooded gorge. After some sharp skirmishing from tree to tree they were driven back into the dense forest. Akeake and Taumata Villages were taken, with five prisoners, from whom it was ascertained that Hakaraia had been there with forty-five men. Gilbert Mair led the attack on the rifle-pits at Taumata, and the Defence Minister, Colonel Haultain, who accompanied the expedition, gave him a commission as Ensign of Militia. The work of cutting down and

otherwise destroying the food crops in the captured settlements occupied the Militia for three days. From here the Arawa went on inland to Paengaroa, where the Hauhaus retired into the forest after firing a few heavy volleys. The settlement here, too, was burned down.

In the middle of February a strong expedition was organized at Tauranga to attack Te Irihanga and Whakamarama again. On this occasion the force was composed almost entirely of Arawa natives commanded by Major William Mair and his brother Gilbert. Captain H.L. Skeet's company of volunteer engineers, a fine body of young surveyors, all well accustomed to bushwork, formed part of the column, and several companies of the 1st Waikato Militia acted as supports. The expedition followed the route taken by the first attacking column, up the right (proper) bank of the Wairoa, fording that river at the lower falls. The first night out was spent in bivouac at Awangarara, near the ford. On reaching the Irihanga village, on the eastern fringe of the forest, on the 15th February, the place was found strongly held by the enemy. The Hauhaus did not fire until the troops got into the open ground near the top of the hill on which the village stood. The summit was about 150 yards from the bush. The fern on each side of the narrow was 8 feet or 10 feet high. The Hauhaus had cleared a space of about 10 yards wide between the hill and the bush by treading the fern down, and the heads of the fern were pressed over in the direction of the line of march of the troops. This was done in order to enable the defenders of the hill to fire destructive volleys while the attackers were passing over the ground between the summit and the bush - a task of difficulty and slowness on account of the artful manner in which the fern had been pressed over. As the troops approached the hilltop the Hauhaus opened fire. Major Mair's Arawa, who were leading, waited until the enemy had delivered a heavy volley, and then, before the Hauhaus could reload, recharged and captured the settlement, and drove the Hauhaus into the bush. The force advanced and penetrated to Whakamarama, the headquarters settlement of the Piri-Rakau and their chief source of food-supplies. (Cowan 1983, Vol. 2, pp. 154-156).

Pirirakau and their allies retreated into the bush between the villages of Whakamarama and Te Irihanga. There was another skirmish involving "tree to tree fighting" between Pirirakau and their Arawa pursuers and several were wounded. Cowan commented:

It was typical bush warfare for a few minutes. Only the black heads of the combatants were to be seen now and again, and the muzzle of a gun showing for an instant, followed by a puff of smoke, then an instant dash for another tree. The Hauhaus presently broke and fell back on their main body at the Whakamarama village (Cowan, 1983, Vol. 2., p. 157).

It was following this skirmish that Gilbert Mair followed one of the Pirirakau along the Poripori track and shot him in a cave. Cowan continued the narrative of this engagement in which there were several more casualties:

Ensign Mair soon overtook his brother William, who, with his Arawa, was hotly engaged with the enemy at Whakamarama. The contingent skirmished through the maize-fields, where the corn was higher than a man's head, and forced the Hauhaus back to the western end of the clearing. Here, at their third position, Te Umu-o-Korongaehe, on the edge of the bush, the enemy made a further stand...

In this skirmishing, in which several hundred Hauhaus were engaged, most of the fighting was done by the Arawa; few of the Europeans got up in time. The crops were ordered to be destroyed, but the area was so large that the troops could only cut down or otherwise destroy a part of the maize and potatoes. The whares in the group of villages were destroyed, and the force marched back to Tauranga (Cowan, 1983, Vol. 2., pp. 158-159).

The final phase of the Tauranga Bush Campaign involved further expeditions to the villages of the Kaimai area as described by Cowan.

On the 19th February the Arawa moved on to Paengaroa and Kaimai; the latter village was found deserted. On the 2nd March Major Mair and his Maoris threw up breastworks at Paengaroa to cover the work of the survey-parties and to watch the Kaimai hostiles. On the 3rd March Gilbert Mair and four men, out foraging, followed up a trail near Te Kaki clearing, in very wild rough country, and suddenly were heavily fired on - "a terrific close fire." A brave young Arawa, Mau-paraoa, fell severely wounded. Mair and the other three men kept up a smart fire until the rest of the small foraging-party came up.

He then took the offensive and drove the Hauhaus off, killing two of them. Lieutenant C. Dean Pitt, of the 1st Waikato Militia, who was attached to the Arawa contingent, brought up fifty men in support. The Civil Commissioner in his report on the skirmish praised the activity and courage displayed by Mair and Pitt in this hot bit of work.

Several other hazardous scouting operations into the great forest of the ravine-seamed tableland trending up to the Hautere wilderness were undertaken by the Mairs and their picked bodies of Arawa. Many Ngati-Raukawa from Patetere and Waotu had joined the Piri-Rakau, but these presently withdrew to share in a strong Kingite attack from the north upon the Rotorua district, left temporarily unprotected by the absence of so many Arawa in the Tauranga operations (Cowan, 1983, Vol. 2., pp. 159-160).

There followed some further skirmishes during March 1867 around the villages on the edge of the Mamaku bush west of Lake Rotorua where William Mair and his Te Arawa troops continued their campaign against the supposed "Kingite-Hauhau incursion" into the Rotorua area.

The village of Kuranui was a rallying place and refuge for people involved in this conflict. In March 1867 it was reported that Ngati Porou were living at Kuranui, and it was suggested to them by the Ngati Haua chief Tioriori that they give up their guns and make peace. "This they declined to do and said that they were in the hands of God and would be guided by him (Kei a Ihowa Te Tikanga)". Twelve Ngati Mahuta, who were called "Matutaera's Apostles" appeared and ordered Tioriori away from Kuranui (AJHR 1867, A20). This information had come from R.C. Mainwaring, Resident Magistrate at Waihou, and Clarke commented that his informant, Te Pakaroa of Ngati Haua, was "a staunch Hauhau." On 12 April 1867 Clarke reported "that the effort of Riki and Te Pakaroa, with other Ngati Haua chiefs, to induce the Ngaiterangi to join in the disaffection have for the most part

failed. Some of the hapus are reported to sympathise with the enemy, and a few individuals have left, but as a tribe they appear determined to remain quiet" (AJHR 1867, A20).

On 8 April 1867, the last detachment of the 12th Regiment had left Tauranga, leaving only the men of the First Waikato Militia (283 men, including 51 "Civilians" who were military settlers no longer receiving pay), and "Volunteers" based at Te Papa. There was continuing concern about the movements and intentions of the "Hauhaus" in the inland ranges. H.T. Clarke returned to Tauranga from the Rotorua district, concerned about information he had received. On 12 April, Harrington reported this to Haultain, noting Clarke "has deemed it advisable to order 150 Arawa to come down to Tauranga and that that number will arrive here tomorrow evening" Harrington also noted that he had "moved the Magazine and ammunition into the Monmouth Redoubt" and made "all necessary arrangements" in the event of "sudden attack" but was reluctant to "incur additional expense of calling them out unless it is absolutely necessary". He also reported "Enoka still persists in stating that an attack is to be made on this township" and advised that "the friendly natives at Bethlehem and Otumoetai have all left their settlements and come to the village of Matapihi" (National Archives Le1/1867/120).

Clarke's concern was based on rumours that "disaffected Natives from the Waikato are collecting in some force in the Tauranga district". If true he felt that Te Papa was insufficiently defended and first requested assurances from Harrington in a letter from Rotorua on 7 April. "I regret very much to say that I can place very little reliance upon the Ngaiterangi as a whole; there are but few that I should feel justified in arming with

our rifles." Harrington responded to Clarke on 9 April. "I consider that force under my command sufficient for the protection of the place". He did suggest that McDonnell might be able to spare "some of the Arawas from Rotorua" and went on to comment on the local scene.

The Ngaiterangi have repeatedly requested me to furnish them with arms and ammunition for their protection but I have declined to do so on the grounds that there are only a few of them at each settlement and that therefore if attacked by Hau Haus they would easily be overpowered and their arms fall into the hands of the enemy. They did not appear to approve my decision but as you express your opinion that they are not to be relied upon and Major McDonnell concurs with your views I would not give any arms to them (National Archives Le1/1867/120).

In response to Harrington's report of 12 April, Under Secretary Holt passed on the instructions of the Defence Minister dated 1 May 1867, to make every effort to ascertain the nature of any threats.

Should there be any body of rebels at Whakamarama, an Expeditionary Force of the Arawas and Militia should be immediately sent to dislodge them; but you will understand that the Arawas cannot be retained in the District for an indefinite time to protect the Town from possible attack (National Archives Le1/1867/120).

The real role of Pai Marire as an expression of Maori identity, an attempt to reintegrate Maori society to accommodate Pakeha presence, was not perceived by European administrators, civil or military. In the European view, Pai Marire "superstition" was synonymous with Hauhau "rebellion" and had to be put down ruthlessly. Civil Commissioner Clarke reflected on Pai Marire and the Kingitanga in a report of 24 April 1867.

It is hardly necessary for me to again repeat that I have never looked upon Hauhauism in the light of a religion at all. I have now been, as it were, face to face with the Hauhau fanaticism ever since it was

introduced into these districts, and my belief is confirmed, that it is a cleverly contrived political institution in support of the Maori King. Stronger by far than the old combination, from the circumstance that its inventors have brought to their aid the blind and superstitious belief of their followers. In fact some of their leaders are looked upon with as much reverence and fear as the old Maori Priesthood, and their beliefs implicitly obeyed. The one common object ridding the "New Canaan" of the Samaritans.

It may excite surprise that all their reverses have not tended to check the aggressions of the Hauhaus. I believe the true solution is as the Arawa chiefs have stated, "We have lopped at the branches, while the root is allowed to remain untouched." I am forced into the belief, that until Hauhausism and Kingism are both put down, with a strong hand if need be, we shall not have permanent peace. Indeed it would be the most merciful course towards the Natives themselves to put it down without loss of time. If it is allowed to go on, I see nothing for it but the total destruction of the race (AJHR 1867, A20).

The Government excuse for the campaign claimed that there was a threat of a general Hauhaus uprising, and that Pirirakau were Hauhaus, unsundered rebels and aggressors. There is little evidence of this. Pirirakau were fighting for their land and Government had refused to acknowledge their claims to it. The newspaper Southern Cross commented on 23 January 1867: "At Tauranga it was promised to the natives [in 1864] that the river Wairoa would not be crossed - yet it was crossed, and that is at the bottom of the present troubles." Clarke, in a report to the Native Minister, 7 May 1867, commented:

In perusing this report you will not have failed to observe that the unsundered portion of the Ngaiterangi backed up by the "Maori King" and all the evil influences at his call are at the head and front of the opposition to the Government in the Settlement of the Lands in this District.

It also affords a manifest proof that a mere handful of lawless and turbulent men can throw not only a District but a whole Province into disorder (AJHR 1867, A20).

There was no immediate resolution of the situation and over 13-15 May there was an exchange of correspondence between Clarke and Harrington on the issue of the defence of Te Papa and Hauhau threats. On 14 May Harrington wrote to Captain Holt, Under Secretary for Defence.

No aggressive movement has been made on the settlers of this district since the departure of the Imperial Troops [on 8 April 1867] and I therefore deem it most inexpedient to renew hostilities at a time when a large meeting is being held to discuss the question of peace or war.

I enclose copies of correspondence between Mr Clarke and myself but as the fact of the Hauhaus being at Whakamarama is so uncertain, I do not feel justified in again crossing the Wairoa for the purpose of looking for and destroying crops, which may be intended for a hostile Force or not.

I have arrived at this conclusion after mature and careful consideration of the instructions contained in your letter, which do not authorize my forming an expedition to look for provisions. I think it right to add that several of the men have been working on their land between Te Ranga and Pyes Pa (about 9 miles from this Township) during the last week and have received no obstructions. I therefore think it inadvisable to do anything at the present moment which could be construed as an act of aggression on our part. As this large meeting has not yet decided ~~what is to be their line of~~ action, I have determined to keep 100 Arawas here till I receive further instructions, ~~or more definite~~ information is received regarding the rebel natives and I have requested Mr Clarke to send the remainder to their own homes (National Archives Lel/1867/120).

Clarke maintained his opinion that "the stores of provisions they have collected [at Whakamarama] ought to be destroyed" so that "a large hostile force" could not be maintained in the district. He considered that the nature of any hostile force could only be determined by sending out an expeditionary force in the Whakamarama area. On 15 May he wrote declining

any responsibility for Harrington's decision not to send a force. Harrington responded by confirming his decision to ask "McDonnell to retain 100 Arawas at Judea and acquaint the remainder that they may return home", and asking Clarke to arrange for their rations.

On 23 May Haultain wrote to Harrington acknowledging his letter of 14 May.

I have to express my entire disapproval of your inaction, which was in direct opposition to the advice and remonstrance of Mr Clarke, who distinctly informed you that Hauhaus were there, and that he had reason to believe they had collected surplus provisions and that it was most desirable to strike a blow whilst the Arawas were available.

I disapprove also of you having retained (contrary to Mr Clarke's advice) the 100 Arawas in the District, they must be immediately sent back to their homes; unless new circumstances should have arisen, which will make it in Mr Clarke's opinion (to whom you will refer this question) expedient that they should be retained (National Archives Le1/1867/120).

In a private letter dated 29 May 1867 to the Civil Commissioner, Auckland, Clarke expressed his views of the situation in Tauranga. The following extract was passed on to Government, signed by James Mackay Jr. and dated 31.5.1867.

News has been brought in by Te Moananui that the Hauhaus in this District have been largely reinforced by Natives from Ohinemuri, chiefly Ngatiporou, there are also several new faces from Waikato - they make no secret of their intentions. Fires have been seen every morning at Paengaroa, Te Kaki, and Kaimai, and it is my belief that the Hauhaus are making preparations.

The information that the Hauhaus were disposed to terms is incorrect.

I have sent for more ammunition. I see nothing for it but to go at it and settle the matter.

At the very time they were here in Tauranga asking for Hauhaus to make peace, the latter were laying a deep scheme for the destruction of the Pakeha. It has just become known that five of the Opotiki were here, and that their first act of aggression was committed immediately on their return home. Two men of the Waikato settlers have been either taken prisoner or killed. I am afraid the latter has been their fate (National Archives Le1/1867/120).

On 11 June 1867, Haultain wrote to the Officer Commanding, Colonial Forces, Tauranga, noting a report that "hostile Natives are assembling in the neighbourhood of Tauranga with the intention of making an attack". He directed him "to consult with" Clarke and "should you be mutually agreed as to the necessity for reinforcements, you are to employ a sufficient number of the Arawas and Ngaiterangi to take the field with the Militia and to expel the Rebels from the District" (National Archives Le1/1867/120).

On 20 June Captain H Goldsmith of the First Waikato Regiment responded with a report.

Immediately on the receipt of your letter I set on foot inquiries to ascertain how far this report might be correct; and further myself rode to the various Native villages on the Frontier, in order personally to satisfy myself what was the real state of the case.

In order to avoid arousing any unnecessary alarm to the inhabitants of Tauranga on the one hand, or of giving cause of offence to the neighbouring Natives on the other, or to excite their jealousy, I visited the several villages around accompanied only by two well-mounted men.

The Wairoa I did not cross lest the Natives might distort the occurrence into another man's killing but I despatched a trusty scout on whom I could well rely.

The result of my proceedings here - that the only places on our Frontier in which Natives are present is at Whakamarama, these are a small party who are engaged removing into the interior the the corpses of their country men who had been buried at or near Whakamarama. With this exception not one openly hostile Native is on our Frontier.

I have consulted with Mr Civil Commissioner Clarke on all Native subjects and his information entirely concords with mine.

I shall continue to keep a vigilant eye on the Frontier and am prepared for any emergency (National Archives Le1/1867/120).

On 10 October 1867 the Tauranga District Lands Act was passed to validate the Order-in-Council of 18 May 1865 which proclaimed the confiscation of land under the New Zealand Settlements Act 1863 (see Appendices 12 and 13). The 1867 Act specifically named Ngaiterangi as owners of the confiscated lands, thus validating the original Order-in-Council which differed from other confiscations under the New Zealand Settlements Act in specifically naming a tribe. The 1868 Amendment to the 1867 Act was passed to include a large area of back country not included in the area described in the earlier Act. The effect of this legislation was that Pirirakau and various other Ngati Ranginui, Ngati Raukawa and Waitaha claims were not acknowledged by name, except under the broad interpretation of the term Ngaiterangi. All government transactions to date were thus declared legal and there could not now be any appeal against them. In 1871 a belated Government recognition of Pirirakau and other claims was made in a payment of £471 to chiefs of Pirirakau, Ngati Hinerangi and Ngati Tokotoko (see Turton's Deed No. 462 in Appendix 4).

The end of the "Tauranga Bush Campaign" was not the end of civil and military concern about "Hauhau rebellion". Early in 1870 Te Kooti Rikirangi was being pursued by the military in the west Taupo hill country. On 12 January 1870, Major Mair reported to H.T. Clarke that Te Kooti had left Tuhua, west of Lake Taupo, and was moving north to Patetere and Tauranga, the place which had been "given into his hands by his Atua" (AJHR 1870, A8A). Te Kooti and about 270 followers had reached Tapapa, pursued

by Lieutenant Colonel T.M. McDonnell and his troops. Various reports came into Tauranga that Te Kooti's messengers had been to Okaula and Whakamarama. Clarke commented that the "Hauhaus of Oropi, Te Akeake and the villages along the start of the forest are very uneasy, not knowing how Te Kooti will treat them." One message received by Clarke suggested that Tauranga "Hauhaus" had joined Te Kooti, that they had "collected together at Kuranui" having been called there by Hakaraia (AJHR 1870, A8A).

Meanwhile, Te Kooti had met with J.C. Firth near Matamata and informed him, "I do not wish to fight any more" and expressed the desire to settle down and live in peace at Tapapa (AJHR 1870, A8A). On 24 January, Lieutenant-Colonel Moule set out from Cambridge, with reinforcements for McDonnell, and set up fortified posts at Hinuera, Tirau and Tapapa. On 23 January, McDonnell had reached Tapapa. A skirmish the following morning ended with the capture of Tapapa Pa, but Te Kooti and most of his men escaped. From Rotorua, Captain Gilbert Mair was ordered to bring his 200 Arawa troops to McDonnell's assistance. A number of expeditions into the rugged bush country behind Kuranui were made in the next few days, but Te Kooti moved south again, pursued by Mair. There were several skirmishes south of Rotorua but Te Kooti and his remaining followers again escaped into the Urewera (AJHR 1870, A8A; Andersen and Petersen, 1956).

Local tradition has it that Te Kooti's flag, Te Wepu (the whip), flew from the niu pole at Kuranui. The following is Gilbert Mair's description of Te Wepu.

It was a long pennant or streamer of bright red silk: the emblems were worked on this ground in white silk - the young moon, a cross, a star, a mountain (representing Aotearoa or New Zealand) and a bleeding

heart symbolizing the sufferings of the Maori nation. The flag was 52 feet [15.8m] in length representing the number of weeks in the year and was about 4 feet [1.2m] in the hoist, tapering to a fine point. It was made by the Roman Catholic nuns in the mission school at Meeanee, Hawke's Bay, for the friendly chiefs of the Ngati Kahungunu Tribe but fell into Te Kooti's hands in 1868... (quoted by Cowan 1983, Vol. 2, p. 546)

It is said that when flying on the mast at Kuranui in a stiff breeze, the sound of the flag flapping was like a whip cracking and could be heard as far away as the villages in the Kaimai area. This may be the basis for the name Te Wepu, the whip. The flag was captured by Captain Gilbert Mair during a skirmish south of Rotorua on 7 February 1870:

When I shot Te Kooti's notorious bugler and butcher, Peka Makarini, he was carrying Te Wepu in a leather case. I took great pride in presenting it to my old friend Mr Hector (later Sir James Hector) for the Dominion Museum in Wellington, giving a full history of it. Judge of my amazement and disgust when on visiting the Museum a few years afterwards the custodian (Captain Beamish) informed me that the silken relic had been cut up into convenient lengths and given to the charwoman to use as floor cloths and dusters! (Cowan, 1983, Vol. 2, p. 546).

8. The Tauranga District Lands Acts 1867 and 1868

By Order-in-Council, dated 18 May 1865, the whole of the Tauranga Moana tribal area was confiscated to the Crown under the New Zealand Settlements Act 1863 (Appendix 12). The various dealings, including land grants allocated by Mackay and Clarke, concerning the Tauranga confiscation 1865-67 were validated in the Tauranga District Lands Act 1867 and 1868 (Appendix 13). It is the Schedule to the 1868 Act which outlines the total area of land affected. This Schedule is reproduced in the Tauranga Moana Maori Trust Board Act 1981 (Appendix 14).

Because the whole Tauranga district was confiscated and thereby became Crown Land, there was no investigation of title to "customary land" (papatipu) by the Native Land Court. The administration of Tauranga lands was undertaken by Commissioners appointed under the Tauranga District Lands Acts. When some applications were made to the Native Land Court for investigation of ownership of Tauranga lands in 1865, Chief Judge Fenton sought clarification of the status of these lands. Under the New Zealand Settlements Act 1863 there were provisions for a Compensation Court to sit and award reserves in confiscated lands. No such Court ever sat at Tauranga because, as Chief Judge Fenton reported on 29 July 1867, the Colonial Secretary had not referred any cases to it as required by the New Zealand Settlements Act (AJHR 1867 A13). Fenton was also Senior Judge of the Compensation Court.

The Government did not want the Native Land Court to sit at Tauranga, as had been advertised in December 1865. On 14 December F. W. Whitaker, General Government Agent, Auckland, wrote to Fenton claiming that the

confiscated land was Crown Land outside the jurisdiction of the Native Land Court, and such Court sittings would encourage both Maori and European to think it had jurisdiction (DOSLI files). Fenton replied on 18 December that a sitting of the Court was already fixed and he intended to hold to this. In a letter to the Native Minister, questioning the grounds for saying the Native Land Court had no jurisdiction and whether jurisdiction can be ascertained before a particular case is heard, Fenton commented,

It is a judicious act to say whether the Court has jurisdiction or not and cannot with priority be settled by me in chambers, still less by the Executive Government. The question of jurisdiction is as it appears to me a question to be settled by evidence and argument for which purpose a sitting is necessary...

In conclusion I may call your attention to the fact that no block of land has been confiscated in Tauranga, but merely the land of a certain Tribe in a defined Territory. If the Courts over which I have the honour to preside have no jurisdiction how will the question of which are the lands of this tribe be settled? (DOSLI files).

Fenton's letter was referred to the Attorney General for an opinion on two questions:

1. It is the duty of the Chief Judge to ascertain before publishing such a notice [of a sitting of the Native Land Court] that such claim is not within any block of land so set apart [i.e. under the N.Z. Settlements Act].
2. If informed by a Government Agent that such claim is within a block of land so set apart is he justified in declining to investigate such claims.

The Attorney General, James Prendergast, replied on 16 January 1866. In answer to the first question, the Native Land Court had no "discretion" but

was "obliged to hear" any claim, provided it was "made in writing and otherwise in order." The answer to the second question was as follows:

The Court has no jurisdiction except over such lands as are Native Lands within the meaning of the Native Lands Act. It is clear that lands lying within Districts declared by the Governor in Council to be Districts for the purposes of the New Zealand Settlements Act are not Native Lands "owned" by Natives under their custom and usage. For although the New Zealand Settlements Act 1863 does not vest in the Crown free from all claims the whole of the land within the declared districts but only such of the land within the district as is set apart for settlement. Yet the New Zealand Settlements Act and its Amending Acts very clearly show that such land is to be deemed no longer "owned by Natives." The operation of the New Zealand Settlements Acts appear to me to be that as to such land within the declared districts as is not set apart for settlement that part may be given back to the Natives as abandoned by the Crown or be disposed of in compensating those Natives who establish their claims without any grant; but that as to such land as is reserved for settlement that becomes Crown Land and would require a grant to dispose of it. Then as the land is not Native Land within the meaning of the Act, the Court on that being ascertained would have no jurisdiction and would dismiss the case. The Court may receive any evidence it thinks fit and would properly receive a Gazette as Evidence of an Order in Council. (DOSLI files).

Fenton wrote to the Native Minister on 15 March 1866 expressing his satisfaction with the Attorney General's opinion which coincided with his own and commented that the Attorney General, "like myself, is an unpolitical officer". Fenton suggested an appropriate amendment should be made to the Native Land Act to cover the situation.

I cannot regard as a defect the provision which has caused this correspondence. On the contrary I cannot but think, especially holding the position I do, that the safeguards placed by the Legislature for the protection of the subject against the encroachments of the Government and for shielding the Court from the pressure of the Government are among the most valuable and important ideas to which the Act gives effect, and I would view the obliteration of such sound principles with the greatest regret (DOSLI files).

In a letter to T.H. Smith, 28 October 1865, Fenton had described how he had reached the decision "after mature consideration" to hold a sitting of the Native Land Court at Tauranga:

I have not been able to satisfy myself that we have any right to deprive any considerable class of Her Majesty's subjects of the benefit of the Courts established in the Colony except under circumstances of peculiar exigency which I do not think exist at the present time at Tauranga (DOSLI files).

The Court did not sit at Tauranga, but Fenton did not abandon the issue. He wrote several letters in 1867 to the Native Minister suggesting that claims at Tauranga should be heard by the Native Land Court. In May 1867 the response was "that the Government does not consider that in the present unsettled state of the District it would be advisable to hold a Court at Tauranga". In August, Fenton sent a list of claims which would be heard if the Native Land Court sat at Tauranga. The reply was

that the Government does not propose to suspend the operation of the Native Land Act at Tauranga but that a bill will shortly be before Legislature to set at rest doubts as to the validity of the Order in Council bringing the Tauranga Block under the New Zealand Settlements Act" (DOSLI files).

The promised legislation was the Tauranga District Lands Act 1867 (passed on 10 October 1867) which validated all the "grants awards contracts or agreements entered into by the Governor or by any person or persons authorized by the Governor" under the Order in Council of 18 May 1865 issued under the New Zealand Settlements Act 1863. The Tauranga District Lands Act 1868 (passed on 16 October 1868) amended the Schedule to provide a more detailed description of the boundaries of the land affected. Subsequently, Commissioners were appointed under the Tauranga District Lands Acts to determine "ownership" of "Lands Returned" and establish reserves within the Confiscated Block and Katikati Te Puna Purchase.

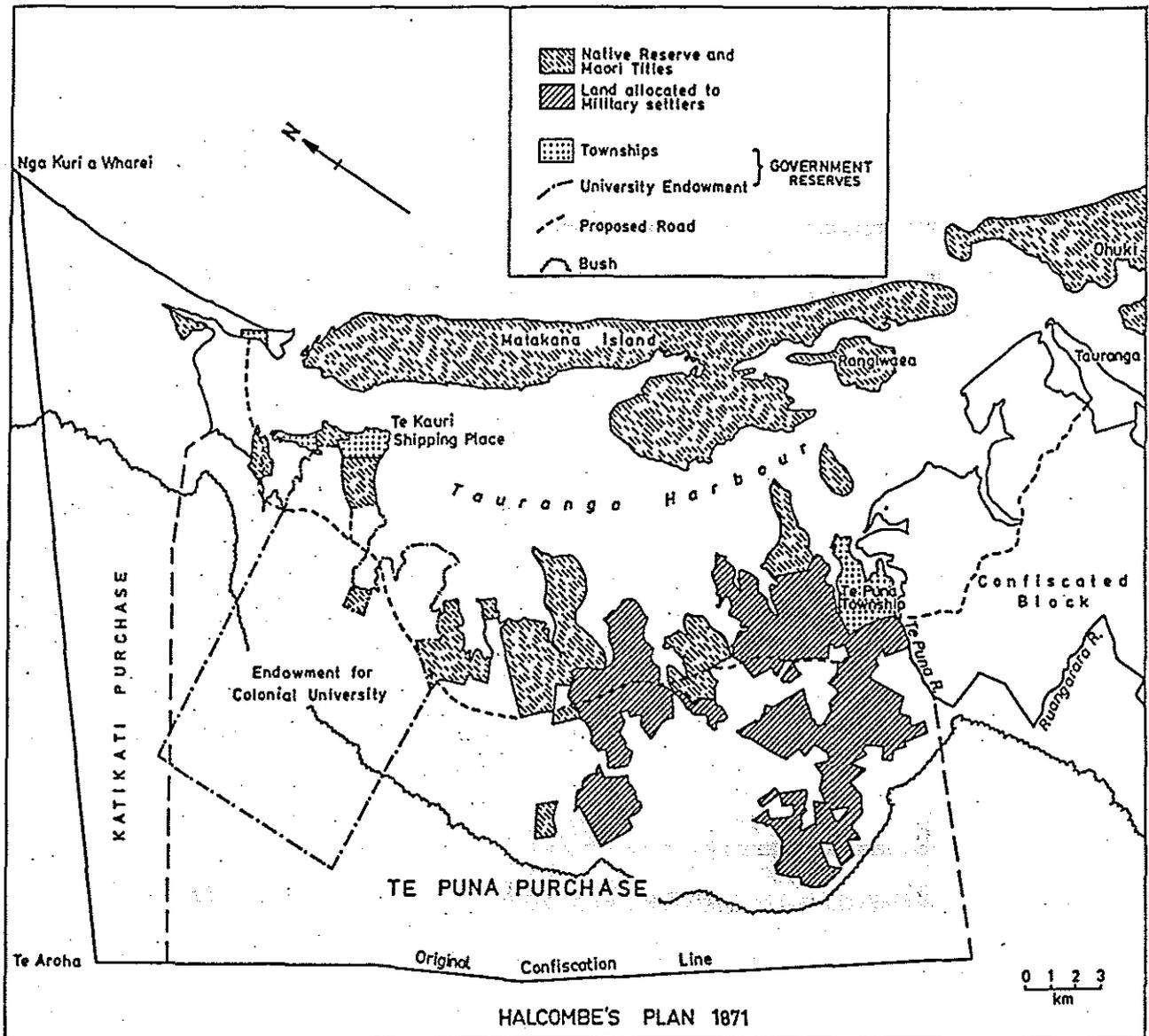
While a great deal could be said about the nature of various transactions in this period, the important and fundamental issue is that, by the Order in Council 18 May 1865, all the people of Tauranga Moana were dispossessed of their lands by confiscation under the New Zealand Settlements Act 1863. This meant that the customary or traditional title, papatipu, was extinguished for the whole area described in the Schedule to the Tauranga District Land Act 1868. This is the view held in several decisions of the Maori Land Court, the most recent being Judge K.B. Cull's decision on the application by Isobel Lee to terminate the existing trust on Tuhua, 15 May 1981. Among other things, the applicant claimed that the owners listed in the Crown Grant to Tuhua were not ancestral owners. This claim was dismissed because the Maori Land Court "cannot go behind the Crown Grant". If there were evidence to suggest inadequacies in a Crown Grant, an enquiry by the Maori Land Court would have to be initiated by the Governor General.

Further, what the applicant does not seem to realise is that upon the area being described in the Schedule to the Order in Council issued on 18th May 1865, all the lands therein described became Crown lands and any customary title that may have existed before was thereby extinguished. In support of this view I refer to decisions of the Maori Land Court at Tauranga Minute Book volume 7 folios 48-53, 134-136 and 157-159, three decisions of the Court which state this principle emphatically, that the land being Crown land any provision for customary title is consequently extinguished. Further support for this view is gained from a reference to a petition to Parliament made by the owners of Tuhua Island on 27th August 1912 seeking to have jurisdiction conferred on the Maori Land Court to investigate and decide the list of owners for the island. For the very reason that it had formed part of the confiscated lands, the petition was declined (Tauranga MB 41/348).

Between 1865 and 1868 most of the negotiations with local Maori were carried out on behalf of Government by James Mackay Jr. and H.T. Clarke, Civil Commissioners, based at Thames and Tauranga respectively. In 1868 H.T. Clarke was appointed Commissioner under the Tauranga District Lands Act (N.Z. Gazette 1868 p. 354) and his task was "to determine owners of lands" and "establish reserves". In 1878 there appears to have been some confusion over this appointment. Clarke's appointment was revoked and H.W. Brabant, Resident Magistrate, Tauranga was appointed. This was revoked and J.A. Wilson appointed (N.Z. Gazette 1878, pp. 91, 452, 454, 1088). In November 1880, Wilson was replaced by H.W. Brabant who acted as Commissioner until 1886 when the Tauranga lands awarded to Maori grantees were handed over to the jurisdiction of the Native Land Court.

On 5-6 August 1864 Governor Grey visited Tauranga, and made promises about grants of land. (AJHR 1867, A20). In August 1864 it was also decided that Government would purchase the Katikati Te Puna Blocks. This transaction was in the nature of a compulsory purchase of land for which compensation was assessed. These agreements were reproduced in Turton (1877-78, pp. 633-643) and are summarised in Appendix 4. Final agreement with "Ngaiterangi Chiefs" on surveyed boundaries of the Katikati Te Puna Purchase and the Confiscated Block was not reached until November 1866. It was also agreed at this time that certain amounts of land would be allocated within the Confiscated Block and Katikati Te Puna Purchase to individuals named in the agreement of 3 November 1866.

Figure 11.



Over the period 10 August - 3 September, 1886, Mackay paid off the various "Thames Natives" on the basis of signed agreements (see Appendix 4, Turton's Deeds Nos. 458, 459, 460):

(458)	10 August	Ngati Paoa	£ 100
(459)	14 August	Tawera	£ 500
(460)	3 September	Ngati Maru, Ngati Tamatera	£1180

There is some discrepancy between the figures set out in Deed No 460 and Mackay's 1867 report where he states:

Taraia Ngakuti had previously received thirty pounds and Te Moananui twenty five pounds from Mr Whitaker as a deposit on all their claims within the block sold by the Ngaiterangi. I paid them one thousand and ninety pounds, making a total one thousand one hundred and forty five pounds exclusive of the sum of three hundred and eighty pounds to be paid to Te Moananui in accordance with an arrangement made by Mr Whitaker with him. This has since been paid. With this addition the total amount paid to the Ngatitamatera and Ngatimaru tribes is one thousand five hundred and twenty five pounds (National Archives Le1/1867/114).

Mackay also noted that Te Ruihana and Taniwha Kitahi signed the same deed on behalf of Ngati Whanaunga and received £35, "an increase of ten pounds on the amount agreed on at Tauranga". Mackay indicated the total paid to "the Thames claimants" was £2,160. "The only man of any rank who did not execute the deed of conveyance is Te Hira Kake Te Tuiri of Ngatitamatera". However, some of his immediate family did sign, and he received a portion of the purchase money although he had not attended any meetings.

Mackay also commented on the status of Hauraki claims.

It must however be borne in mind that the claims of the Thames Natives are nearly all inferior to those of Ngaiterangi, the latter having exercised more of the rights of ownership than the former.

If the claims of the Thames Natives had been decided in accordance with the recent decision of the Native Land Court in the case of Hetaraka Takapuna v. Paora Tuhaere, very few would have been valid, for the last occupation by Taraia Ngakuti was in 1840 when he slaughtered and ate the Ngaiterangi at Ongare. If that rule of the Court had been applied to these cases it would have given great dissatisfaction and no Natives in the country would have agreed that it was "according to Native custom". The Ngatitamatera and Taraia expressed "their willingness to make good any defects in their title by killing the Ngaiterangi". Taraia "demanded all the money" and said "he would guarantee the Government quiet possession; the only stipulation he made being that the Government should not interfere with his fighting with the Ngaiterangi". Te Moananui's claims were best among the Thames tribes (National Archives Le1/1867/114).

The reference to "that rule of the Court", is to the "1840 Rule" established by Chief Judge Fenton of the Native Land Court that in establishing title occupation rights as of 1840 when the Treaty of Waitangi was signed and British sovereignty was introduced would prevail. It is also relevant that Taraia's attack at Ongare was in May 1842, not 1840. Ngaiterangi had reoccupied Ongare in the late 1830s.

The 1840 Rule was the basis for ruling in a judgement dated 8 December 1866 in favour of Paora Tuhaere of Ngati Whatua against a claim by Hetaraka Takapuna of Ngati Paoa for the Orakei Block in Auckland. However, when the agreements with the Hauraki people were made, this case had not been heard in the Native Land Court. Mackay was writing in June 1867 with the benefit of hindsight. It is relevant that in other areas of confiscated lands where a Compensation Court sat, Fenton, who was also Senior Judge of that Court, used the 1840 Rule. In June 1866 it was applied in the Judgements of Fenton, Rogan and Monro in Oakura and Waitara South Blocks in the Taranaki Confiscated Lands (Fenton 1879). Mackay was also involved in negotiating grants which were heard by the Compensation Court in the

Waikato Confiscated Lands and so would be well aware of Fenton's ruling. The Compensation Court did not sit to hear claims on the Tauranga Confiscated Lands. It is possible that this difference of interpretation of rights of occupation in the Katikati Te Puna Purchase from the ruling of the Compensation Court was one of the factors which led to the need for validating legislation in the form of the Tauranga District Lands Act 1867.

The location and status of lands in the Katikati Te Puna Purchase are shown in Halcombe's map, 1871 (Figure 11). While some kainga were included as "reserves", various other factors also applied, including awards for services rendered to Government and the military. A report by James Mackay, 31 July 1867 sets out the basis for settling claims to date.

Out of the lands reserved or returned to loyal Natives within the military settlements block of 50,000 acres, I would observe that these were at first to be more in the light of gifts from the Crown to the Natives on account of having lost land than as compensation. It is true that since the extension of the area to 6,000 acres [of reserves] by Mr Clarke and myself we and the Natives now look on it as compensation. The intention of the Governor in the first instance, was evidently that the question of compensation to loyal Natives should be adjusted out of the three-fourths of the whole district to be returned to the tribe, and not from the one-fourth retained by him... The fact of the Natives having sold to the Crown the Katikati and Puna Blocks to a certain extent altered the position of the case. However, in arranging this question Mr Clarke and myself endeavoured to adjust any outstanding claims by making reserves to some of the loyal persons who had received but little before on account of their lands being within the military settlement block of 50,000 acres, although they had but very small right to land otherwise within the Katikati and Puna Blocks. We also proposed to the rebel party who owned the greater part of the purchased blocks that they should adjust the matter by giving a large share of the consideration money to the loyal claimants. Neither party, however, cared much for this proposition and it was negatived at the time by them, though I believe that in the apportionment of the £3,000 instalment recently paid to them they behaved liberally to the loyal claimants (quoted in AJHR 1928, G7).

Two groups of people were eligible for land grants - "loyalists" and "ex-rebels" or "surrendered rebels". A third group, "unsurrendered rebels", were left out. These were identified at the time as a small group of Pirirakau at Whakamarama who refused to attend a meeting called at Motuhua in November 1866, and who consistently opposed the survey of the Confiscated Block west of the Wairoa River. As a result of assistance rendered by a number of local "chiefs" in an "expedition" to this group of Pirirakau in November 1866, additional grants were made at Te Puna of seven acres to each (DOSLI files). The non-eligibility of "unsurrendered rebels" for land grants was upheld in a decision of the Maori Land Court (Tauranga Minute Book 7/48-53) in respect of Lot 154, Parish of Te Puna, a Crown Grant issued to Maungapohatu and Wanakore in trust for loyal Pirirakau.

The position therefore shortly is that the Pirirakau went into rebellion at the time the award was made, and remained in rebellion for some years afterwards, thereby causing the Government great expense and loss of valuable lives. And although overtures were repeatedly made to them to agree to the arrangements made by the Commissioners with the Ngaiterangi, they refused to do so. Apart from the fact that the Confiscated Land Act under which the grant in question was issued provides that land could be awarded only to loyal Natives or surrendered rebels, the Court does not think it reasonable to suppose that those members of the Pirirakau who were in rebellion and never surrendered are entitled to come in now and take advantage of an arrangement which they absolutely refused to at the time it was made: nor does the Court for a moment think it was ever intended by the Commissioner that those who continue in rebellion should participate in the award.

Section 7 of the Tauranga Moana Maori Trust Board Act 1981 provides for the "Reputation of certain persons restored", that the "character and reputation" of all the "tribes who fought in the Battles of Gate Pa and Te Ranga shall be the same as if a full pardon had been granted to them in respect of all matters arising out of, or in any way related to, those battles." This raises the interesting question of the eligibility of the descendants of Pirirakau or any other "unsurrendered rebels" for compensation reserves in the Tauranga district. However, the law as it existed at the time prevailed. The grants of land and reserves made in the Katikati Te Puna Purchase and Confiscated Block are shown on maps in Appendix 9. Most of these grants were allocated by Mackay and Clarke by 1875 (Appendices 5 and 7).

The Township of Tauranga was surveyed separately on what was known as the Church Missionary Society Land, two blocks on Te Papa peninsula purchased by Archdeacon A.N. Brown for the C.M.S. in 1838 and 1839 (Appendix 1). A schedule of these grants mostly made before 1870 is set out in Appendix 6. Many of the reserves granted in the Katikati-Te Puna Purchase, Confiscated Block and Township of Tauranga subsequently came under the administration of the Commissioner of Native Reserves (AJHR 1871, F4).

The remaining lands, described as the "Lands Returned", comprising the islands of Motuhua, Matakana and Rangiwaea, the inland forest region from Whakamarama, Kaimai to Waoku, and the lands east of the Waimapu River and Tauranga Harbour (including Mount Maunganui) to the confiscation line, were investigated by the Commissioners in the late 1870s and early 1880s. Again, few records of these investigations were kept. In his report in 1879 (AJHR 1879, G8) Commissioner J.A. Wilson commented on the lack of

detailed records and summarised the state of administration of Tauranga District Lands as at 1 January 1879:

Administration completed	19,734 acres
Administration incomplete	38,951
Awaiting administration	77,636
Confiscated - military settlement	50,000
Katikati Te Puna Purchase	88,500
Total contents of block	274,821

Wilson had already set aside "upwards of 7,000 acres as reserves for the Natives which I think should be inalienable" and commented on the need to restrict land sales to ensure that all hapu retained some land to live on. "I think the reserve of each hapu should, if possible, be separate, that it should be of good quality, and sufficiently large to support the hapu. In making reserves I am endeavouring to conform to these conditions". Wilson also noted H.T. Clarke's recommendation that Section 24 of the Native Lands Act 1873 should be followed in "requiring reserves to be made to the extent of 50 acres per head upon the Native population for every man, woman or child." Wilson saw some problems:

As to this, I would remark that the enactments under which Tauranga Lands are administered contain no such provision, nor would it be possible to borrow the clause and apply it here in any way other than very partially, for the reason that the Natives in their hapus and tribes, as well as individually, do not own land equally. A number of Natives at Tauranga own several hundred acres each, while many other Natives in the district have not a dozen acres a piece. The rule, if adopted, would not operate among the small land owners, having less than 50 acres; while among the large owners it would have the effect of rendering many thousands of acres eligible for sale (AJHR 1879, G8).

Wilson was referring to awards already made by Mackay and Clarke to individuals in the Katikati Te Puna Purchase and Confiscated Block.

It was clearly intended by all the Commissioners that adequate reserves for all the hapu of Tauranga Moana should be allocated in good land which could be cultivated and should be inalienable. Reserves for kainga were allocated in the Confiscated Block, Katikati Te Puna Purchase and Lands Returned. In hearing the claims to large inland blocks all claimants were heard, and it is obvious from the limited records available that all hapu were involved in staking claims. When Brabant took over the task of Commissioner in 1880, Wilson's "Minute Book" was not handed over. Correspondence in DOSLI files indicates that in spite of Brabant's request, no minutes were forth-coming. Only "rough notes and plans" were submitted but some of these do not appear to have survived. This was about the time that Wilson's employment as a Judge in the Native Land Court was terminated (see Wilson 1884). Between 1880 and 1886 Brabant kept some formal records in a Minute Book (Commissioner Brabant's Minute Book No. 1 held Maori Land Court) and in notes preserved in DOSLI files, but neither of these cover all the blocks investigated.

The administration of lands under the Tauranga District Lands Acts ceased in 1886 and jurisdiction handed over to the Native Land Court for all lands granted to Maori. A final report was made by Commissioner H.W. Brabant (AJHR 1886, G10) which is reproduced as Appendix 8. The title of the report is misleading as the term "Ngaiterangi" was used to mean all the tribes of Tauranga Moana, following H.T. Clarke's interpretation that Pirirakau and other sections of Ngati Ranginui were regarded as hapu of Ngaiterangi.

In considering the allocation of reserves and other land grants within the whole of Tauranga Moana (as described in the schedule of the Tauranga District Lands Act 1868) the following points are significant:

1. Because the whole of the Tauranga Moana tribal area was (described as "Ngaiterangi") confiscated to the Crown, Clarke, Mackay and subsequent Commissioners were not bound by considerations of traditional or ancestral rights in deciding the location of reserves and land grants.
2. The Commissioners did try to ensure that all hapu were granted sufficient land for their kainga and cultivations.
3. The kainga that were still occupied in the mid 1860s were granted to the chiefs in trust for hapu that occupied them.
4. Land grants were made to individuals for services rendered to Government and Military, with no regard at all to any ancestral rights of the individuals concerned
5. Reserves were granted to various chiefs in trust for their hapu with little regard to traditional or ancestral rights. Some of these "trusts" were inalienable but this provision was not honoured, and a number of these blocks were subsequently sold, the "trustees" named in the Crown Grants being treated as "owners." This was common practice in the later nineteenth century and was not confined to Tauranga Moana.
6. Some of the "Native Reserves" were subsequently translated into individual titles, or Maori freehold land. Some remained Crown land and were held in trust by the Crown for "general native purposes". Some of these were subsequently converted to other uses, in particular the Tauranga Educational Endowment Reserves (Tauranga Educational Endowment Reserves Act 1896).

7. In the investigation of "Lands Returned", outside the Katikati Te Puna Purchase and Confiscated Block, there was some consideration of ancestral rights. It appears that all the hapu of Tauranga Moana were involved in establishing claims here.
8. The only people who were "left out" were a small section of Pirirakau and a few individuals who remained "unsurrendered rebels". Even so, some lands were granted for Pirirakau in trust at Te Puna.
9. Land grants were also made to other tribal groups both for services rendered and in recognition of certain other claims. These are outlined in the next section.

The inevitable conclusion is that all the people of Tauranga Moana were "dispossessed", as defined in the Tauranga Moana Maori Trust Board Act 1981. All the hapu were involved in the complex events of the 1860s. The division between "loyalist" and "rebel", "friendly" or "hostile", "Hauhau" or not, was a matter of Government or military interpretation of motives. All the hapu were struggling to maintain ancestral lands against Pakeha intrusion and control. It is obvious from the schedules of land grants in the Katikati Te Puna Purchase, Confiscated Block and Township of Tauranga that only certain individuals were granted land (Appendices 5, 6 and 7). Some of these grants were in recognition of services rendered by "Loyalist Chiefs". Other lands were granted to "surrendered rebel chiefs" as trustees for their hapu.

The division between "loyal" and "rebel" is not as clear as it might seem. The term "Hauhau" was also used to mean rebel or enemy. Given that many of the leaders of Tauranga Moana had been killed at Gate Pa and Te Ranga, there was a good deal of mobility in the leadership roles in the next few

years. Some individuals perceived their best course as some form of cooperation, others stubbornly resisted. It is certain that Government officials used grants of land as a means of payment for cooperation. The Commissioners were not bound by considerations of traditional or ancestral rights. The pattern of land grants, apart from reserves for existing kainga, does not always correlate with any customary rights of individual grantees.

There was some consideration of ancestral rights in the investigations of ownership of "Lands Returned" listed in Appendix 8 but this was not the only or even main consideration. In a decision of the Native Land Court on Umuhapuku No. 1 Block on Matakana Island, the status of the "ownership" and shares in "Lands Returned" was set out clearly (Tauranga Minute Book 7/134-136).

Now speaking generally as to whether or not the shares should be equal, this Block is confiscated land returned by the Government to loyal natives and surrendered rebels as compensation for the land taken from them on account of the rebellion. The following facts therefore must be admitted:-

- 1) That all the persons in the list, or the persons whose representatives they are, were either surrendered rebels or loyal natives.
- 2) That land had been taken from each one of them on account of the rebellion and
- 3) That they were all entitled to compensation.

Matahou contended that the rights to the land were decided according to Native custom but this is not correct. All the rights according to Native custom were wiped out by the confiscation of the land and the land is therefore to all intents and purposes a gift from the Crown to the persons in the list. It is true that many persons have been included who if the land had not been confiscated would have been entitled as owners under Native custom. But again as Matahou admits a great many others were included who had absolutely no right to the land according to native custom and if his contention is correct these persons would be entitled to a nominal interest only. But as stated before his contention is not correct. The whole nature of the award and the reasons for it preclude that idea. The land was granted

as compensation and in the absence of any indication to the contrary the Court must hold that the intention was that every person in the list of owners should have substantial interest in it, and it is on this basis that the shares will have to be allotted. It would seem that Mr Brabant when sitting as Commissioner held some kind of an enquiry as to the persons entitled according to Native Custom but was only, the Court thinks, for the purpose of placing the Natives as far as could be done on the Land they originally owned and thereby inflicting as little hardship as possible. That he did not intend that the original owners should take exclusively is shown by the number of outsiders included in the list.

In this case the shares as listed in the Crown Grant were declared to be equal, the Court noting "no other possible way of defining the interests." In a further decision on a partition of the same block (Tauranga Minute Book 7/157-159) the Court stated

this is not land the ownership of which was ascertained according to native custom. Therefore native custom cannot be applied in partitioning it. Still speaking generally if there are any persons who have been for generations and are now occupying part of it, it is but right that their interests should be created as far as possible in the vicinity of that particular part.

The Court noted that the dispute had

arisen solely because a small minority of the owners, who would probably be entitled according to Native Custom if the land had not been confiscated, refuse to recognise the exact position and the fact that it was returned by the Crown as compensation to the persons in the list of owners.

Similar anomalies and inconsistencies occur in the ownership lists of many other blocks in the "Lands Returned" and are explained because ancestral rights were not the main issue and the Commissioners tried to ensure adequate allocation of land to all.

There was a good deal of mobility in settlement patterns after 1864. The following list was compiled by the surveyor Theophilus Heale and written in his field notebook in 1865:

List of Maori Tribes, Tauranga District

Te Matewaitai
 Te Pirirakau (Ngatehaua)
 Te Ngare (Oponui)
 Patutahora) Hori Tupaea - One Hapu
 Papanahi)
 Ngaitukairangi Matapihi (Enoka)
 Materawaho
 Ngaitemarawaho
 Ngati Kahurere (Patene)
 Ngati Hoko (Maungatapu)
 Ngati Ahi, Waimapu, Hairini
 Ngate Hangarau, Wairoa, Peterehema
 Ngaterangi (Papawhane) S. side Wairoa
 Ngatetama)
 Matehaere) Mill [Wairoa]
 Ngaituwhiwhia, Motuhua (Tomika)
 Ngaitamawhariua (Hepiteme)
 Te Urungawera, Tuhua, Whangamata
 Ngatamateika (Waitaka)

What had been a major centre of settlement at Otumoetai was largely abandoned in the late 1860s. Matewaitai (Ngatikuku) went to Whareroa. Whanau a Tauwhao (Papaunahi) and Patutahora went to Rangiwaea. For a time Judea people, Ngai Tamarawaho, retreated to their inland kainga at Akeake and Taumata, and Pirirakau to Whakamarama. By the late 1870s, Ngaitamarawaho and Pirirakau had returned to Judea (Huria) and Te Puna respectively. All of the hapu had traditional rights in coastal and inland forest locations. He kainga tahi ka mate, he kainga rua ka ora. Notes on James Mackay's Plan of Tauranga 1867 (National Archives Le 1/1867/120) included the following comments:

Land at Waiwhatawhata belongs to Te Kuka and Ngaituwhiwhia.
 Land at Te Irihanga belongs to Penetaka and Ngatipango.
 Hori Ngatai has a claim over Ngatipango lands.
 Ngatirangi is the name of a hapu and must not be mistaken for Ngaiterangi.

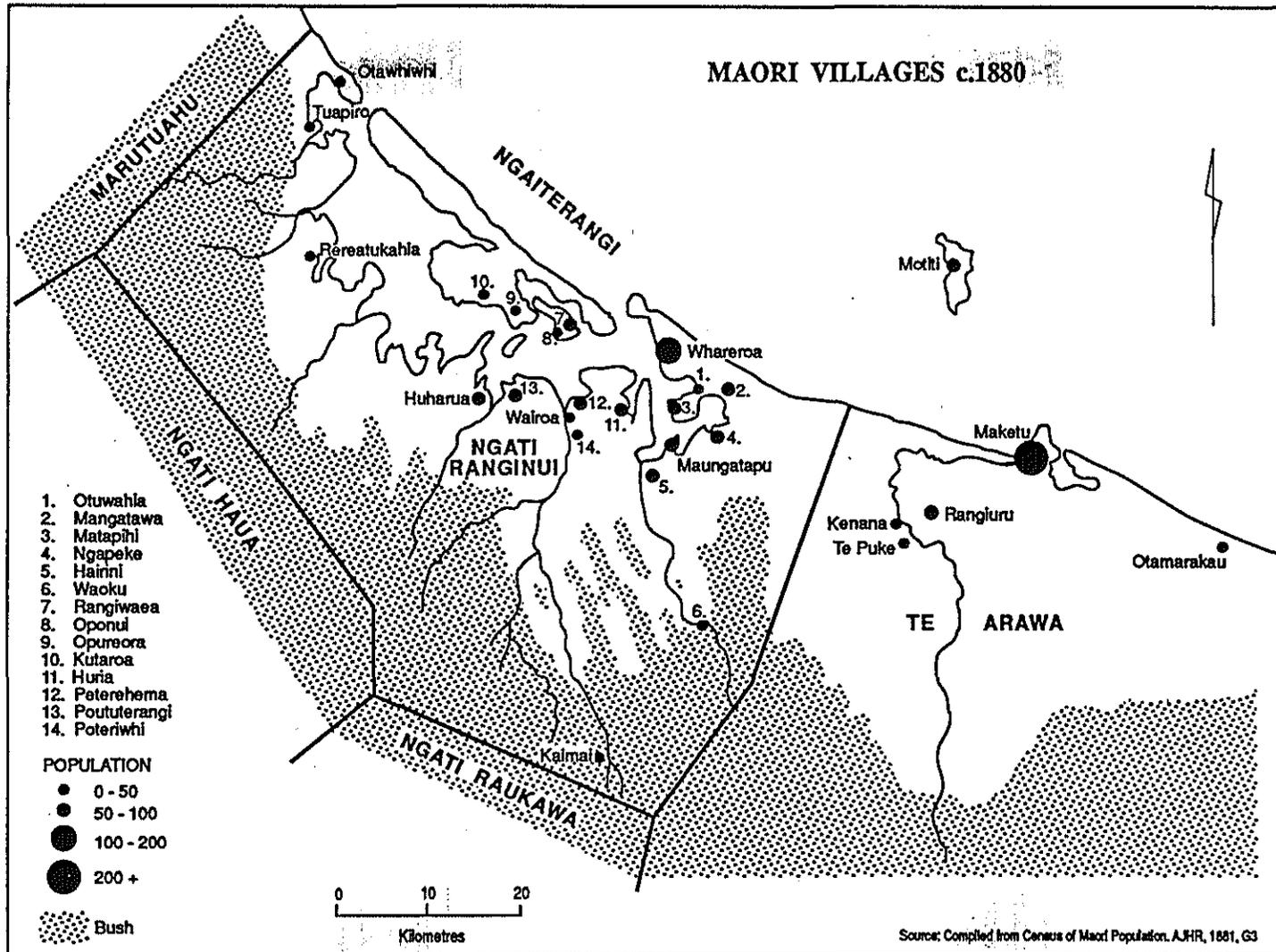


Figure 12

Maori Population 1878 (AJHR 1878, G2)

Hapu	Residence	Adult/Male	Total
Ngatimateki [sic]	Oruamatua	19	45
Matekiwaho	"	8	18
Ngatiwhainoa	Maungatapu	30	88
Ngatihe	"	23	47
Ngatirangi [sic]	Whareroa	61	131
Materawaho	Matapihi	29	69
Whanau a Tauwhao	Rangiwaera	26	65
Ngaiteahi	Hairini	30	64
Ngaitamarawaho	Huria	18	72
Ngatihangarau	Peterehema, Opounui	39	71
Ngatipukenga	Ngapeke	31	60
Ngatikahu	Rangiwaera, Poteriwhi	10	31
Urungawera	Katikati, Tuhua	19	45
Ngaituwhiwhia	Opureora	20	38
Pirirakau	Te Puna	28	47
Ngatiwhakama	Papakura	6	16
Ngatirangiwehehi	Umu O Korongaehe	20	54
Patuwai	Motiti	20	64
Ngatihaua	Opureora	1	4
Total		438	1091

Maori Population 1881 (AJHR 1881, G3)

Hapu	Residence	Adult/Male	Total
Matewaitai	Whareroa	11	33
Ngatipau	"	9	20
Materawaho	Matapihi	22	56
Matekiwaho	Otuawahia	10	23
Ngaimateika	Mangatawa	24	67
Ngatihe	Maungatapu	43	91
Ngatipukenga	Ngapeke	9	31
Ngaiteahi	Hairini	30	64
Ngatirehu	Waoku	14	33
Whanau a Tauwhao	Rangiwaera	10	26
Patutohora	"	10	32
Te Ngare	Opounui	18	47
Ngaituwhiwhia	Opureora	15	38
Ngatimura	Kutaroa	13	31
Ngaitamarawaho	Huria	28	72
Ngatihangarau	Peterehema	26	71
Ngatipango	Wairoa	11	25
Ngatikahu	" , Kaimai	13	31
Ngatirangi	Huharua	6	15
Pirirakau	Raropua	20	47
Ngatirau	Rereatukahia, Katikati	9	27
Ngatiteoteo	" "	12	23
Ngatihurimaoro	Tuapiro	4	14
Urungawera	"	15	31
	Tuhua	5	18
Ngatirangiwehehi	Huharua	23	54
Total		410	1020

Mackay also identified Pirirakau claims around Whakamarama and inland, as well as noting the Te Puna-Omokoroa area as "Lands said to belong to Hori Tupaea and Maungapohatu, loyal chiefs of Pirirakau". In other reports, Hori Tupaea is identified with Whanau a Tauwhao. Lands in the upper Wairoa River towards Kaimai were described as "Ngatipango and Ngatirangi claims". When claims for the Kaimai Block were heard in 1881 the following hapu were presented as claimants by Te Mete Raukawa: Ngati Mauri, Ngati te Rau, Ngati Rangiaia, Te Patungaherehere, Ngati Motai, Ngati te Apunga, Ngati Takaha. Another group of claimants by Te Mete Raukawa: Ngati te Apunga, Ngati Takaha. Another group of claimants included Ngaituwhiwhia, Ngati Makamaka, Ngati Kuku, Ngati Maki, Ngati Kuraroa, Ngati Tamapou, Ngati Mauri and Ngati Kahu. A third group of claimants comprised Ngati Hinerangi, Ngati Tokotoko, Ngati Kokoti me te Patutahora, Ngati Tira me Ngati Tawharangi me Ngati Kirihika, Ngaitamawhariua, Ngati Kiriwehi, Ngati Taka, Ngati Tu, Ngati Tai. This example indicates how complex the land claims were, each hapu trying to establish greater claims over everyone else in forest lands which traditionally all had shared. The pattern of population and settlement is shown in the tables compiled from Maori census Returns in 1878 and 1881. Some variations can be ascribed to inaccuracies of enumeration and inconsistencies in identification of hapu. Villages listed in the 1881 census are shown in Figure 12.

In a review of the allocation of land to individuals the relevant issue is who were the "chiefs" or "leading men" of the time. From the Government point of view the people who had been appointed "Assessor" under the Native Circuit Courts Act 1858 were important men. In 1864 in the Tauranga district these were (AJHR 1864, E7):

<u>Name</u>	<u>District</u>	<u>Population</u>
Maihi Pohepohe]	Maungatapu	350
Te Kahukoti]		
Hamiora Tu]	Ohuki	630
Wi Patene]	(includes Motiti)	
Maihi Hongimate	Rangiwaea]	183 (includes Tuhua)
Te Kuka	Motuhua]	—
Total Population		1163

Another report about the same time gave the total population of "Ngaiterangi," meaning all the Tauranga people, as 1198. The "leading men" were listed as: Hamiora Tu, Wiremu Parera, Enoka Te Whanake, Te Kuka, Maihi Pohepohe, R. Te Hiahia and Te Ranapia (GBPP 1868 vol. 15, p.127).

Sergeant Major Philip Putnam of the Armed Constabulary produced a report on the Tauranga District in 1872 (National Archives CD 72/1149). He described the "loyal chiefs" as Hamiora Tu and Raniera Te Hiahia (who "acted as guides for Imperial Troops") and also Hohepa Hikutaia, Te Kuka "and a few others of lesser note." He noted the "principal villages" in 1872 were Hairini and Poeke; Maungatapu, Matapihi, Whareroa, Rangiwaea and Opounui (Figure 13: note that Bethlehem is incorrectly located by Putnam in Otumoetai). Putnam also provided a detailed list of hapu, villages and chiefs. He noted that Penetaka and Paratene were also "men of influence" among Pirirakau, a hapu with "about 30 men". Of Ngai Tamarawaho he noted

that the chief Paraone had "lately died" and was succeeded by Hori Tangatangata. Putnam's list follows:

Ngaiterangi

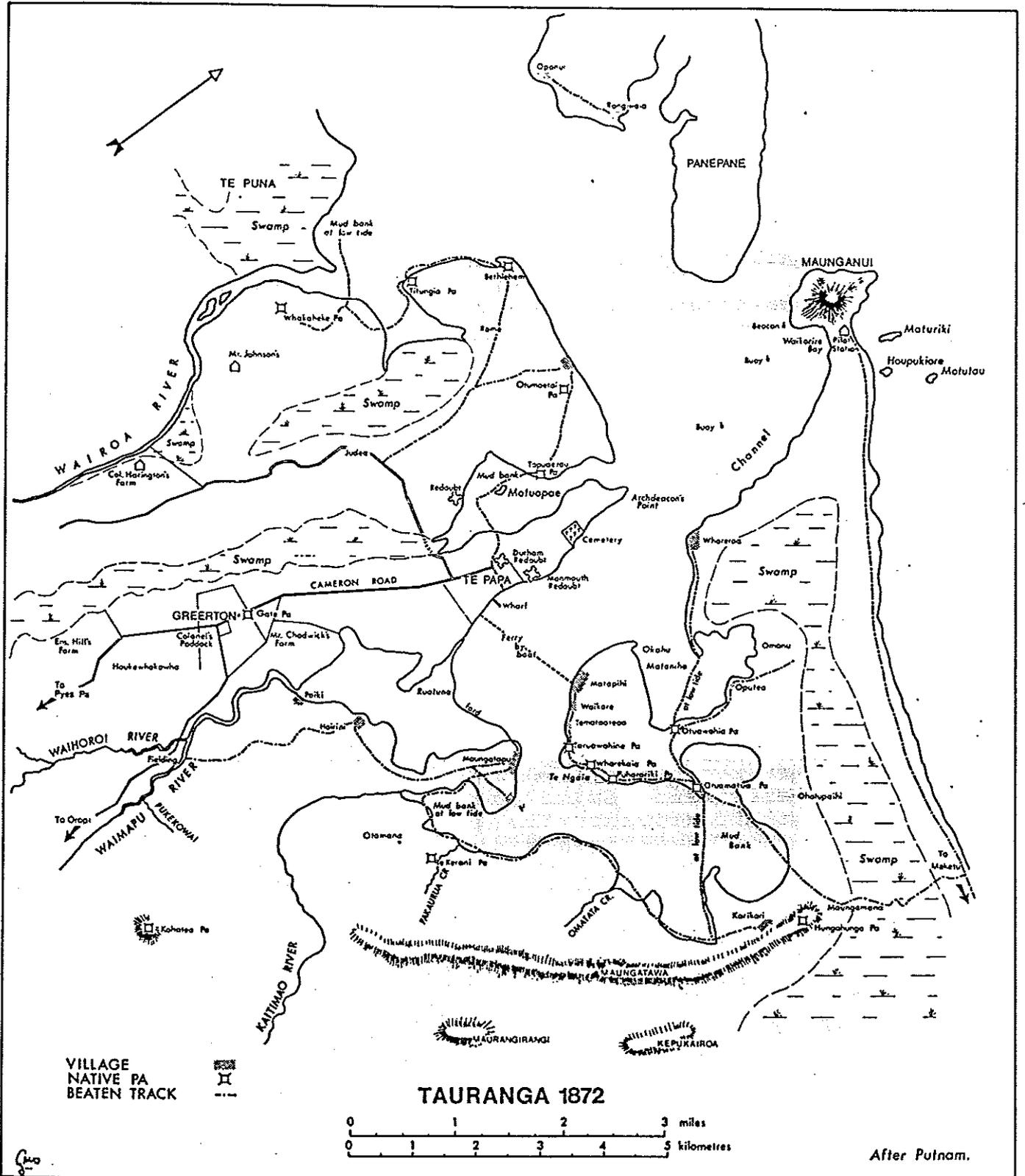
Ngaitukairangi	Otuawahia	Enoka Te Whanake Hohepa Hikutaia
Ngatikuku (Matewaitai)	Whareroa	Hori Ngatai
Te Materawaho (Ngatitapu, Tapukino)	Matapihi	Hamlora Tu Raniera Te Hiahia
Te Ngare	Opounui	Te Haereroa
Ngaituwhiwhia	Motuhua	Te Kuka
Ngaitamawhariua	Matakana	Hohepa Te Kai
Ngatimakamaka	Opureora	Te Harawira
Ngapotiki	Oruamatua	Pine
Te Urungawera	Tuhua	Rotohiko Tiwai
Ngatikahurere	Opoutea	Ihaka
Te Papaunahi (Whanau o Tauwhao)	Rangiwaee	Hori Tupaea

Ngati Ranginui

Pirirakau	Whakamarama	Rawiri Tata
Ngatihe (Ngatihoko)	Maungatapu	Kiharoa
Ngati Ahi [sic]	Hairini	Ranapia
Ngatirangi	Irihanga	Raumati
Ngatipekekiore	Patetere	Paora
Ngatitama	Kaimai	Herewini
Ngati Pango	Rangiora	Tuiwi
Ngatimarawaho [sic]	Akeake	Hori Tangatangata

Putnam did not discuss the Bethlehem Te Puna area in his report which concentrated on the area inland of Te Papa and the Confiscated Block. Pirirakau there were still considered "a threat" to the Tauranga military settlement.

Figure 13



Some of these names of "leading men" appear as Crown grantees in the reserves and land grants in the Katikati Te Puna Purchase and Confiscated Block. However, there were also many others whose names do not appear. When the Commissioners investigated the "lands returned to Ngatirangi" much more time was given to inquiring who should appear on the Crown Grant as owners. As a result much longer lists of names are included, for example the lists of original owners for the Crown Grants for Kaimai No. 1 (85 owner) and No. 2 (158 owner) and Tauwharawhara (74 owner) Blocks. The Kaimai lists were the end result of many claims. The Tauwharawhara list can be described as mainly Ngati Hangarau of Bethlehem. The Taumata Block comprised Ngai Tamarawaho. Women and children were also included in titles investigated in the 1880's. Whatever other criticisms can be made of the administration of the Tauranga District Lands Acts, it seems that the Commissioners did make an effort to ensure that all the hapu of Tauranga Moana had reserves granted to them.

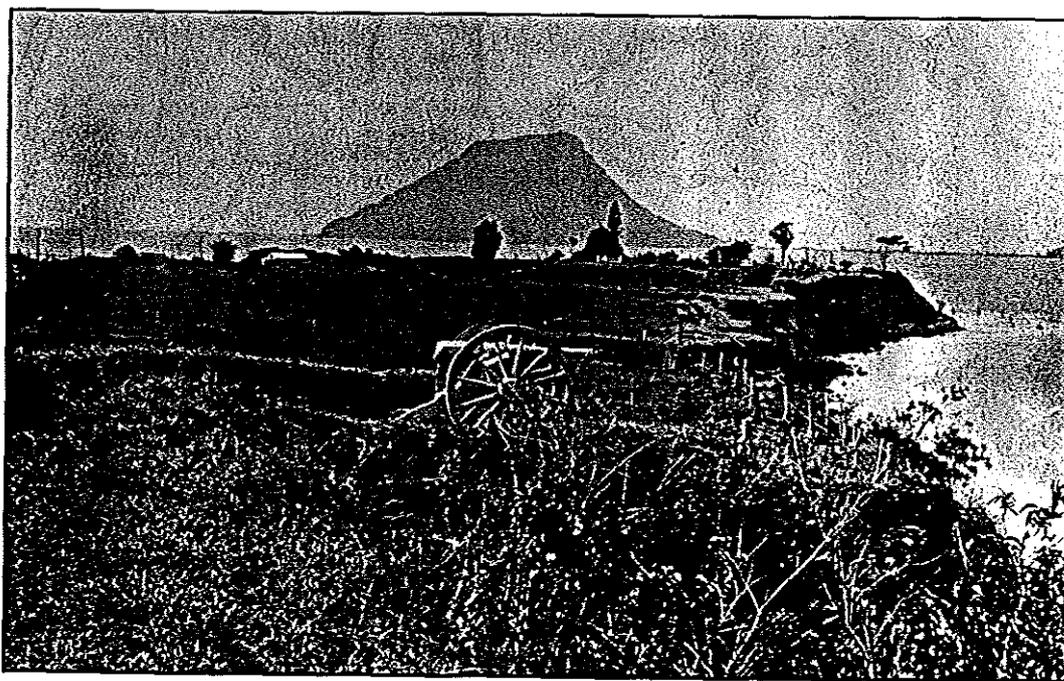


Plate 22. Monmouth Redoubt and Mission House c.1880
Photo: Tauranga Museum

9. Other Tribal Claims in Tauranga Moana

In the allocation of land grants and reserves by the Commissioners and payment for the Katikati Te Puna Purchase and Confiscated Block, bordering tribes also made claims which have already been outlined in Chapter 6. These included: Marutuahu or Hauraki tribes in the north-west (Ngati Paoa, Ngati Maru, Ngati Whanaunga and Ngati Tamatera); Ngati Pukenga (Tawera) of Manaiā, Coromandel Peninsula; Ngati Haua of the Matamata district; Ngati Hinerangi and Ngati Tokotoko of the Kaimai Ranges east of the Waihou River; several hapu of Ngati Raukawa in the Kaimai area; and Te Arawa (Waitaha, Tapuika and Ngati Rangiwewehi) in the south and east. Te Arawa and Ngati Raukawa hapu were also among claimants in the "Lands Returned". These claims, lands granted and compensation paid, if any, are outlined below.

Hauraki Claims

In the early nineteenth century, under the pressure of Ngapuhi expeditions from the north, Marutuahu tribes, the Hauraki section of Tainui, retreated inland to Waikato and Tauranga. At one time Ngati Maru had a settlement in the Otumoetai area. In 1828 Te Rohu of Ngati Maru led an attack on Te Papa, the pa of Koraurau. Ngati Haua were involved with sporadic attacks on Hauraki people in the Maungatautari and Matamata district, ending with the battle of Taumatawiwi in 1830. Some Tauranga people, old allies of Te Waharoa of Ngati Haua, assisted in pushing Marutuahu back north to Hauraki (see Figure 2). The zone from Nga Kuri a Whareī to Te Aroha and westward was one of sporadic warfare. Ngapuhi threats and raids on Tauranga in the 1820s had caused many outlying settlements on the western end of the

harbour to be abandoned. Ngaiterangi retained a settlement at Otawhiwhi and reoccupied Ongare in the later 1830s. Hauraki people tried to establish control. Several people were killed in a raid led by Taraia of Ngati Maru at Ongare in May 1842, but Hauraki did not reoccupy this pa. It was on this basis that Marutuahu tribes, the Hauraki section of Tainui, established claims at the western end of Tauranga Moana, particularly on the Katikati Block.

As already outlined in Chapter 6, Hauraki claims were investigated by H.T. Clarke and James Mackay Jr. and a decision reached in December 1864 that half the purchase money for the Katikati Block should go to Marutuahu people represented by Te Moananui of the Thames area (AJHR 1867, A20). Details of these payments are set out in Turton Deeds Nos. 458 and 460 (see Appendix 4). These agreements were considered at the time to have extinguished Hauraki claims in Tauranga Moana. However, a report by James Mackay, 12 June 1865, described Te Hira Hake, or Tuiri, as "the only troublesome chief now residing in the Thames district" (AJHR 1867, A20). A grant of 50 acres was made to Te Hira Tuiri at Tuapiro (Lot 1, Parish of Tahawai) in 1868. Some burial grounds of Ngati Maru and Ngati Tamatera were listed by name in Deed No. 460 but these have not been located and do not appear in the schedule of reserves in the Katikati Te Puna Purchase in Clarke's lists in Appendix 7.

Ngati Pukenga (Tawera) Claims

In December 1864 a petition was made to Government by Te Tawera, a section of Ngati Pukenga, claiming rights in the Katikati Te Puna Purchase and contesting Ngaiterangi right to dispose of these lands. The claim was investigated by H.T. Clarke and James Mackay Jr. who reported as follows:

That the Ngaiterangi and Te Tawera frequently fought against each other and finally the Ngaiterangi, Ngatihe and Ngatihoko tribes united, and drove the Tawera from Tauranga - the last mentioned hapus being descended from Waitaha and closely related to Te Tawera. This occurred about seventy years ago (Te Ronorehua [sic = Te Kouorehua], now a very old man, being then a little boy).

That immediately after the expulsion of Te Tawera, the Ngaiterangi, Ngatihe and Ngatihoko divided the land amongst them.

That the year 1855 a dispute arose between Ngatihe (Maihi Pohepohe) and Ngaiterangi (Rawiri Puhiraki) about an "eel pa" which resulted in war (1857). On this occasion Ngatihe and Ngatihoko invited the Tawera to return to Tauranga on a small portion of their original claims (AJHR 1867, A20).

Clarke and Mackay recommended that "Tawera can only fairly claim those portions of land of which they have retained possession, or which have been returned to them by their former conquerors." Despite this a payment of £500 was made in 1866 to the "Chief and People of the Tribe Tawera and Ngati Pukenga" to extinguish any claims in the Katikati Te Puna Purchase (Turton Deed No. 459, Appendix 4).

In spite of being "paid off" in this way Ngati Pukenga appear to have persisted with further claims. In 1877 H.T. Clarke wrote a memorandum stating:

Any claim advanced by Ngati Pukenga within the Tauranga District not to be entertained except to such lands as have been given back to them by Ngaiterangi or Ngatihe to which the givers can establish a good title. Such was the decision given by the Arbitrators in December 1864 and has been maintained ever since (DOSLI files).

Ngati Pukenga had once lived at Oruamatua a pa on an eastern promontory of Matapihi peninsula. The land to which they were invited to return was the Ngapeke Block, a name which alludes to an earlier battle in which Ngati Pukenga were driven out of Rangataua, the eastern portion of Tauranga Harbour. In a subsequent hearing of applications for partition of the Ngapeke Block in the Native Land Court (Judge Wilson's Minute Book No. 9, 1896) there was a dispute over the rights of some of the people living on the block. Some of these were said to be Nga Potiki, a hapu of Ngaiterangi, Waitaha of Te Puke, whose rights came through marriage relationships, and others were kin of Ngati Pikiaro through Rahera Kahuhiapo. Only a few of the claimants had actually come from Manaia and were Ngati Pukenga. HIRAMA MOKOPAPAKI, one of the original trustees of Ngapeke, opposed the application.

This land was given to Ngati Pukenga. They have no other land [in Tauranga]. They want to hold this land in its undivided state and they entirely disapprove of a partition being made in it. We occupy tribally not individually. As long as we occupy collectively our shares are undispersed and no one claims more than another. When the names were given to the first Court our elders did not say that the shares were unequal. Ngatihe gave the land to Ngati Pukenga from aroha. I am of opinion that the shares should be alike in this land (Wilson's MB9/47-48).

It seems then that the small number of Ngati Pukenga, who came from Manaia to Ngapeke in 1857, established kin relationships with Tauranga Moana, as well as occupation and ownership rights in the Ngapeke Block. All other Ngati Pukenga claims in Tauranga Moana were extinguished in 1866 in Turton Deed No. 459.

Ngati Haua Claims

Ngati Haua presence in Tauranga Moana goes back many generations, and can be described as both a military and economic alliance. This was reinforced in the early nineteenth century by Te Waharoa. Tauranga Moana was the source of kaimoana for Ngati Haua. The kin relationships are close among Ngati Haua and the people of the Kaimai Ranges - Ngati Hinerangi, Ngati Tokotoko and Pirirakau. Te Waharoa came to the assistance of Tauranga people when Te Haramiti of Ngapuhi attacked Tuhua and Motiti in 1831. Ngati Haua continued to support the claims of Tauranga people to Motiti against Te Arawa in the 1850s and 1860s. Te Waharoa had called on Tauranga support in campaigns against Te Arawa in the 1830s, following the killing of his relation, Hunga, by Haerehuka of Te Arawa. This led to the taking of Maketu Pa, and the retaliatory attack by Te Arawa on the Tauranga people at Te Tumu in 1836. Ngati Haua lived at various times in the Tauranga district, often at Omokoroa, but also on Motuhua, Matakana and Rangiwaea. Te Waharoa was on Motuhua in August 1838 when he took ill and was then carried back to Matamata Pa where he died. His son Wiremu Tamihana Tarapipipi maintained the alliance with Tauranga Moana until his death in 1866.

Ngati Haua claims were recognised in reserves granted at Omokoroa: Lots 49, 50 and 56, Parish of Te Puna, granted to Te Raihi and Hakiriwhi as trustees for Ngati Haua as a tribe. Some Ngaiterangi had disputed these grants. In the 1870s about 50 Ngati Rangiwewehi were living at Omokoroa (AJHR 1877, G1). The Omokoroa reserves had been leased to a local Pakeha, J.T. Gellibrand, and this lease was opposed by Pirirakau and others. H.T. Clarke was sent to resolve the dispute and it was eventually "settled" by

Ngati Rangiwewehi agreeing to move to Huharua (Plummer's Point) and Ngati Haua "persuaded" to sell Lots 49 and 50 to Gellibrand. This sale contradicted the terms of the original trust and the "inalienable" status of these reserves as set out in the Report of the Commissioner of Native Reserves (AJHR 1871, F4). Lot 56 is still held by Ngati Haua as tribal land. Apart from proceeds of the sale of Lots 49 and 50, no payments were made to extinguish Ngati Haua claims in Tauranga Moana, which were based on occupation rights granted by Tauranga people to Ngati Haua (take tuku), rather than the usual rights of inheritance (take tupuna) and/or conquest (take raupatu). Ngati Haua are also beneficiaries of the Tainui Trust Board because of the confiscation of their lands in the Hamilton-Cambridge area.

Claims in the Kaimai Ranges

The Ngati Tokotoko and Ngati Hinerangi tribes occupied the Okauia area east of the Waihou River and into the Kaimai Ranges. They were a remnant of Ngamarama who had been pushed eastward by the expansion of Ngati Raukawa and Ngati Haua, both of Tainui waka. They had close kin relationships with Pirirakau and Ngati Haua. Some of their ancestors were also among the Ngamarama who were dispossessed by Ngati Ranginui arrival in the lower Wairoa. However, many generations of intermarriage have made these kin relationships difficult to unravel. In the 1860s, Ngati Tokotoko and Ngati Hinerangi, like some of the Ngati Raukawa hapu Ngati Motai, Ngati Kirihika, Ngati Pango, Ngati Apunga maintained small settlements on the Tauranga side of the ranges. The Raukawa people were mainly in the lower Wairoa Valley; Ngati Tokotoko and others at Te Puna. Reserves were granted to Ngati Tokotoko and Ngati Hinerangi at Omokoroa, Lots 187 and 188, and Huharua,

Lot 211, all in the Parish of Te Puna. In late November 1866 Mackay was negotiating reserves in the Katikati Te Puna Purchase and explained the origins of the Huharua Reserve.

I visited Te Puna and some Natives of the Ngatitokotoko hapu pointed out a piece of land at Huharua within the township surveyed by Captain Heale, about forty chains in length and two in width, or about eight acres, which they said William Thompson had formerly occupied. The Ngatihaua when present at the meeting in July 1866, never mentioned this piece, or made allusion to it. I however considered it expedient to reserve it and informed them it should be set apart. It appeared that Mangapohatu [of Pirirakau] and the Ngatitokotoko had quarrelled about the land at Huharua and William Thompson was appealed to to arrange it; he took possession of this strip to separate the disputants (National Archives Le1/1867/114).

No separate reserves were allocated to the Raukawa hapu of the Kaimai Ranges although all these hapu were recognised in investigations to the forest blocks in the Kaimai area. One township section at Tauranga was reserved for Ngati Raukawa.

Te Arawa

Two categories of Te Arawa claims must be distinguished clearly: (a) the claims of Te Arawa chiefs for services rendered to the Government and military during the wars of the 1860s and (b) the claims of Ngati Rangiwewehi, Waitaha and Tapuika on the southern and eastern borders of Tauranga Moana.

Te Arawa claims for services rendered appear to have been based on a promise made by Governor Grey on a visit to the Rotorua district in 1864. There is no documentation of this but H.T. Clarke, in a personal letter to T.H. Smith, 26 May 1865, complained about "the complicated state of the land question in Tauranga as left by the Governor and the promise that had

been made to the Arawa chiefs that they should have a slice". In an official report, 23 June 1865, Clarke commented,

Shortly before His Excellency the Governor met the Ngaiterangi, on the occasion of the peacemaking, His Excellency, in the presence of the late Minister Messrs. Whitaker and Fox, and myself, Mr Puckey interpreting, promised that the Arawa Chiefs should have each a town section. No record, as far as I can remember, was ever made of this, but it is not likely the Arawa Chiefs will forget it (AJHR 1867, A20).

Clarke reported again on 10 October 1865.

With regard to the promises made by His Excellency the Governor to the Arawa Chiefs that each should have a town section in Tauranga, Mr Commissioner Smith informs me that the question has been brought under his notice by the Chiefs to whom the promise was made (AJHR 1867, A20).

At some stage after this township sections at Tauranga were allocated as reserves for Ngati Whakaue, Ngati Pikiao, Ngati Rangitihī, Ngati Kereru, Ngati Tarawhai, Tuhourangi, and Ngati Uenukukopako (see Appendices 6 and 7).

Te Arawa also pushed a claim to Motiti with Government. H.T. Clarke reported on 23 June 1865:

The question of the island Motiti will have to be considered by the Government. The island has been for many years a bone of contention between the Arawa and Ngaiterangi; it was generally thought that the Arawa had given up all claim to it in favour of the Ngaiterangi, but since the Tauranga natives took part in the late war against us the Arawa consider that they have forfeited their right to it and they now claim the whole island. At the meeting of the Arawa alluded to, the Governor told them that he would hold Motiti until the matter had been properly settled. Ngaiterangi are still jealously watching the Arawa, and every attempt at occupation is complained of. If the matter is left in the hands of the Arawa there is but little doubt that they will occupy and hold it against any force the Ngaiterangi could bring against them (AJHR 1867, A20).

The Motiti question was referred to the Native Land Court for investigation in 1867 (Maketu Minute Books 1 and 2). The island was divided between Whanau a Tauwhao of Ngaiterangi and Patuwai of Ngati Awa, two hapu who had traditionally occupied the island. Te Arawa claims were dismissed.

There was no formal recognition of Ngati Rangiwewehi, Waitaha and Tapuika claims. In 1928 the Royal Commission on Confiscated Lands dismissed a claim by Hautapu Wharehira and 23 others on behalf of Waitaha on the grounds that no claim had been made before 1923, and "their silence from 1865 to 1923 is itself strong evidence that the claim now made is without any merit" (AJHR 1928, G7). The 1923 petition of Waitaha had claimed 22,300 acres, but by the time this was heard in 1927, the claim was expanded on the grounds that Waitaha with Ngati Ranginui were owners of all Tauranga Moana. The Commission dismissed this on the basis of subsequent conquest by Ngaiterangi. Waitaha did establish a claim to about 5000 acres known as the Ottawa Waitaha Block which was heard by H.T. Clarke, as Commissioner of Tauranga District Lands, in 1878. The 1928 Commission report stated: "If the Ngaiterangi were not the owners of the rest of the land, why did the Waitaha tribe not say so and assert their claim to all the land when the confiscation took place in 1865?" When negotiations on sale of the Te Puke Block, east of the confiscation line, to the Crown were completed in the late 1870s, a reserve of 1000 acres was allocated to Waitaha at Manoeka, hence the name. As with Waitaha, in the Ottawa Waitaha Block, the only recognition of bordering hapu of Te Arawa, in particular Ngati Rangiwewehi, was made as part of the investigation of inland forest blocks between Waoku and Otanewainuku.



Plate 23. The Strand and Monmouth Redoubt c.1875.
Photo: Alexander Turnbull Library



Plate 24. Monmouth Redoubt c.1875
Photo: Tauranga Museum

10. Pakeha Settlement in the 1870s

Not only had the Government aroused bitterness and suspicion among the Maori inhabitants of Tauranga Moana but the military settlement scheme was already a failure. Having served the required three years of military service, few of the settlers were in a position to establish farms. Most had been struck off pay during 1867. They had little capital saved from their army pay, few of them had any farming experience, and for most there was no road access to their farms anyway. There was still a very real fear of Maori hostility. For another year they were entitled to free rations, but this was poor incentive to stay, and 45 men were subsequently struck off ration strength for being absent from the monthly parade. In November 1867 The Tauranga Record described the dismal situation:

Nearly all of our military settlers have left us for other fields of employment. Disappointed in their opportunity of occupying their lands, unable to find subsistence during an indefinite period of time, of which no one can predict the termination, when the wished-for security of possession can be obtained, they have sold their allotments at fabulously low prices, and retired from the scene in despair. It is well known that there have been instances of sale of 50 acres [20 hectares] of land at £6 and £10, equal to 2/6 and 4/- per acre. The consequence is that all business is completely prostrate. The stores are without purchasers, some are abandoned, and the beach is deserted (quoted by Gifford and Williams, 1940).

Among the purchasers of land were some of the officers of the First Waikato Regiment who had some capital at their disposal, but even this sort of speculation was limited in the late 1860s. Putnam reported in 1872 that the largest farm, owned by John Chadwick in Greerton, was only 274 hectares. Few of the privates had any capital or other source of income. Some of them managed to subsist on their town allotments, but for many

there was little choice but to seek a living elsewhere, perhaps on the gold fields of the Coromandel Peninsula. Some did not make any arrangements for disposal of their military land allotments but simply abandoned them and disappeared.

In 1870 there were 257 European settlers in the Tauranga district. Of these, 246 were military settlers, 149 male and 97 female, and an area of 10,805 hectares had been appropriated for them. Putnam reported that there were only 1,075 hectares actually under cultivation, 902 hectares in grass and 52 hectares in potatoes, but the rest was not specified. The loss of military settlers continued. In 1871 the area allocated to them had been reduced to 7,782 hectares. Few other settlers had been attracted to the area for only 674 hectares had been sold by the Government. In 1872 the area of military awards was down to 5,490 hectares and another 131 hectares had been sold within the Confiscated Block. In October 1871 Mr A. Follett Halcombe reported to the Government on the Tauranga district:

The military settlements...are, as military settlements, entire failures. The causes of such failure are not far to seek. Primarily, the original grantees were not, as a whole, men likely to succeed as farmers. In the next place, they never had a chance of occupying their lands, Maori hostility, and the want of inland communication being quite sufficient to prevent successful settlement. As the natural result of the operations of these causes, we find only a few hundred acres immediately round Te Papa in actual occupation. But time and adverse circumstances have worked a process of natural selection, and a few of the best men have remained about the town, who have the means and are willing and anxious to occupy their country sections as soon as they shall be made accessible by a main line of road. I learn also that there are a large number at the Thames diggings who would return to occupy if they could gain access to their blocks (AJHR 1873, D6).

The whole scheme for military settlement in the Waikato and Tauranga had been rushed into practice at a time of national emergency with little Government planning or forethought and inadequate financial backing. The military settlers in the Waikato and Opotiki had fared little better than their Tauranga counterparts. There was a lack of flexibility in the scheme itself. In the choice of settlers there was too little concern with the amount of capital or farming experience they had to offer. The promised public works, especially road making and bridge building to provide adequate access to farm sections, were not carried out by the Government. The 50-acre farm section was a doubtful economic unit. And the military townships failed to provide the protection promised to settlers on isolated farms, which diminished the confidence of any other potential settlers or investors. Although the military settlement at Tauranga failed, it did bring in a small nucleus of Europeans who had established a precarious toe hold in the region and formed the basis for further European colonisation during the 1870s.

In 1872 the Bay of Plenty Times, the newly-established Tauranga newspaper, described "native matters" as being "in a state of profound quietude". Both Maori and European labourers were employed on public works such as construction of roads and the telegraph line. Maori workers were often employed on settlers' farms. There was increasing exchange of goods between Maori and European. Many settlers obtained produce such as potatoes, kumara, fruit, vegetables and honey from Maori suppliers. Sometimes they were paid in cash but just as often goods such as soap, candles, matches and clothing were accepted in exchange. Maori people had come to rely more and more on European goods, particularly food and clothing. In 1881, John Galbraith, describing the prospects for the

general store at Te Puke, remarked: "The Maori trade will be the best for some time, till the settlers get established on their land."

On the surface, race relations seemed amicable enough. Most European settlers would have agreed with Governor Bowen's comments in his "Report on the State of the Natives" in 1871:

that the surest plan to keep the Maoris quiet and to train them to habits of industry is to give them constant employment at good wages on roads piercing their own mountains and forests; in short that the pick-axe and spade are the true weapons for the pacification of the highlands of New Zealand (AJHR 1871, A1).

Governor Bowen had been commenting on the refusal of Ohinemuri Maori to allow a telegraph line between Tauranga and Thames to go through their land. In January 1871, Lieutenant-Colonel St John had written to the Defence Minister in a report on road operations in the Bay of Plenty, "The constant use of the pick and shovel will gradually wean them from their ancestral warlike states, resuscitated within the last few years" (AJHR 1871, D1).

In September 1872, the Bay of Plenty Times noted that local Maori were growing wheat extensively and were producing more than the European population could consume. In 1875 the same paper reported that the people of Karikari were cultivating wheat, maize and potatoes with European ploughs and harrows. The people of this village had also taken up boat building and had almost completed two yachts of about five tonnes each which they intended to use for trading between Tauranga, Whakatane and Opotiki. They were also making gigs and whale boats. Maori on the lower

Wairoa River owned a flour mill where they ground wheat they had grown themselves. To some extent there was a revival of Maori trade and agriculture which had flourished before the wars.

By the early 1870s, the military camp of redoubts, tents and temporary raupo and timber huts at Te Papa had developed into the nucleus of a small country town now called Tauranga. The old name survived only in land appellations as Parish of Te Papa. The beach frontage, now called the Strand, was the main street and contained "two large and commodious hotels" and several shops. The old mission school house had been converted into government offices - Post and Telegraph, Public Works and Resident Magistrate's Court. A Mechanics Institute consisting of three rooms, a public reading room, library and chess room, was organised during 1872. The barracks in Monmouth Redoubt were occupied by the Armed Constabulary and the two buildings in Durham Redoubt were used as a hospital and government store. There were two places of worship, the chapel at Archdeacon Brown's mission station and a Roman Catholic chapel in Cameron Road. A school had been built on a reserve of 1.6 hectares near the town. Many of the military settlers had built wooden bungalows on their town sections and most of the Te Papa peninsula between Tauranga and Greerton had been fenced and grassed.

The town of Tauranga was still small and provided a limited number of services. A newspaper, the Bay of Plenty Times, was started in 1872 and a list of advertisers in the first few issues indicates the nature of the services offered in the community: three hotels, a boarding house and horse hire service, another horse hire service to the Rotorua lakes; a shoeing and general jobbing smith; a saddler and harness maker; two

bakers and grocers; a butcher; a druggist and consulting chemist; two boot and shoe makers; a storekeeper and shipping agent, a tailor; a travelling photographer; a paperhanger, painter and glazier; a carpenter, builder and wheelwright, a seedsman and nursery gardener; and a travelling dentist from Auckland. The town was administered by a Town Board which was chronically short of funds. The community was very isolated and relied on sea communications with Auckland for outside contact. The optimism of the inhabitants was expressed in the leader in the first issue of the Bay of Plenty Times which dwelled on the considerable potentials of the area. These included the nearby forest with "inexhaustible supplies of timber", although the town still relied on timber imported from the Coromandel Peninsula. A great deal of faith was also pinned on prospects of finding a rich gold field. The truth was that Tauranga was still a rough frontier settlement with muddy, ill-formed streets and no architectural pretensions. The Bay of Plenty Times reviewed its progress in June 1873:

Within the last twelve month Tauranga has emerged from that happy-go-lucky aspect it formerly bore, and now presents the appearance of an orderly and well-regulated country town. New streets and new stores have been and are being erected on all sides. The Beach Road has given to the harbour frontage a uniform and substantial appearance, and when completed, which we anticipate it will be in a few weeks, will leave little to be desired. Hamilton Street has been graced by the erection of Mr David Connor's commodious store, and a two storey building is in the course of erection at the beach corner, for the Phoenix bakery. We learn that it is the intention of Mrs Lemon to build a large boarding house at the top of Hamilton Street. Messrs Ellis and Wrigley's brewery will be completed in a few days. Captain Turner's villa residence is progressing rapidly, and Captain Sellars' new house is nearly finished. We notice a blacksmith's shop in course of erection next to Mr Grey's timber yard. Next September we may expect to see the new Church of England building begun, which will be a very handsome edifice. On the whole we have great cause for rejoicing and anticipating a bright future for this favoured locality.

War, confiscation and the establishment of European settlement at Tauranga had a profound impact on Maori life. In 1873 the Reverend Thomas Grace wrote to the Church Missionary Society:

As regards the Maoris, the war has revolutionized their former mode of life. They cannot, and will not, remain as they are. Great changes are taking place and others are near at hand. The influx of Europeans into their borders, the leasing and selling of their lands, and their own improvident mode of spending the proceeds, must soon change them from being lords of the soil into a poor, needy, down trodden remnant of a once fine and formidable race. Will they survive? (Grace 1928, p. 250).

Grace, who had arrived at Tauranga the previous year, after serving as a C.M.S. missionary in the Taupo district, travelled widely among Maori settlements in the Bay of Plenty, Waikato and Rotorua districts. He was optimistic about their future and noted that the Maori were turning to wheat growing, seeking education and showing renewed interest in Christianity.

Speaking of the Natives, a gentleman said to me the other day "They cannot survive! The feeling of the Europeans is so intense against them." There is much truth in this statement; at the same time God has, in a wonderfully way, preserved and protected them in spite of all the force and fraud that has been brought to bear against them (Grace 1928, p. 251).

The influential role of the missionaries had almost disappeared. The Marist Fathers had been withdrawn. The mission school at Te Papa had been taken over by the military and most of the C.M.S. land passed into Government hands. Although Archdeacon Brown had departed for several months in 1861, he remained at his post throughout the disturbances of the mid 1860s. But elsewhere mission stations had been abandoned and the

missionaries accused of abandoning their flocks at a time of stress and taking sides with the British troops. During the 1860s Pai Marire became widely accepted in the Tauranga district. The Tauranga people also continued to support the King Movement. Pai Marire teachings influenced Te Kooti Rikirangi who developed Ringatu, a distinctively Maori Christian sect. Grace reported to the C.M.S. in 1877:

Te Kooti's followers seem to have met with even more success than the King's prophets. The whole of the Bay of Plenty - two or three villages excepted - Tauranga included, have become followers of Te Kooti, one or two places only adhering to the King's form. I may add that I have not been able to detect anything like a persecuting spirit. Both these parties - shall they be called sects? - appear to be on the best terms and do not show any feeling or bitterness towards those who adopt the rival form, not even to those who still adhere to us. Te Kooti's people do not object to joining in our service, and will allow us to preach to them (Grace 1928, pp. 285-286).

Grace lamented the passing of missionary influence, chiefly as a result of the quick succession of "colonization, war, confiscation and English vices" as he put it.

But now a change has come over the Maoris. Formerly they consulted us in all matters connected with their teaching and worship, and invariably abided by our directions. Now they assume the entire management of their own affairs and seem to consider they have a perfect right to do so (Grace 1928 p. 286).

The days of benevolent missionary paternalism were gone and not likely to return. Maori people themselves were guiding the development of Maori Christianity.

They have clearly never intended to renounce Christianity and go back to Heathenism; on the contrary, whatever individual exceptions they may make, they have lost confidence in us as a body and look upon us with distrust and suspicion, and have determined to manage their own religious affairs (Grace 1928 p. 286).

In 1874 the Census returns indicated there were 579 Europeans in Tauranga town, 322 males and 257 females. Most of them lived in wooden houses with 2 to 4 rooms, although 9 houses are recorded in the Census as having 5 to 6 rooms, and 21 houses with over 6 rooms. There was a total of 143 inhabited houses and 6 canvas dwellings. It was not a wealthy community. Most of the inhabitants were young families, and there were few old people. Of the total of 579 Europeans, there were 229 children under the age of 15 years, most of the adults were under 50 years, only 13 between 50 and 60 years and 2 old people over 70 years of age. The majority of the population, 362 people, professed to be Anglicans, and 113 people, many of them Irish military settlers, were Roman Catholics. Presbyterians numbered 58, Methodists 15, and there were 7 Jews. The community was of predominantly British origin. Birthplaces of 158 people were in England, 36 in Scotland, 2 in Wales and 80 in Ireland. Many of the children would be accounted for in the 221 New Zealand born. Australia accounted for 45 people and other British possessions another 12 people. Of the remaining 36 inhabitants, 6 were born in France or French colonies, 3 in Germany, 2 in the United States, 2 at sea and the others were unspecified.

During the 1870s the town grew slowly. In 1878 the population reached 793 Europeans, 425 males and 368 females. Archdeacon Brown described the town in a letter to a friend in September 1878:

You would hardly recognise Tauranga, so changed is its appearance since you saw it. We have two large wharves, four weekly steamers, a large fine building of Public Offices, two well built banks, three churches, three hotels, and the land has risen to prices that would astonish you.

The village community, a cluster of houses around a marae, remained the unit of Maori settlement. Groups of people, mainly menfolk, left periodically to work elsewhere, but the economic base of the village was largely agricultural. Many of the traditional village sites around the harbour were maintained. In the Confiscated Block land at Otumoetai was soon sold, the old villages abandoned, and the Otumoetai people moved to Whareroa and Rangiwaea. Some of the forest villages between Whakamarama and Waoku, destroyed by troops in 1867, were reoccupied but gradually most of the inhabitants moved to coastal locations.

The tribal relationships were relatively unchanged in the 1880s. Of Te Arawa tribes in the area, Waitaha were at Te Puke, Tapuika nearby at Kenana and Rangiuuru, while the large Te Arawa settlement at Maketu was made up mainly of Ngati Pikiiao and Ngati Whakaue. Members of another Te Arawa tribe, Ngati Rangiwewehi, were living in Huharua (Plummer's Point) in the 1880s, on the site of the surveyed Township of Te Puna. These were the remnants of this tribe who had supported the King Movement, fought at Gate Pa and Te Ranga, and decided to stay in the area rather than return to their kupapa, "loyalist", relatives in Rotorua. No Ngati Haua were living at Tauranga in 1881 though four were counted at Rangiwaea in the 1878 Census. There were still 18 Whanau-a-Tauwhao people on Tuhua (Mayor Island). Motiti was occupied mainly by Patuwai, a Ngati Awa hapu from Whakatane. Hauraki people remained in the Thames Coromandel area outside the Confiscation Line.

Relations between Maori and Pakeha were most strained by pressures on land. The payment made to Pirirakau and others in 1871 had not settled Pirirakau grievances and there were several disturbances, though no violence, in the Te Puna district during the early 1870s. Most of the Pirirakau were living around Poututerangi at Te Puna and some were at Omokoroa. In March 1877 a group of Pirirakau were showing a "disposition to quarrel with their European neighbours". The former Civil Commissioner, H.T. Clarke, now Under-Secretary in the Native Department, was sent from Wellington to investigate (AJHR 1877, G1). The quarrel seems to have involved the leasing of the Omokoroa "native reserve" (which had been set aside for Ngati Haua in 1867) to Mr Gellibrand. Pirirakau "obstructions" consisted of taking some of Gellibrand's fencing timber, squatting on the land of a settler called Fraser, and "threatening" Mrs Fraser.

Pirirakau had the support of some Ngati Rangiwewehi who had been living at Whakamarama since 1871, and who were now living with Pirirakau on the Omokoroa Reserve. "Ngaiterangi chiefs" at Tauranga interviewed by Clarke thought that "a great deal of unnecessary excitement had been created by Europeans...that the disparaging remarks made by a small section of Europeans in Tauranga against the Government only tended to encourage the obstructing natives". The Pirirakau chief commented that King Tawhiao had told them "that all fighting nowadays was to be with the mouth". Pirirakau, irritated by "false accusations of Europeans and by intemperate language of Ngaiterangi", felt bound by their principles to protest vigorously against the occupation of any land, whether confiscated or purchased, to which they believed they had a claim. Clarke suggested they

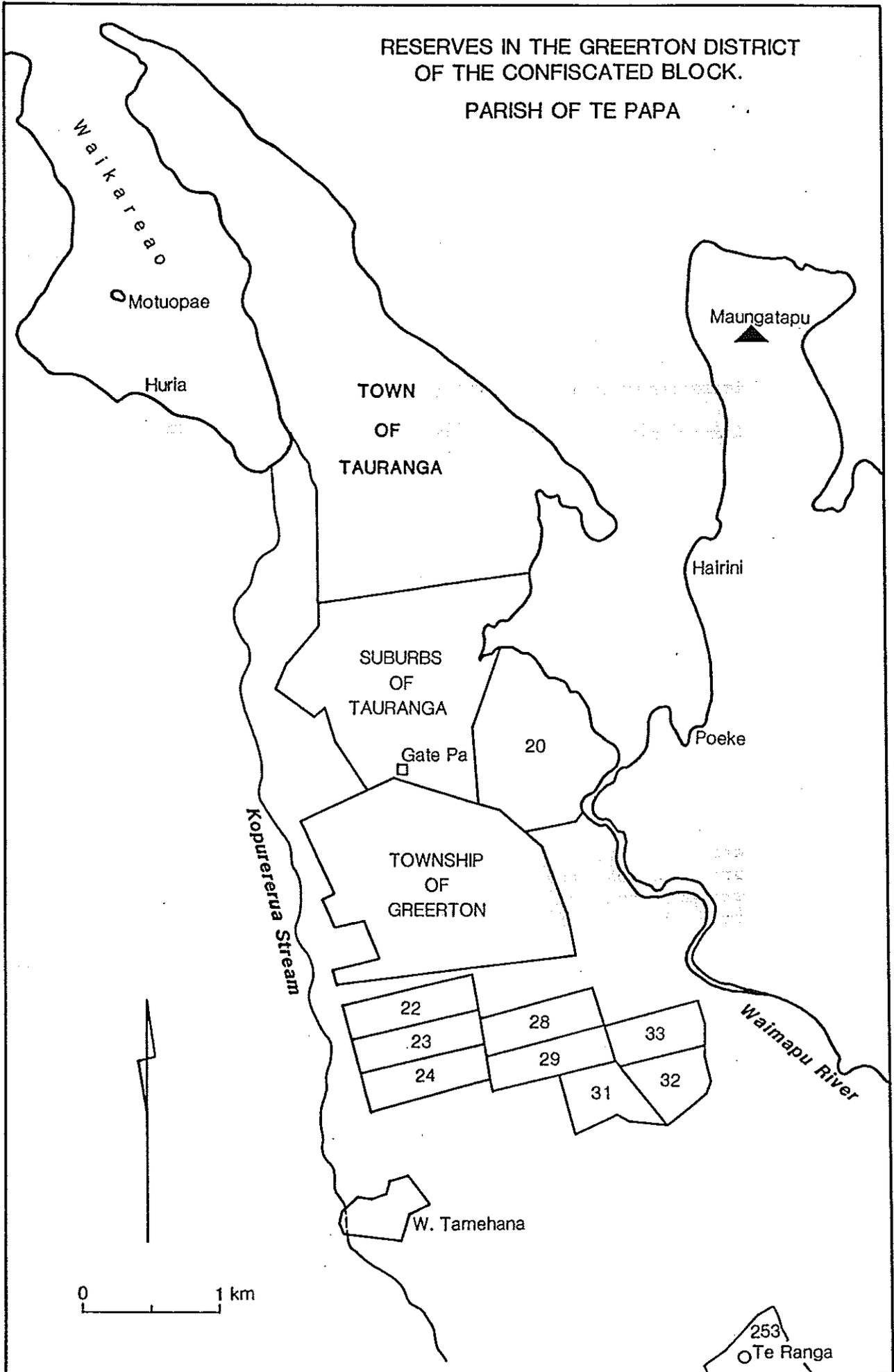
take their grievances to Government and not annoy their European neighbours. He also made it clear that Government was "determined to maintain the Europeans in the peaceful occupation of the lands to which they were legally and justly entitled" (AJHR 1877, G1).

This particular dispute was settled by Ngati Haua agreeing to sell the Omokoroa Reserve of 83 hectares to Gellibrand for £350. According to Clarke, Ngaiterangi chiefs were agreeable to this method of removing Ngati Haua, their former allies, from the district. Ngati Rangiwewehi, agreed to move from Omokoroa but stayed in the Te Puna district with Pirirakau, although Clarke expressed the hope they would return to their Rotorua relatives. Clarke also had some comments on the role of European settlers in the affair:

There is a small section of Europeans in Tauranga who I fear, if they persist in making the reckless statements they have on various occasions given expression to, will exercise a baneful influence on the Natives of the district, and retard the progress of settlement. Their one leading idea appears to be to obtain from the Natives "by hook or by crook" all the lands that can be procured, without any regard to the future wants of the Natives, or the political questions so often involved in matters relating to Native title. In fact they speak and write as though they had a vested right in the lands now in the possession of the Natives. This is well known to those most interested, and a certain section of them are determined to obstruct what they consider "Pakeha" encroachment, and with some slight show of reason. They see thousands of acres of valuable lands awarded to military settlers lying waste, and yet the Europeans are hankering after the limited extent of country still in their possession. I regret to say that a large section of the Natives are being imbued with the sentiment "let us eat and drink for tomorrow we die". They are perfectly oblivious as to the future, and will inevitably pauperise themselves and their successors if the Government do not stretch forth a protective hand to save them from their own reckless extravagance. It is quite a common thing to hear people say the "they are not children and therefore quite capable of looking after their own interests". If they are not children,

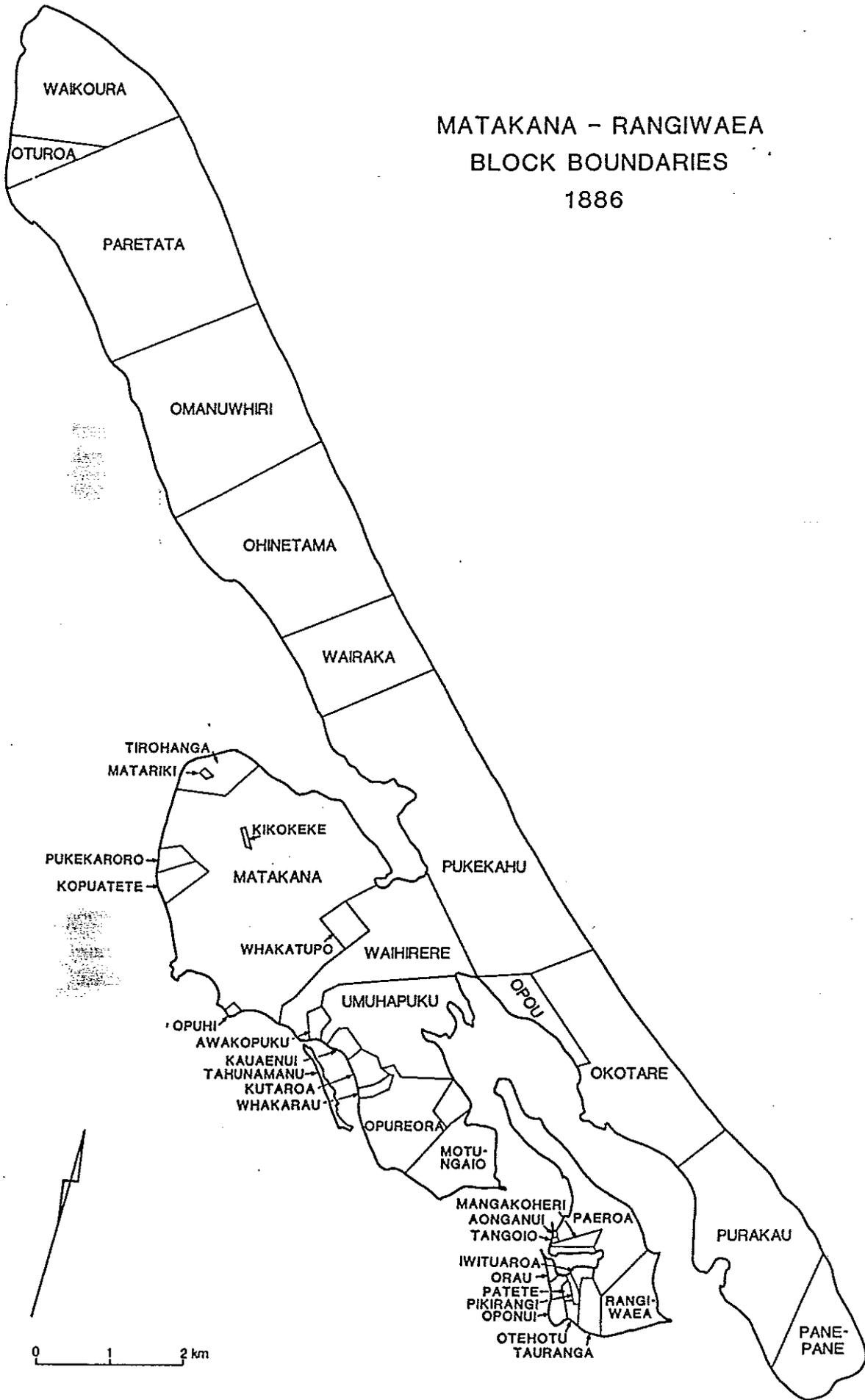
RESERVES IN THE GREERTON DISTRICT
OF THE CONFISCATED BLOCK.

PARISH OF TE PAPA



MATAKANA - RANGIWAEA
BLOCK BOUNDARIES

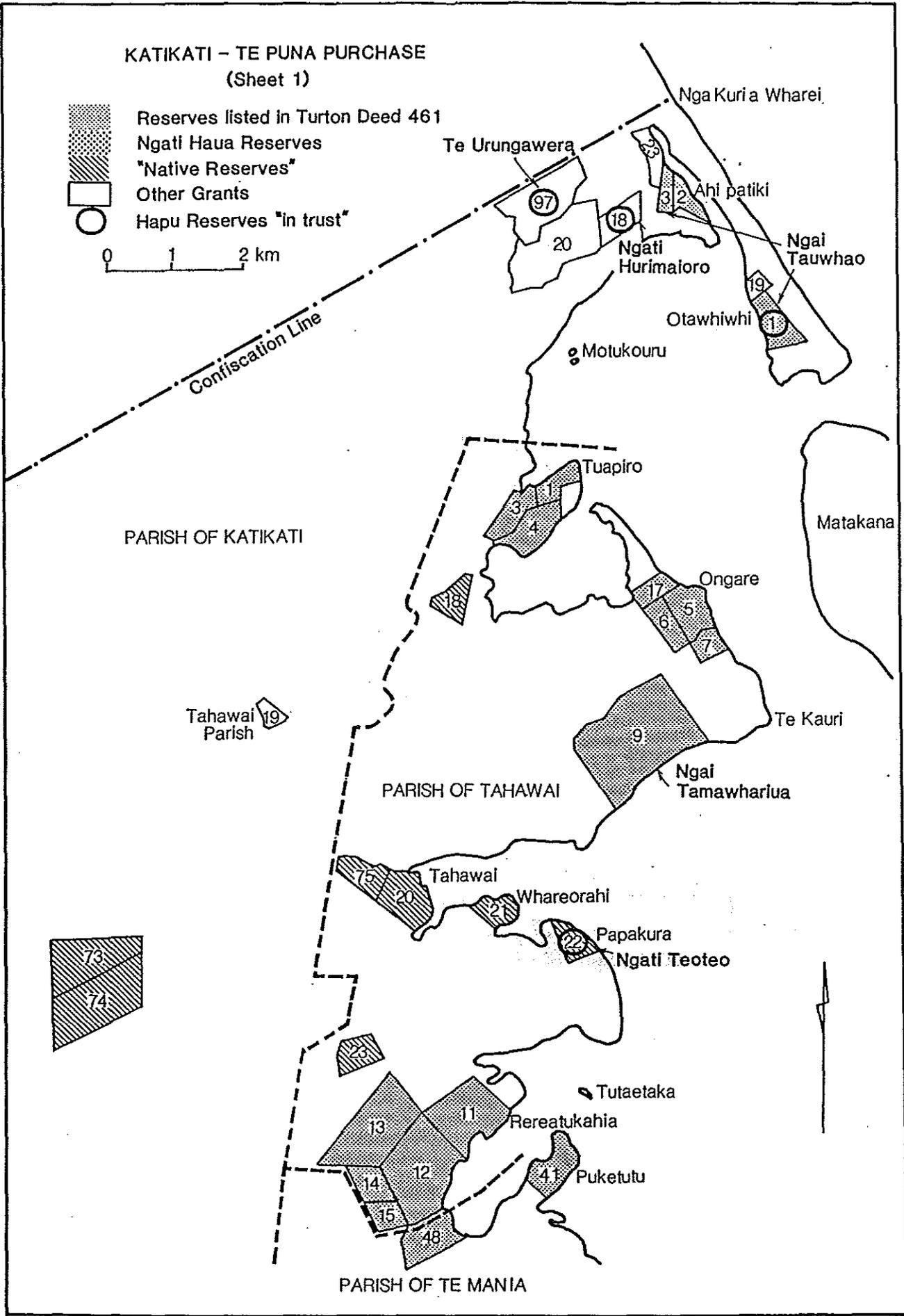
1886

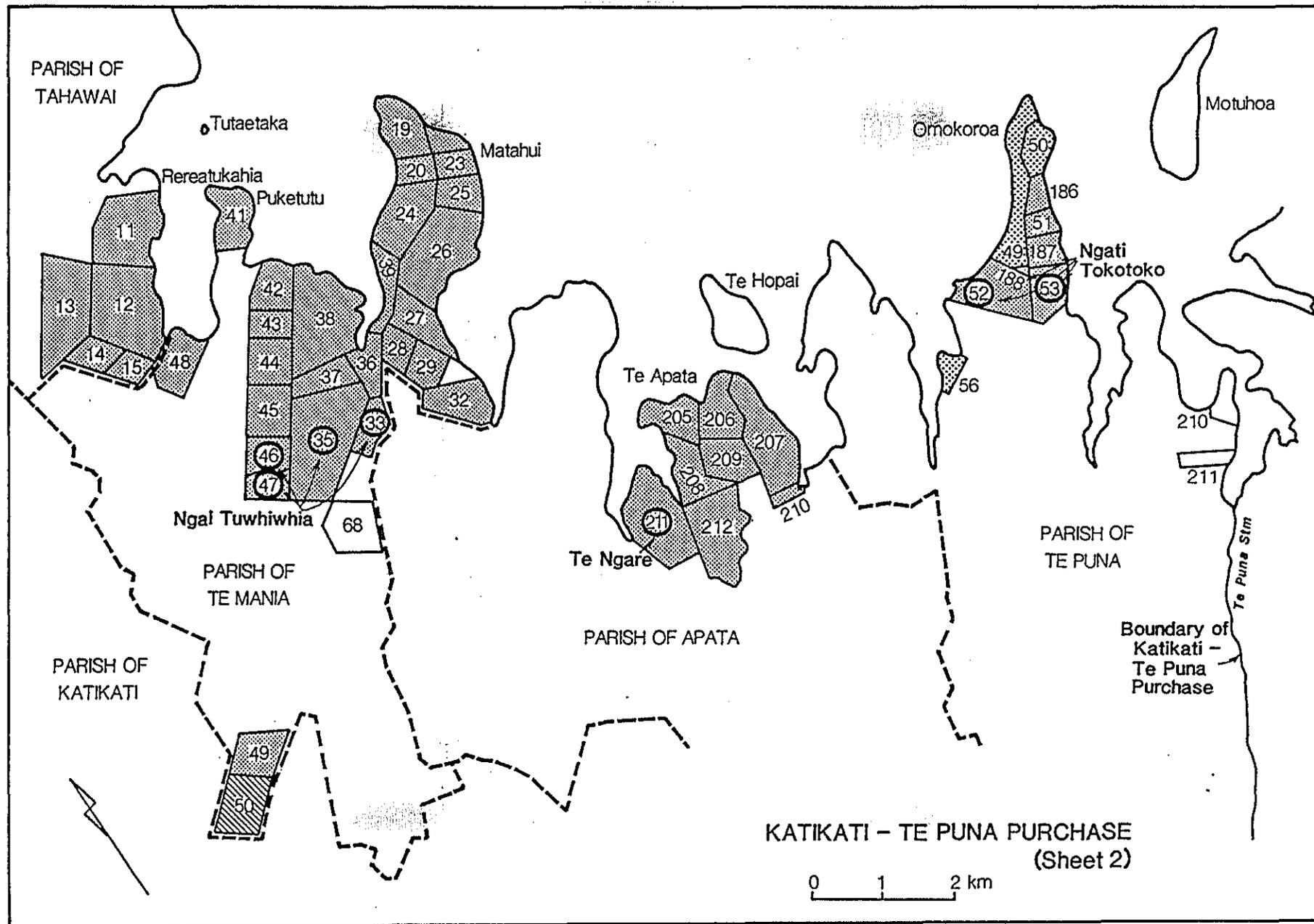


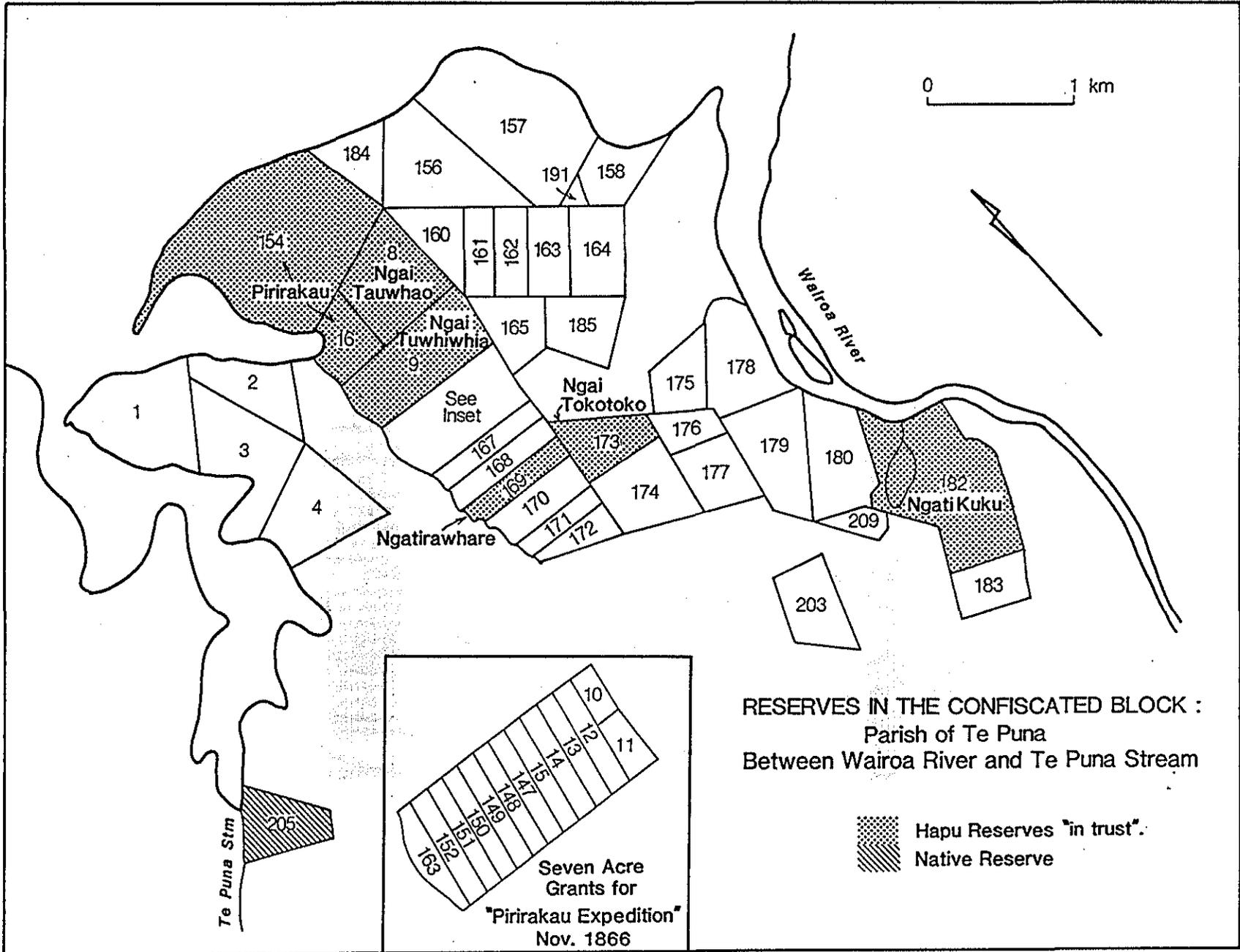
KATIKATI - TE PUNA PURCHASE
(Sheet 1)

-  Reserves listed in Turton Deed 461
-  Ngati Haua Reserves
-  "Native Reserves"
-  Other Grants
-  Hapu Reserves "in trust"

0 1 2 km

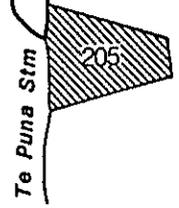
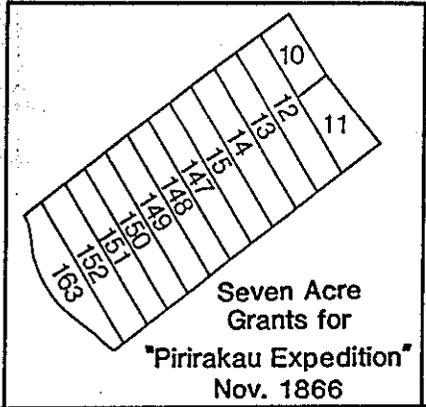


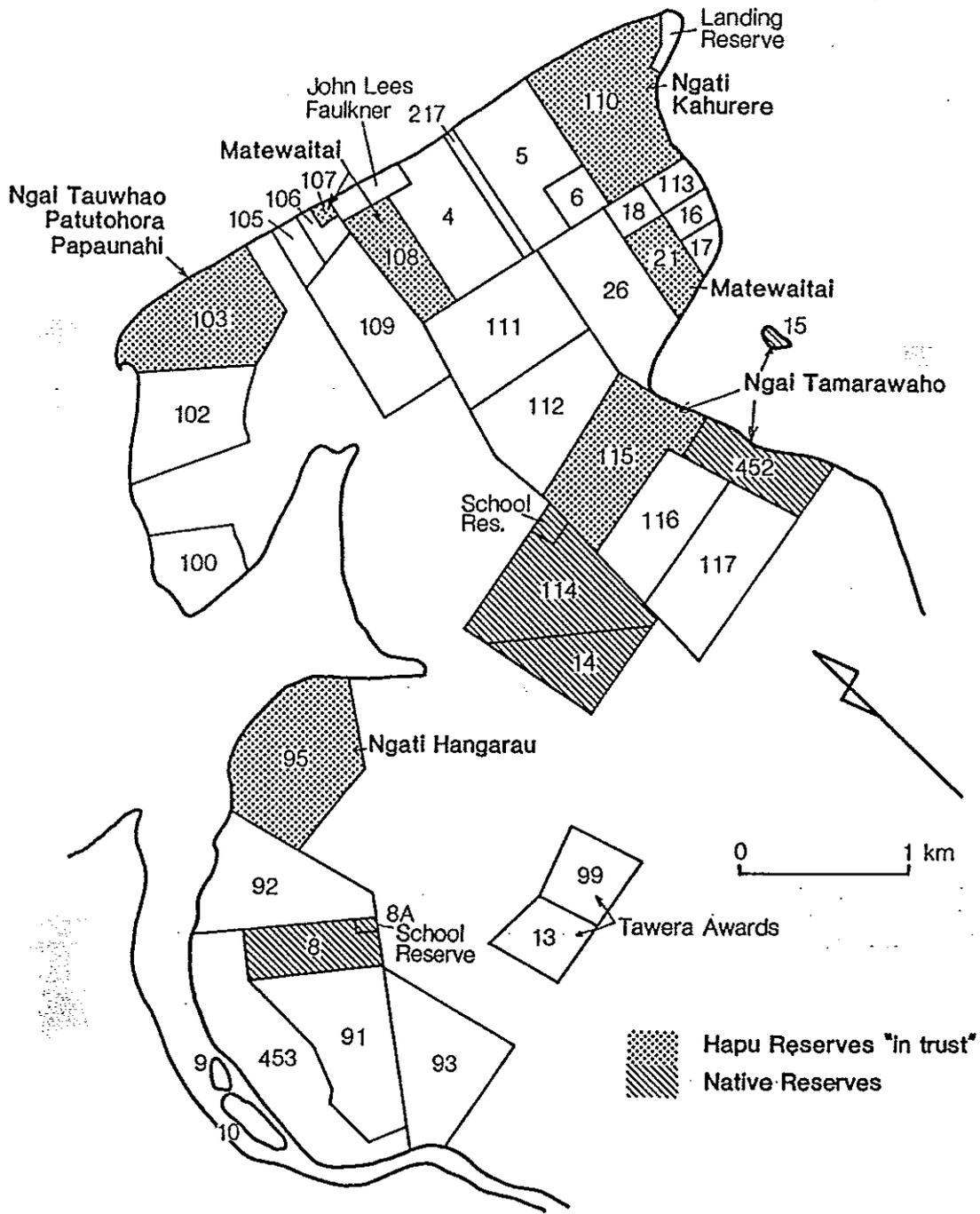




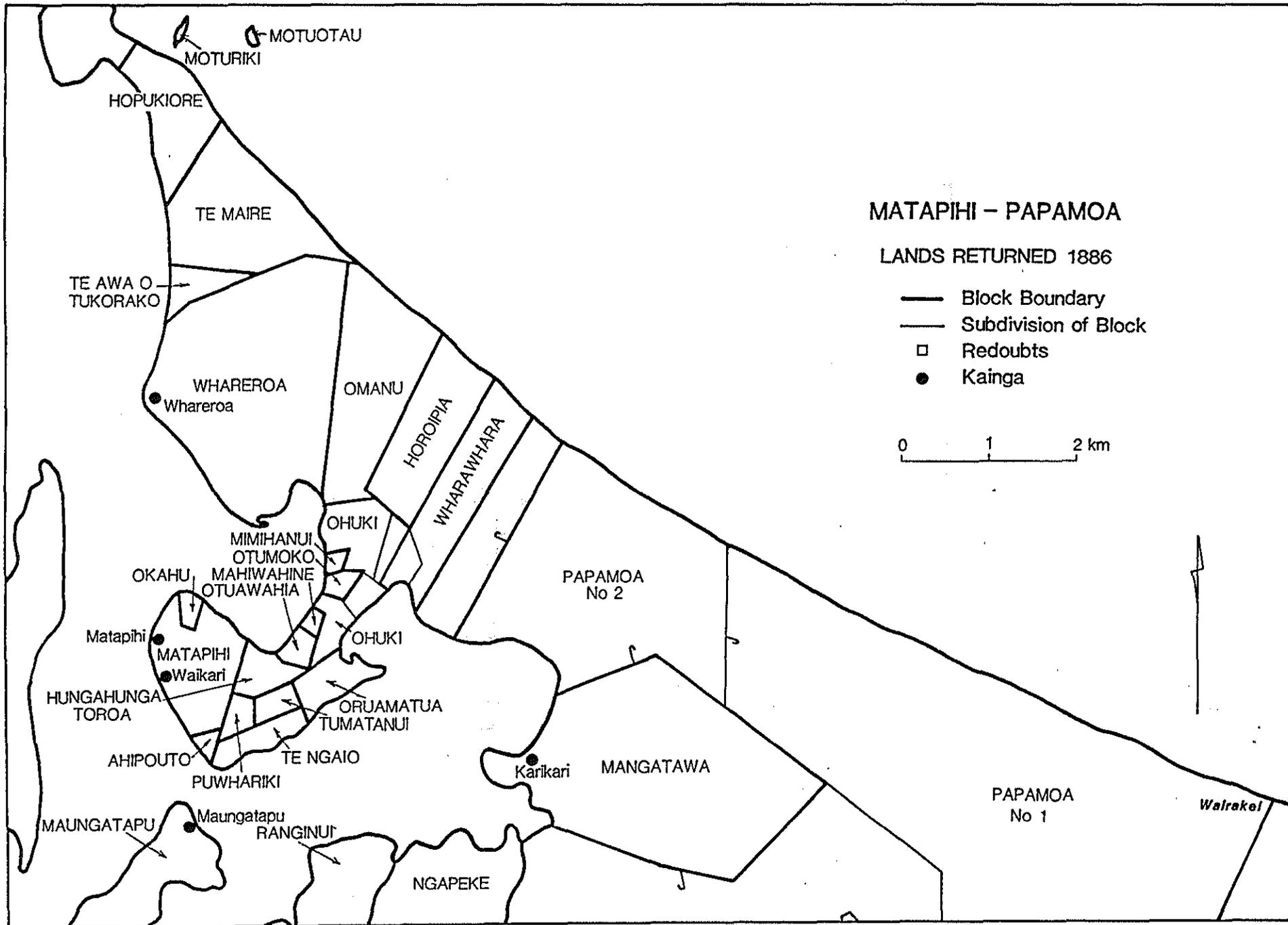
RESERVES IN THE CONFISCATED BLOCK :
 Parish of Te Puna
 Between Wairoa River and Te Puna Stream

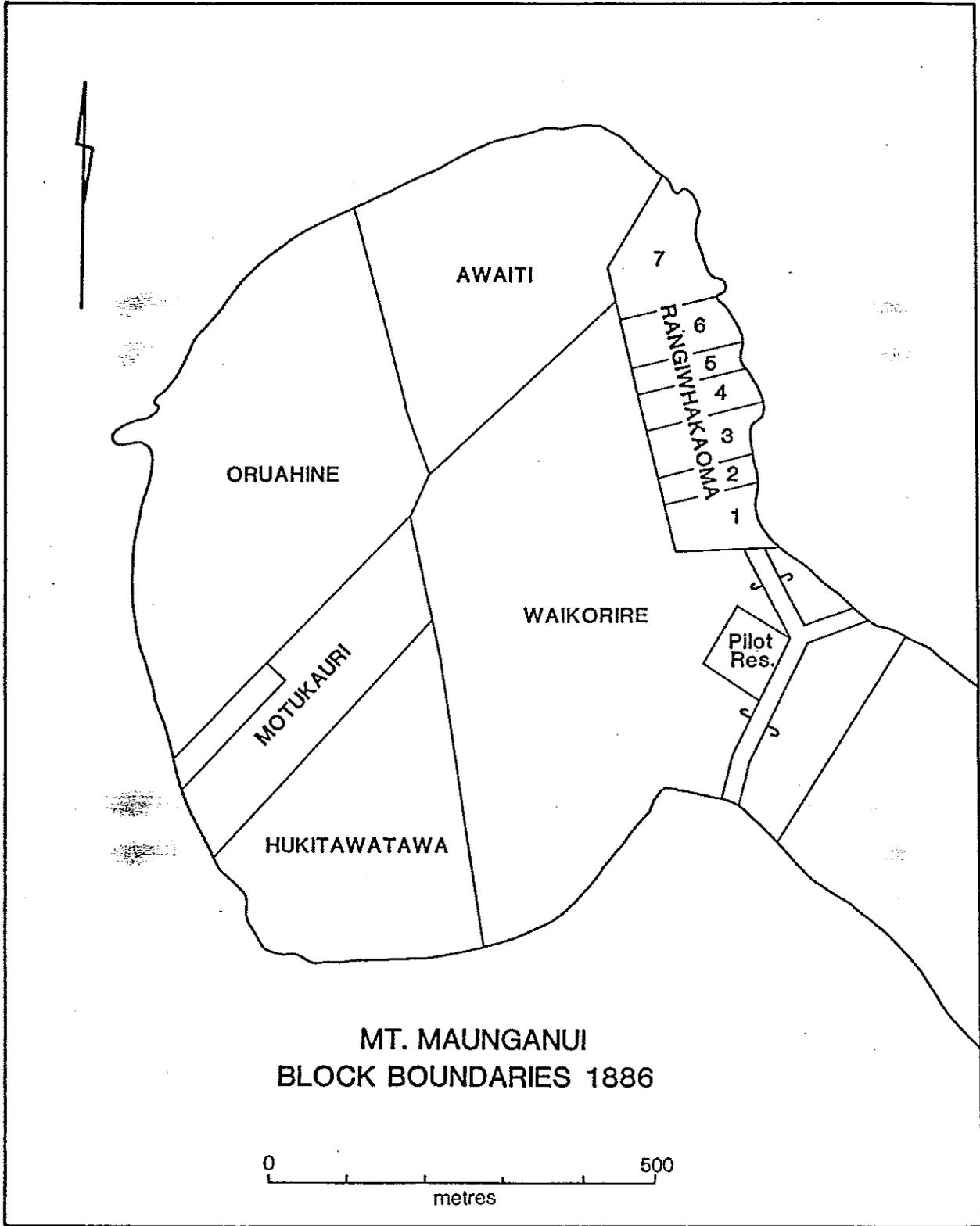
 Hapu Reserves "in trust".
 Native Reserve





RESERVES IN OTUMOETAI - BETHLEHEM DISTRICTS
OF THE CONFISCATED BLOCK.
Parish of Te Papa





ORUAHINE

AWAITI

WAIKORIRE

MOTUKAURI

HUKITAWATAWA

RANGIHAKAKOMA

Pilot Res.

MT. MAUNGANUI
BLOCK BOUNDARIES 1886

0 500
metres

they are equally unable to act with judgement and equally require their interests to be guarded by some authority wiser than themselves (AJHR 1877, G1).

Clarke was aware that his views were by no means popular:

Europeans of Tauranga have no real cause of complaining, notwithstanding the statement so repeatedly made, that the settlement of the district and its progress has been retarded owing to the Native land being locked up through the influence of the Native Department (AJHR 1877, G1).

Pirirakau opposition was no new thing. "It is simply a repetition of the active protest made in 1866, not against any individual European purchase but against the system of confiscation altogether" (AJHR 1877, G1).

The bitterness engendered by confiscation of land was not to be easily assuaged. Brabant, the Resident Magistrate, reporting on affairs at Tauranga in 1877 regarded Pirirakau and Ngati Rangiwewehi, a group of about 45 men plus women and children, as "disaffected" because they "profess to the King Party" and "are in constant communication with them and make it their boast that they have never surrendered since they were in arms against the Government". Brabant described them as "typical of the Native difficulty...but partially subject to our laws, but to make them wholly so, it would be necessary to enforce the law at the point of the bayonet" (AJHR 1877, G1A).

Government policy on confiscation had been debated in Parliament and there were some who considered it had already caused too much trouble. In Parliament in September 1872, Stafford had advocated the return of unalienated confiscated lands.

When the Government has done that, it will have done the best thing it has ever done. It will have got rid of one of the greatest sources of difficulty. I do not suggest that this should be done in answer to any demand of the Natives, but as an act of grace and an act of policy (AJHR 1880, G2 Appendix A).

Government policy did not change however. Clarke recommended in 1877 that the Government retain unallotted military settler's sections and unsold lands in the Te Puna district. He also suggested that "Pirirakau be made to understand, on every suitable occasion, that the Government will not relinquish their right to an inch of land purchased or confiscated". He considered that "any sign of wavering would be followed by bad effects" (AJHR 1877, G1).

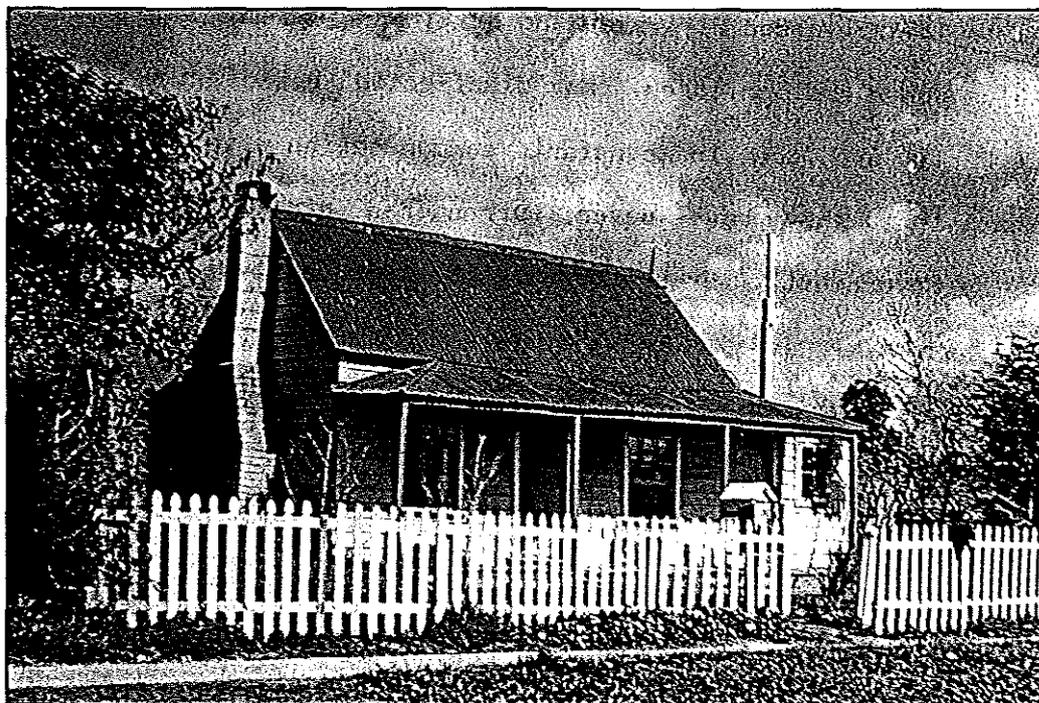


Plate 25. Military Settlers cottage in the 'Quarter Acres' built c.1870.
Photo: Evelyn Stokes

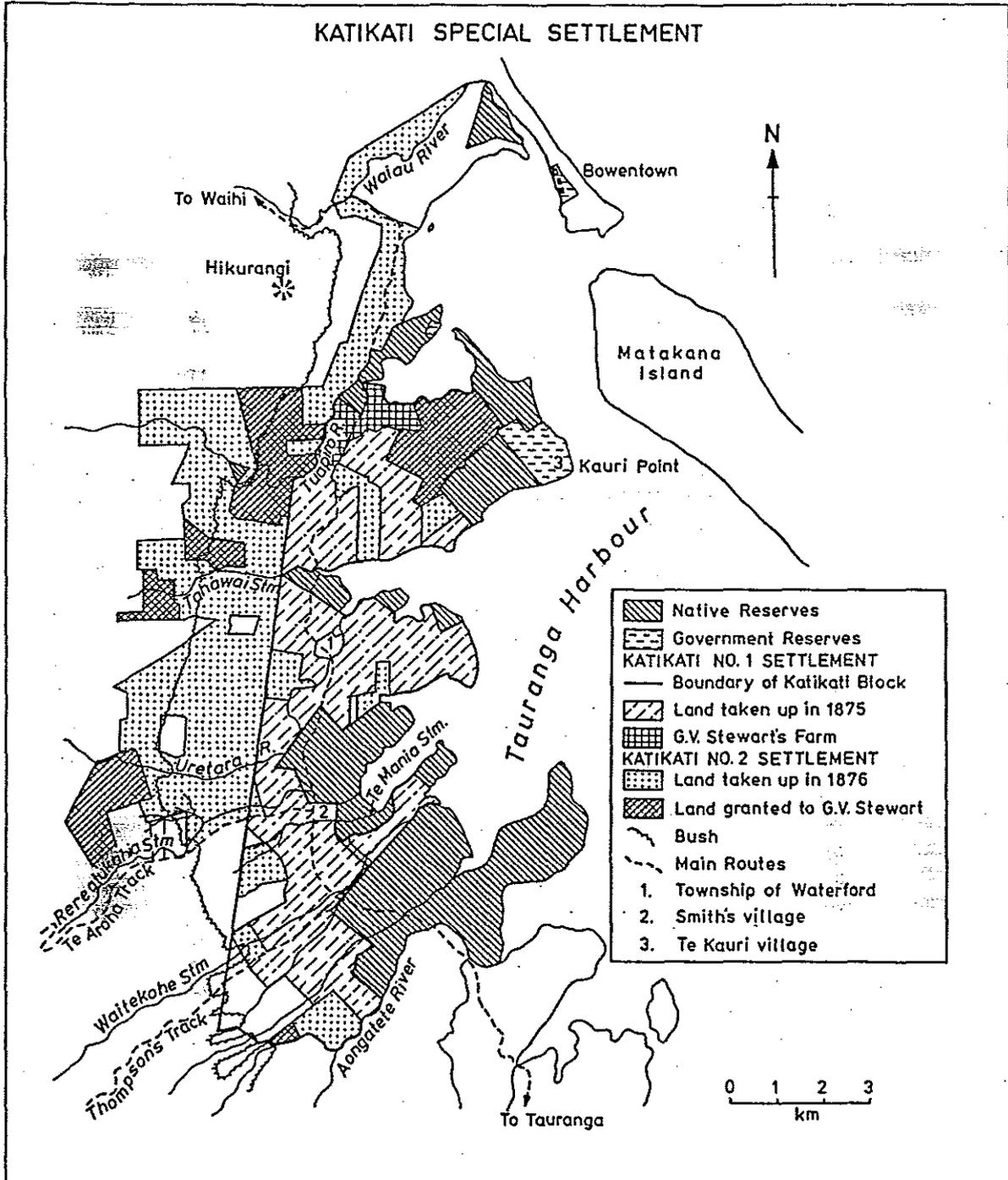
11. Land Transactions 1870-1886

European settlers regarded the transformation of the wild landscape of fern and bush into productive farms as the most visible sign of progress any community could desire. In 1875 the first party of settlers in the Katikati Special Settlement, organised by George Vesey Stewart with Government support, began taking up land in the Katikati district. In May 1874 a Bay of Plenty Times editorial interpreted Stewart's choice of site for his settlement as "proof of the natural advantages which the district possesses for agricultural small farm settlement, and material guarantee for its substantial progress in the early future". During the early 1880s, European settlers arrived to take up land in the Te Puke Special Settlement. The Census returns indicate a steady increase in the number of European settlers, although the rate of settlement slowed during the depression years of the 1880s.

Year	Katikati District	Tauranga District	Tauranga Town	Te Puke-Maketu District	Total
1878	238	368	793	47	1446
1881	503	499	1253	143	2398
1891	381	497	1055	515	2448

The number of occupied European holdings increased from 159 in 1878 to 306 in 1891.

Figure 14.



By the early 1880s three nuclei of European settlement had been established at Katikati, around Tauranga township and Te Puke. The remnants of the military settlers established themselves on their farm sections and many bought up adjacent forfeited sections to increase their holdings to an economic size. Other settlers drifted in to take up the abandoned military allotments, and sales of such sections were still taking place in 1886. During this period there was considerable pressure on Government to "open up" more land and accelerate the process of European colonisation. Local settler attitudes are well expressed by a Bay of Plenty Times editorial in May 1874 which bemoaned the delays by government in acquiring lands in the Te Puke-Maketu area:

At present the whole of that country containing over three hundred square miles [777 km²] with all its varied resources of arable, forest, and pasture land, lays waste - as it has lain for centuries under the nominal control of contending tribes - unproductive and unoccupied, save by a handful of dusky savages. The aboriginal possessors of this splendid estate - if it does amount to possession - becomes, instead of a boon, a source of never-ending heart-burnings and a burden to the natives themselves, while contributing largely to that "native difficulty" and native expense which the Government of the Colony has to meet year by year. Viewed simply in the light, or rather the darkness, of a "native difficulty" the acquisition of these lands by the Crown, appears to us, in the interests of both races, to be a consummation most devoutly to be wished, but when we look beyond this present advantage, and consider the Cornucopia of blessings which the occupation of such a wide district, by an industrious and energetic population would confer upon the community, we begin to realise the vast importance of its acquirement, and the heavy loss we are now sustaining and must endure so long as it remains "Native Land".

Government policy of land purchase in the district had begun with the large Katikati-Te Puna Purchase. Halcombe, reporting on land suitable for settlement at Tauranga in 1871 (AJHR 1873, D6), recommended Government purchase of more Maori land, mainly bush areas of the Oropi, upper Wairoa and Kaimai areas, both for timber and for settlement because the "logical" routes to Rotorua and Waikato crossed these areas. Another factor was the prospect of gold in the Kaimai Ranges. Halcombe considered all Maori reserves around Tauranga Harbour should remain inalienable:

Much of this land is moreover under profitable cultivation by the Maori owners, and what they do not use themselves they will probably make some arrangements to let temporarily to Europeans. Judging from the facility with which they part with the bulk of their lands as soon as an individualised title has been granted, it appears to me a wise provision that they should be restricted from pauperising themselves and their descendants (AJHR 1873, D6).

In 1873 Government agents began enquiring into various claims in the area of "land returned to Ngaiterangi", preparatory to the awarding of titles by Commissioners under the Tauranga District Lands Acts of 1867 and 1868. The enquiries lasted another 13 years. The first Crown Grants were issued in 1879 and the final report made on Tauranga lands in 1886. The enquiries carried out by Commissioners Wilson and Brabant followed some of the procedures of the Native Land Court. In 1879 Wilson, who also presided as Judge in the Native Land Court at Tauranga and Maketu, reported (AJHR 1879, Sess. 1, G8) that he had dealt with a total of 9,986 hectares of which 6,808 hectares had been granted without restrictions on sale; 1,043 hectares "granted with alienability partially restricted" and 135 hectares "granted absolutely inalienable". There remained 15,763 hectares for which administration was incomplete and 31,418 hectares "awaiting administration". By the end of 1879, 5,922 hectares of the unrestricted 6,808 hectares had been sold.

The question of indiscriminate alienation of lands had been a contentious one in view of some Maori opposition to selling, Pirirakau "disturbances" at Te Puna, and European speculators clamouring for land. Waitaha had pressed their claims to more land in the eastern area of the confiscated block. Government purchase agents were also operating in Te Arawa lands east of the confiscation line. On the Te Puke block adjacent to the confiscation line, surveyors were withdrawn after Maori opposition to the survey threatened to erupt early in 1876. However, all Te Arawa territory was dealt with through the Native Land Court. The Tauranga lands remained subject to separate legislation, the Tauranga District Lands Acts 1867 and 1868. Commissioner Wilson received the following telegram from H.T. Clarke, Under-Secretary in the Native Department, in November 1878:

I am desired by the Hon. The Premier, to request you to be good enough, as Commissioner of the Tauranga Lands to inform the natives that all the lands returned to them in the Tauranga district, the titles of which you are now investigating, including Otawa and Waitaha blocks, are inalienable. The Native Affairs Committee has advised that the natives should not be allowed to dispose of these lands, that should they desire to lease them, they must do so by auction, or public tender.

Predictably, European settlers and speculators were upset at this restriction, and the Bay of Plenty Times which published the telegram, carried regular comments on how the progress of settlement in the district was being held back by "the Native difficulty". The leasing of land was not regarded as a viable alternative. In December 1879, the Bay of Plenty Times carried a story on the "danger of leasing Maori lands". In 1866 Messrs. Fraser and McMillan leased 12,140 hectares at Mangatawa from Ngapotiki, a Ngaiterangi hapu. In 1870 Mr John Harding of Napier purchased

the lease for £50 and retained it till 1878. In 1876 Mr William Kelly also purchased a lease of the land. The said block passed through the "Commissioner's Court" in September 1878. Mr Harding through his agents secured 30-40 Maori signatures and paid them £300.

In his report in 1879, Commissioner Wilson commented on the land situation:

Upon the question of reserves I would respectfully submit my opinion that all such reserves as are necessary to the support of the Natives in the way of cultivation and residence should be rendered inalienable; otherwise, if I may judge by the past in this district, the Natives will sooner or later be tempted to sell them. I think the reserve of each hapu should, if possible, be separate, that it should be of good quality, and sufficiently large to support the hapu. In making reserves I am endeavouring to conform to these conditions...

Owing to the prohibition of 8th November last, forbidding the sale of Native lands in this district, private surveys have entirely ceased, the Natives being unable, and the Europeans unwilling, to pay for them. Hence, to settle these lands, it has become necessary that Government should defray the expense of surveys, taking security upon the land, when it is not a reserve, for the cost of the same...

I should further report that, in consequence of the prohibition of sale above mentioned, a good deal of land in the district is kept out of the Court by those Natives who object to the order. I should say, however, that there is generally a minority in favour of the order (AJHR 1879, Ses. 1, G8).

Wilson quoted Clarke's opinion on making reserves that the section of the 1873 Native Lands Act requiring that 50 acres (20.2 hectares) per head for every man, woman and child should be adopted in administering Tauranga lands. Clarke had also noted that a surplus of 24,281 hectares had been "discovered" in the Tauranga District lands to which the 20.2 hectare reserve rule would not apply. Wilson saw some problems:

The Natives in their hapus and tribes, as well as individually do not own the land equally. A number of Natives at Tauranga own several hundred acres each, while many other Natives in the district have not a dozen acres apiece...

Viewing the question from its general aspect, it may perhaps be regarded thus: there is much surplus Native land in the district, which the Natives cannot cultivate or occupy. These lands are mostly rough fern and forest country, and cannot be advantageously leased in their present condition, except on very long terms, and this is doubtful. It is desirable, as well for the Native owners as for the benefit of the district generally, that these lands should be utilized in some convenient and proper form (AJHR 1879 Sess. 1, G8).

Land issues continued to have a disruptive effect and cause tensions. The Resident Magistrate, H.W. Brabant, reported on Tauranga in 1880:

The Natives in this District have during the year received considerable sums from Government for land purchase but I fear, owing to their neglecting their ordinary avocations to attend the Land Courts, and their squandering their money when they get it, it has really done them but little good (AJHR 1880, G4).

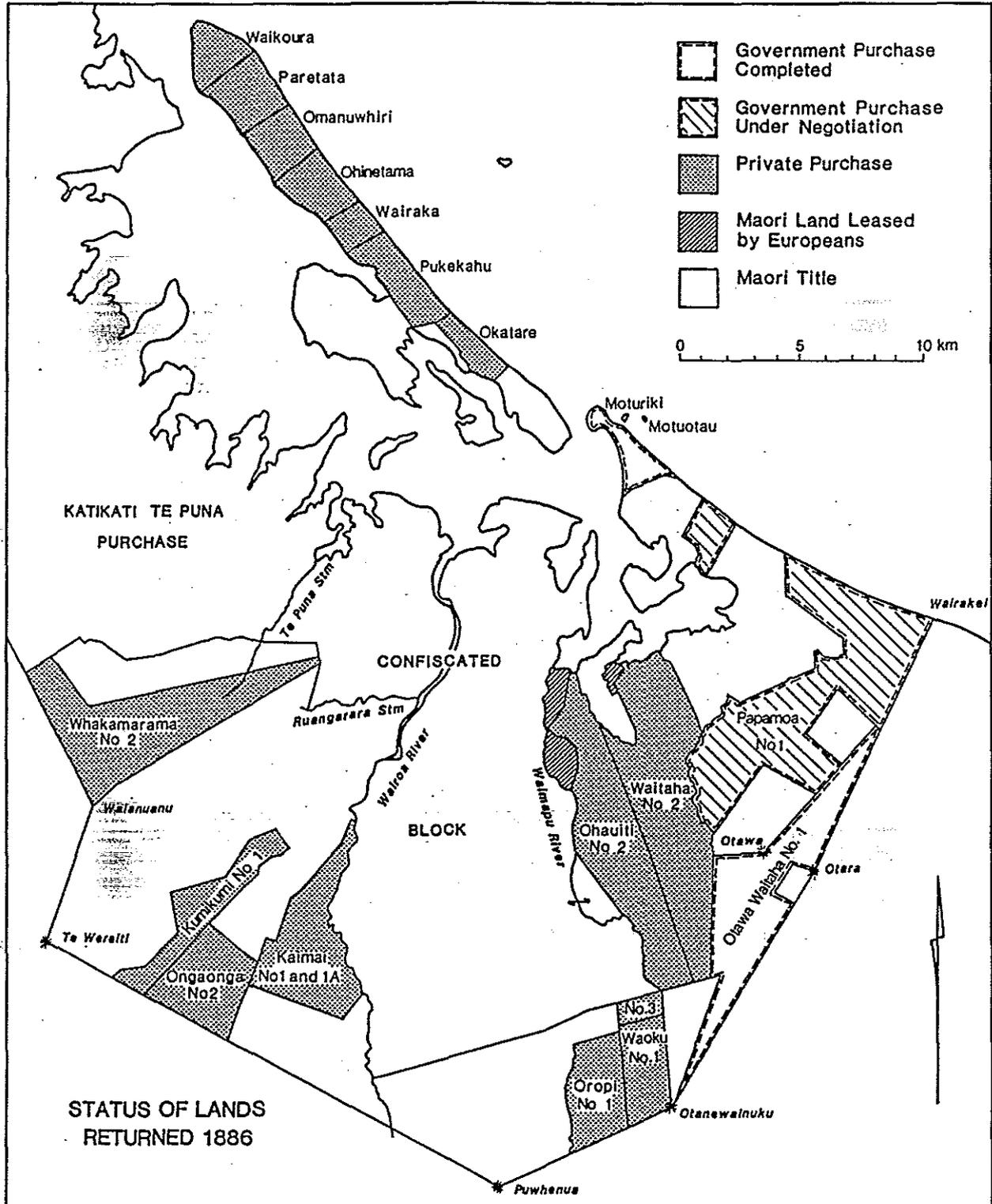
In 1881 Brabant reported:

The natives do not cultivate so much as formerly. This I attribute to the ease with which they can now obtain advances from speculators on their lands. Although the Tauranga lands are all inalienable, except by leave of the Governor, a native who can show any evidence of title can, it appears, always obtain advances, the purchaser trusting to time or turn in the political wheel to enable him to perfect his title.

There is no doubt the natives have more land in this district than they will ever utilise, and it is to be regretted that they are unable to part with it without themselves deteriorating in their habits and behaviour (AJHR 1882, G1).

Brabant was also Commissioner of the Tauranga lands, 1880-1886. He commented that Court sittings have the "effect of withdrawing the natives from industrial pursuits and of causing drunkenness which has been very

Figure 15



Blocks on which Restrictions on Alienation Removed 1881-1884

Date	Block	Acreage	Why Removed	On Whose Application
Aug 6 1881	Waitaha No.2	8082	No restriction imposed. The late Sir D. McLean was said by Mr Brown to have approved of the purchase "provided the natives had sufficient land at Tauranga to live upon.	J. Brown, per R. Browning
June 22 1882	Waoku No.1	1995	Mr Brabant in favour of sale as it is dense forest and only used by natives for pig-hunting etc.	T. Buddle, A.C. Turner and J.F. Buddle per Whitaker and Russell
May 20 1882	Waoku No.2	1656	" " " "	" " "
Oct 11 1881	Kumikumi No.1	2617	Ample reserves made in the block and the vendors have sufficient other land for their support-unanimous decision to sell	J.B. Whyte
Sept 6 1881	Whakamarama No.1	2617	Native owners unanimous in decision to sell - sufficient other land	F.A. Whitaker, per Whitaker and Russell
Mar 4 1884	Kaimai No.1	4500	Native owners desirous to sell - sufficient other land	J.B. Whyte
Mar 4 1884	Ongaonga No.2	3057	" " " "	" " "
" "	Purakautahi	463	" " " "	" " "
" "	Kaimai	1033	" " " "	Te Mete Raukawa and others
Total	26020 acres sold 1881-1884			

Source: AJHR 1884, G4.

prevalent amongst them while assembled in the town, the Court having more than once to adjourn from this cause" (AJHR 1882, G1). In 1882 Brabant reported that his investigations of titles as Commissioner had been affected by the number of local people who had been away attending Native Land Court hearings in Ohinemutu, Maketu, Cambridge and Thames. Although there were applications for permission to sell Tauranga lands "Natives themselves are asking for a large proportion to be marked inalienable" (AJHR 1882, G1). Figure 15 indicates the areas of Maori land alienated by 1886 when investigation of titles under the Tauranga District Lands Acts was completed (AJHR 1886, G10).

It seems that restrictions on the "inalienable" lands could be removed. The first return of "cases in which restrictions on alienation" had been "removed by the Governor" (AJHR 1884, G4) listed various reasons for removal of which the principal ones were "Native owners decision to sell - sufficient other land". In 1886, G.E. Barton, who was investigating applications for removal of alienation restrictions, reported on the following cases:

	<u>Block</u>	<u>Acreage</u>	<u>Purchaser</u>
Case 3	Te Mahau	181	T. Russell
4	Te Irihanga No.1	685	J.F. Buddle
5	Otiora No.1	2441	John Wilson
6	Waimanu No.1	1274	Hugo Friedlander
7	" " No.1C	446	" " "
8	" " No. 2A	450	" " "
9	Poripori No.1	3000	" " "
10	" " No.2	2696	" " "

Applications for lifting the restrictions on Cases 3 to 6 inclusive were accepted, a total of 4581 acres. In Cases 7 to 10, Barton concluded that "the agents had defrauded the Natives of moneys, and had endeavoured to defraud them of a part of the Waimanu Block which they had not sold, and for these reasons I felt it to be my duty to recommend that the restrictions on these blocks be not removed". After outlining the evidence Barton summed up:

If the conduct of these agents in the transactions recorded in this report admits of any extenuation it is in fact credibly vouched to me that in land transactions with the Natives such conduct is not the exception but the rule (AJHR 1886, G4).

Some idea of the intricacies of this land dealing can be obtained from the example of three blocks in the Whakamarama area - Te Irihanga No.1, (277 hectares), Otiora No.1 (987 hectares) and Whakamarama No.2 (2,890 hectares). Te Irihanga No.1 was purchased from 16 Maori owners by Buddle, and soon sold to Russell who in 1895 transferred it to the New Zealand Land Association Ltd. This company was a re-organisation in 1890 of the Waikato Land Association which was directed by Thomas Russell and his associates and held much of the accumulated land acquired through the firm of Russell and Whitaker. Otiora No.1 was sold by 35 Maori owners to John Wilson who almost immediately sold it to Hugo Friedlander. Soon after, it was purchased by Russell and transferred to the New Zealand Land Association. Whakamarama No.2 was purchased by Russell and transferred in 1892 to New Zealand Loan and Mercantile Agency, another company in which Russell held a controlling interest. In 1903, a section of 202 hectares was sold to C.T. Wallis of Tauranga and the rest of the block sold to the New Zealand Land Association which now held a contiguous estate of 3,953 hectares. In 1905

the whole estate was sold to James Reid, timber merchant, and Richard Keene, and Reid transferred 2,001 hectares to the Tauranga Land Company for £12,343. The dealings are not clear at this stage but another company, Reidville Land Company, was also formed. Both companies had registered offices in Ashburton and it seems both Keene and Reid were still involved. An agreement to transfer the land from Tauranga Land Company to Reidville Land Company was not executed. In 1907 part of the land was surveyed into farm sections and the Township of Reidville laid out but no sales were made. In 1912 the Tauranga Land Company transferred 2,571 hectares to the Whakamarama Land and Timber Company for £16,345. One of the shareholders, H.H. Sharplin, set up a timber mill in 1913, the first attempt to utilise these lands. Other sections were sold off in the next few years, including another sale to Whakamarama Land and Timber Company. Keene and Reid's interests in the area ended in 1919 (Oakman 1965, pp. 10-11).

A similar pattern of dealing occurred elsewhere too. By 1890 large sections of the Kaimai, Ongaonga and Kumikumi Blocks formed the Kaimai Estate, owned by another group of speculators who formed the Thames Valley Land Company which held large land areas in the Waikato. The sale of Kaimai was a matter of considerable interest among local Maori owners in the 1870s when a small gold strike was made in the area. A large meeting of owners was held at Wairoa and fully reported in the Bay of Plenty Times (5 August 1876). Much of the discussion ranged over the rights of various claimants to the block, including the relative merits of claims of Ngaiterangi, Ngati Ranginui and Ngati Raukawa hapu. Some were agreeable to the land being opened to prospectors, others not. The following extracts indicate the tenor of discussion:

You heard what Akuhata told you at the commencement: this meeting was called to discuss the opening of the Kaimai, and not for the purpose of recriminations...

The inland tribes are wrong, even if they consent to its being opened, for they are Kingites,...

Your expressions are excellent Ngaiterangi, let us be clear. Europeans never gave me anything, yet I own land inside [the confiscated block], therefore it rests with me, and I shall not give consent...

We are groping about in the dark, we want to know the boundaries of the land under discussion...

I am not clear about the talk of Ngaiterangi, they are not the owners of the land and they only come here to talk and create confusion. There has been no good arisen from the Thames being opened, and European laws being introduced. I am not favourable to it...

The Ngati Raukawa have only come here to listen...it shall be opened: let the Hauhaus be silent for ever...

One is saying one thing, and one another...it won't end here but you can agree either to allow the prospectors or not, don't talk about the land, but the gold only...

I consent to look for gold on the Kaimai, but if there is no gold there I object to them going all over the country to look for it...

Don't be alarmed at the Hauhaus, they are nobody. I consent to what you have said. If there is no gold in Kaimai stop there, but don't go anywhere else to look for it...

Although agreement was reached to allow prospecting, it is not clear that all owners were also agreeing to sell. The Times report concluded,

The rest of the evening was occupied in disputing rights of the several hapus to this block, but we gathered from the finish that Kaimai was to be opened, as Hori Tupaea had given his consent, there was no opposing him. There may be some difficulty in details, but the opening of the block is an accomplished fact.

A week later, after a deputation from local settlers had approached the Commissioner, H.W. Brabant, on the question of opening up a Kaimai goldfield, a telegram was sent by the Tauranga Town Board to the Native Minister. The text was published in The Bay of Plenty Times.

The inhabitants of Tauranga request respectfully to ask that Kaimai must be at once opened for prospecting and roading... It must be borne in mind that other interests besides gold are involved here. We have to consider the development of this vast district between here and Cambridge of which we are all concerned, the settlement of which will follow.

Maori objections to selling seemed to be ignored. The Bay of Plenty Times reported in September 1876 that "some Hauhaus had come to Kaimai and threatened any intending prospectors". These threats were dismissed as "simply bounce of some of Pirirakau Tribe who had constantly opposed any advance of civilisation". The Times went on to comment, "The land of Kaimai is of excellent quality as good as any in the district and is easily accessible, so on that account alone, if gold is not found, it is of great importance it should no longer remain closed".

Even when Maori objections to the activities of land purchase agents in the district were upheld, the local people were often still the losers. Commissioner Barton, while refusing Friedlander's application for lifting restrictions at Waimanu and Poripori, did allow the owners to sell Waimanu No.2A because of the "exceptional circumstances". He explained these:

The whole cost of the litigation and the maintenance of the hapu in Tauranga while the Court was sitting was defrayed by a single Native named Ropata Karawe, who also conducted through the Court the case for his hapu. The only method by which the hapu could recoup his expenses is by sale of this land. I therefore recommend that your Excellency be advised to consent to the removal of restrictions on the sale of Waimanu No.2 Block, provided the payment for the shares of the vendors are fully and properly vouched by some Government officer named for the purpose. (AJHR 1886, G4).

Even the activities of Government Land Purchase Officers (many of whom had also acted for private buyers) were sometimes dubious. Evidence of the operations of land purchase agents was documented in an enquiry by C.T. Batkin into the activities of a government officer, J.C. Young, who had been appointed to Tauranga in April 1878, and Abraham Warbrick, his clerk and interpreter. Batkin summed up his findings:

It seems to have been common practice with Mr Young to make payments to Natives in want of money, and then to cast about for some block on which such payments could be charged as advances of purchase-money, and in charging the Natives the sums paid to storekeepers he seems in most cases to have assumed the right to charge the payment as on account of any block he thought fit, and occasionally to delegate the right to Mr Warbrick. As a natural result it frequently happened that Natives who had not even been consulted would find themselves not only enrolled as sellers, but as having received one or more payments on account (AJHR 1880, G5).

Most of these accounts were made with storekeepers at Tauranga.

It is certain that many of the storekeepers at Tauranga exact a higher price from Natives than they do from Europeans for the same commodity, and Mr Young appears to have encouraged the practice by accepting a commission of moneys paid for stores supplied under orders from his office. I discovered two cases in which considerable sums had been deducted from Mr Young's private accounts as discount allowed on government accounts paid by him. The practice of allowing him such commissions was probably general, but complaint was made to me by one storekeeper that very little Government business fell into his hands because he had refused to allow Mr Young a commission on the sums paid (AJHR 1880, G5).

Young apparently obtained Maori signatures to vouchers on which amounts of storekeepers' accounts were filled in later. Over "100 blank vouchers purporting to be signed by Natives but not otherwise filled in" were reported by the Bay of Plenty Times to have been found in Young's office.

The practice of giving Maori land owners payment in the form of orders on storekeepers was probably fairly widespread among land purchase officers. The payment of "consideration money" in this form was regarded as a way of keeping the negotiations going. Not surprisingly, accusations were made that Maori owners were thus enticed into debt, and then forced to part with their land to pay off these debts. Batkin commented:

Mr Young's system of purchase seems to have been founded on the plan adopted by the lowest order of land speculators - that of taking advantage of the wants or cupidity of the Natives in order to obtain a hold upon their lands...

As a natural result of this system, the more idle and dissolute among the Natives seem to look to the Government to supply them with anything they may require outside of their ordinary daily wants. The office-diary is filled with records of their demands for money and supplies; and during my stay in Tauranga and Maketu I was by many of them, "dunned" for money for rum or beer...

The fact of my being concerned in the examination of the Land Purchase accounts was evidently considered a sufficient reason for assuming that I had command of government money and was at liberty to give it away on application (AJHR 1880, G5).

Batkin provided detailed notes and minutes of evidence taken from Maori people in Tauranga and Maketu. There was plenty of consistent evidence of fraudulent vouchers, including some purported to be signed by a woman who could not write, and others in the names of non-owners of the Te Puke Block, as well as those who claimed they had never consented to, or asked for such payments in the form of storekeepers' accounts.

Young was dismissed from his job on 31 January 1880 and arrested. A preliminary hearing was held in the Magistrate's Court in Tauranga on 28 February. In the Supreme Court in Auckland, Young was arraigned on five indictments for larceny in a case heard 19-22 April 1880. He was acquitted

on two charges and the other three were then withdrawn by the Crown. The jury added a rider to the "Not guilty" verdict: "That the system of Native land purchase expenditure, as disclosed by the evidence, is extremely loose and reprehensible, and affords no sufficient check against fraud by persons employed as agents." The Judge commented: "Gentlemen, that is the least you can say" and in summing up remarked to Young that while he could not deprecate the verdict, he was "guilty of a gross dereliction of duty and you cannot complain that you were suspected of a more serious offence". Batkin, in his report completed after the trial, noted Young's efforts to put his property in trust for his wife as "the action of a self-condemned man" and added his observations on the case:

It is impossible to gather from the very meagre and confused account of the trial published in the Auckland papers (extracts of which I enclose) on what ground the verdict of the jury was based. I cannot, however, but regard the failure of these prosecutions as a deplorable miscarriage of justice (AJHR 1880, G5).

Warbrick was described by Batkin as "an able co-adjutor though his zeal on Young's behalf often outran his discretion". Warbrick refused to appear before Batkin to explain his part in the affair and for this he was arrested, convicted and spent a term in gaol. There is no record in the reports of the affair of how the fraudulent accounts were settled between storekeepers and Maori debtors.

European pressure for land was such that the means of acquiring land from Maori owners were seldom enquired into too closely. Government and settler attitudes were based on the assumption that individualisation of Maori titles was essential to get rid of the "bestly communism" of the tribes, promote their Europeanisation, and allow settlement and productive use of

the land by Europeans. In 1877, F.A. Whitaker, son of Sir Frederick Whitaker and land purchase agent for the firm of Russell and Whitaker, stood up in Parliament and stated that it was -

absolutely essential, not only for the sake of ourselves, but also for the benefit of the Natives, that the Native titles should be extinguished, the Native custom got rid of, and the Natives as far as possible placed in the same position as ourselves.



Plate 26. The Strand, Tauranga, c.1890. The 'Maori Hostelry' in the foreground is on the Native Reserve, now the site of the Tauranga Moana Centre.
Photo: Tauranga District Museum

12. The Tauranga Moana Maori Trust Board Act 1981

By Order-in-Council dated 18 May 1865 the whole of the tribal area now known as Tauranga Moana was confiscated by the Crown under the New Zealand Settlements Act 1863. Under subsequent validating legislation, the Tauranga District Lands Acts 1867 and 1868, Commissioners were appointed to enquire into various matters relating to granting of lands and allocation of reserves in the Tauranga confiscated lands. In 1886 this task was completed (AJHR 1886, G10) and jurisdiction passed to the Native Land Court. Since 1865 there have been many petitions and complaints arising out of the confiscation and the actions of the Commissioners. There were many complaints through the 1870s of land grants promised but titles not awarded. Subsequent land dealings, some of them fraudulent, exacerbated bitterness over the loss of ancestral lands. The restrictions on alienation of lands returned to Maori ownership as reserves under the Tauranga District Lands Acts were uplifted to allow private sales. Some Native Reserves were sold or used for other purposes. A number of Native Reserves were allocated for education purposes under the Tauranga Educational Endowment Reserves Act 1896. A Pirirakau claim to land at Te Puna was turned down by the Maori Land Court in 1910 on the grounds that they were "in rebellion and never surrendered" and were not eligible for any compensation awards in the Confiscated Block (Tauranga Minute Book 7/48-53). Various other claims were made in petitions to Parliament. For example, in 1923, Nepia Kohu and 628 Ngati Ranginui petitioned that their land had been erroneously confiscated. Hautapu Wharehira and 23 Waitaha also lodged a petition. Both these and two others were included in hearings of the Royal Commission to Inquire into Confiscation of Native Lands which reported in 1928 (AJHR 1928, G7).

The terms of reference of the "Sim Commission" were limited to an inquiry whether, in the circumstances, the confiscations were excessive, whether any land was wrongly included, or whether any of the Native Reserves made in the confiscated blocks were inadequate. The Commission was not given scope to consider the question whether confiscation was justified. The Waitaha claim was turned down on the grounds that it had been dealt with by H.T. Clarke as Commissioner under the Tauranga District Lands Acts in 1878, and their subsequent silence until the petition of 1923 argued that they accepted "Ngaiterangi" ownership of the land. Smith, Counsel for the petitioners, suggested there should be a Native Land Court inquiry into the matter of the Tauranga Confiscation. This was turned down by the Commission on the grounds that Smith "did not attempt to prove a *prima facie* case of injustice" and that it would be impossible anyway, 60 years later, to ascertain who was "loyal" and who "rebel", and what land they were entitled to. Thus the Ngati Ranginui petitions were also dismissed, for the Commission accepted Mackay's report (AJHR 1867, A20) that all claims had been settled, and Brabant's report (AJHR 1886, G10) on lands dealt with under the Tauranga District Lands Acts. It does not appear in their report that the Commissioners understood the nature of Ngati Ranginui grievances, or that they considered themselves a separate tribe. The Commission concluded,

It seems clear from Mr Mackay's letter that the claims of both loyal Natives and rebels were duly considered at the time and an endeavour made to do justice to them all. It is not suggested that any complaint was made on the subject at the time, or, indeed, until quite recently, and in these circumstances it is reasonable to conclude that substantial justice was done to the Natives by the settlements made by the Government. We think, therefore, that the confiscation was justified and was not excessive, and that the Natives have not made out any case for the inquiry asked for by them (AJHR 1928, G7).



Plates 27, 28. Parliamentary Select Committee on Maori Affairs hearing submissions on Tauranga Confiscated Lands, Hairini Marae, September 1978.
Photos: Bay of Plenty Times

Other tribes who have suffered by confiscation of land in the 1860s have also petitioned Government. Recognition of these claims has been made by monetary compensation and setting up of Trust Boards to administer the moneys; for example, for the tribes of Taranaki, Waikato and Whakatohea of Opotiki. The Waikato claims were settled in 1946 by the payment annually of \$12,000 to the Tainui Trust Board. At its first meeting, the Tainui Trust Board agreed to share this fund with Tauranga people in recognition of their assistance during the wars. The people of Tauranga Moana were deeply moved by this gesture but refused to accept any payment on the principle that there should be a separate settlement for Tauranga.

In 1975 a deputation from the Tauranga Moana Executive Committee on behalf of all the tribes of Tauranga Moana waited on Government. The deputation also included Pei te Hurinui Jones who represented the support of Tainui tribes. The Government of the day accepted their claims in principle and this was announced to the people by Prime Minister Rowling on the occasion of the opening of the dining hall at Whareroa Marae. Negotiations were not completed before the change of government in November 1975. In response to enquiries late in 1977, the Tauranga Moana Executive Committee was asked in 1978 to submit a new petition. This was referred to the Parliamentary Select Committee on Maori Affairs and heard at Hairini Marae the same year. There were further negotiations, another petition, and Government finally recognised the validity of the Tauranga claims.

The Preamble to the Tauranga Moana Maori Trust Board Act 1981 sets out the nature of this recognition as follows:

An Act to establish the Tauranga Moana Maori Trust Board and to settle various matters relating to the Battles of Gate Pa and Te Ranga.

(3 October 1981)

Whereas in or about 1863 the Ngaiterangi, Ngati Ranginui, and certain other Maori tribes or their members held certain lands situated in and around the township of Tauranga: And whereas in 1864 some of those persons took up arms against the Crown but were defeated at the Battle of Te Ranga: And whereas the then Governor in Council, regarding those persons as having been engaged in rebellion against the Crown's authority, declared the land described in the Schedule to this Act to be a district under and within the provisions of the New Zealand Settlements Act 1863: And whereas the area of land to be forfeited to the Crown under the Act was to be some 86602.804 hectares, but, in recognition of the honourable way in which the persons concerned had fought, that area was reduced to about one-fourth: And whereas it has not hitherto been accepted by all interested parties that the claims of all persons affected or aggrieved by any such action were properly considered or resolved: And whereas it has been agreed by and between the Crown and representatives of the descendants of such persons that the Crown should pay and those descendants should accept the sum of \$250,000 in full and final settlement of all claims of whatever nature arising out of the confiscation or other acquisition of any of the said land by the Crown: And whereas it is expedient that the money be paid to and dealt with by a Maori Trust Board under and in accordance with the Maori Trust Boards Act 1955.

The structure of a Maori Trust Board, form of representation of members of the Board and the compilation of a roll of beneficiaries are interrelated issues. The Tauranga Moana Maori Trust Board Act 1981 provided little guidance beyond setting the number of members of the Board at ten members and requiring that the Board prepare "a roll containing the names and addresses of all adult beneficiaries" (Section 5). A subsequent amendment in 1988 has increased the number of members to 15. Under Section 42 of the Maori Trust Boards Act 1955 the "Board shall cause to be prepared a roll containing the names and addresses of all adult beneficiaries of the Board, and shall from time to time, make all such additions and corrections to the

roll as may be necessary." The onus is on beneficiaries to ensure enrolment on a roll of beneficiaries for electoral and other purposes of the Board (Section 43 Maori Trust Boards Act 1955). The Board has jurisdiction in determining whether any person applying for inclusion in the roll qualifies as a beneficiary (Section 45 Maori Trust Boards Act 1955). The initial preparation of the roll of beneficiaries shall be carried out in a manner approved by the Minister of Maori Affairs (Section 44 Maori Trust Boards Act 1955).

The definition of beneficiaries in the Tauranga Moana Maori Trust Board Act 1981 is "the descendants of the members of those tribes who took up arms against the Crown at the Battles of Gate Pa and Te Ranga or which were dispossessed of any lands as a direct result of those battles". This definition created some difficulties in interpretation of the phrase "took up arms" and the meaning of "dispossessed".

Preparation of a roll of beneficiaries has been discussed with members of the Tauranga Moana Trust Board both formally at Board meetings and informally on many occasions since 1982 when work started on this task. There have also been several hui at which these matters have been aired. A first draft report was presented to the Board in 1984 and the general principles for compilation of the roll accepted by the Board then. In October 1986 a report was made to a hui called by the Trust Board at Hairini Marae and the draft roll presented. Subsequently, public notice was given by the Board that copies of the roll were available for inspection at the office of the Board, the Department of Maori Affairs and Tauranga Moana Community Centre. Late in 1987 some members of Ngai Tamarawaho expressed dissatisfaction with the constitution of the Board and the roll of beneficiaries. These matters have been discussed at length by

the Board. However, the Board saw no reason to change the basis for compiling the roll of beneficiaries. Indeed, the feeling conveyed was that the Board must represent all of Tauranga Moana, and confirmed the conclusion that the lands and people involved are those within the confiscated lands described in the Schedule of the Tauranga Moana Maori Trust Board Act 1981.

An important consideration has also been that a Board structure, roll of beneficiaries and administrative procedures should be established which will serve the people of Tauranga Moana for the future. Maori Trust Boards are being asked to take on functions beyond those envisaged when the Maori Trust Boards Act was passed in 1955. Some have suggested that there is no need for a roll with a list of names, that representation of the various hapu of Tauranga Moana is sufficient. "We all know each other". This argument does not include the people who may be eligible, but who live away and do not know each other. How are such people to establish eligibility in a manner that is seen to be fair and equitable? There is a need for criteria for interpretation of the definition of beneficiaries, particularly a definition that is couched in such general terms as that of the Tauranga Moana Maori Trust Board Act 1981. In order to avoid such concerns for the future it seemed necessary that a parent roll containing a list of names be agreed upon so that descendants can provide evidence of eligibility as beneficiaries.

Some guidance was provided in a Maori Land Court case heard in 1965, concerning the beneficiaries of the Tuwharetoa Maori Trust Board who are described in the Maori Trust Boards Act 1955 as "members of the Tuwharetoa

tribe, or their descendants" (Tokaanu Minute Book 44/1-145). The reason for bringing this issue before the Court was, in the Judge's words, "The Trust Board has for some time been concerned that there might be some difference of opinion as to the persons who might be considered for inclusion as beneficiaries". The issue was essentially that of establishing a list of names for those who qualified as beneficiaries of an agreement with the Crown over ownership of the bed of Lake Taupo and various rivers, including the Waikato River downstream to include Huka Falls, and fishing rights in those waters, under Section 29, Native Land Amendment and Native Land Claims Adjustment Act 1924 and Section 14, Native Land Amendment and Native Land Claims Adjustment Act 1926. The decision of the Court was that ownership, and therefore eligibility as a beneficiary, should be based on ownership in lands surrounding the lake and determined from the lists of owners in the original titles of those lands as investigated by the Maori Land Court. Precedents cited in this decision were the investigation of titles to the bed of Lake Rotoaira in 1956 (Tokaanu Minute Book 34/12) and Lake Waikaremoana in 1957 (Gisborne Maori Appellate Court Minute Book 27/46). A summary of this case can be found in Taiwhati (Dept. of Maori Affairs 1983, pp. 127-128).

The Tauranga lands were not investigated by the Native Land Court but were administered by Commissioners acting under the Tauranga District Lands Acts 1867 and 1868. The customary title to the whole of the area described in the Schedule to the Tauranga Moana Maori Trust Board Act 1981 was extinguished by Order in Council of 18 May 1865 under the New Zealand Settlements Act 1863 and the whole area became Crown land. Subsequently some of this land was returned to Maori ownership and land grants were also awarded to Maori people in the Confiscated Block retained by the Crown, in

the Katikati Te Puna Purchase and in the Township of Tauranga. While ancestral or customary rights were not the only matters considered, the Commissioners did try to ensure that all the adult population were included in lands awarded, and reserves were allocated to all hapu. In 1886, jurisdiction over such lands that remained in Maori ownership was passed over to the Maori Land Court.

In establishing a roll of beneficiaries for the Tauranga Moana Maori Trust Board, there is, therefore, precedent for going back to original titles to compile a parent list of names from whom current beneficiaries may trace descent. There is no complete list of people who "took up arms" at Gate Pa and "Te Ranga". In any case, some of those who participated in those battles did not "belong" in Tauranga Moana but came to assist, just as Tauranga people had gone to assist Waikato in 1863. Those who were "dispossessed of any lands as a direct result of those battles" included all who had traditional or customary rights in the lands described in the Schedule to the Tauranga Moana Maori Trust Board Act 1981. This Act and the Maori Trust Boards Act 1955 require that a roll of beneficiaries must be compiled. Although claims have been made that some "lost" more land than others, such concerns are submerged in the principal act of confiscation to the Crown of the whole area described in the Schedule and extinguishing of customary tenure of all the tribes and hapu of Tauranga Moana within that area. Despite the complexities of the administration of Tauranga lands over the period 1867-1886, the only fair and equitable course appeared to be to work through the archival records of the Maori Land Court, Land Registry and Department of Lands and Survey, now Department of Survey and Land Information, and compile a parent roll of beneficiaries from the names in titles awarded by Commissioners acting under the Tauranga District Lands Acts 1867 and 1868.

In preparation of this parent roll of beneficiaries for the Tauranga Moana Maori Trust Board the following points were taken into account:

1. It is not possible to prepare a roll of the descendants of those who took up arms at Gate Pa and Te Ranga because the records are incomplete.
2. The whole of the Tauranga Moana tribal area as described in the Schedule of the Tauranga Moana Maori Trust Board Act 1981 was confiscated by Order in Council in 1865.
3. Confiscation by Order-in-Council under the New Zealand Settlements Act 1863 extinguished the customary or ancestral Maori tenure of the land (papatipu) and the whole tribal area became Crown Land.
4. Reserves and land grants were allocated by Commissioners, appointed under the Tauranga District Lands Acts 1867 and 1868, in the Katikati Te Puna Purchase, Confiscated Block and Township of Tauranga and the rest of the area was "returned to Ngaiterangi".
5. The interpretation of "Ngaiterangi" by H.T. Clarke and subsequent Commissioners included all the people of the Tauranga district inside the confiscation line described in the Schedule of the Tauranga District Land Act 1868 and reproduced in the Tauranga Moana Maori Trust Board Act 1981. Although Ngati Ranginui, Pirirakau, Ngati Tokotoko and others were mentioned by name at times, all were regarded as various hapu of Ngaiterangi. This is at variance with modern use of the name Ngaiterangi to refer to a tribe principally of Mataatua descent from Rangihouhiri. Ngati Ranginui are principally of Takitimu descent. There is a long history of intermarriage between the two groups. A list of hapu names in contemporary use and their respective marae is provided in Appendix 10.
6. The reserves and land grants in the Katikati Te Puna Purchase, Confiscated Block and Township of Tauranga were allocated in four categories:
 - (a) grants to individuals as "compensation",
 - (b) grants to individuals "for services rendered",
 - (c) grants "in trust" for hapu, usually including existing kainga and cultivations,
 - (d) "native reserves", with a few for specific purposes such as "native hostelry" and a forest reserve; most were for "general native purposes". Some of those reserves later became Maori free hold land but some remained Crown Land.
7. During the investigation of claims in the Confiscated Block, the Katikati Te Puna Purchase and the "Lands Returned to Ngaiterangi" all the hapu of Tauranga Moana and bordering tribes were heard and most of these claims acknowledged, either by land grants or monetary payments or both.

8. The allocation of land grants in the Katikati Te Puna Purchase, Confiscated Block and Township of Tauranga, except for kainga reserves in trust for hapu, did not generally acknowledge ancestral rights although some acknowledgement was made in the "Lands Returned".
9. The Crown Grants issued in the "Lands Returned to Ngaiterangi" 1880-1886 provided more detailed representative lists of owners than the Crown Grants issued in the late 1860s and 1870s, which were mainly in the names of individuals, including some whose grants were in trust for their hapu.
10. The complexities of the situation in the 1860s were such that the status of "loyal" and "rebel" was too fluid to be of much assistance in deciding a basis for eligibility, and in any case would be impossible to determine accurately now. Land was granted to "surrendered rebels", but a few "unsurrendered rebels", mainly Pirirakau, did not receive grants.
11. All of Tauranga Moana was dispossessed by confiscation to the Crown in 1865. Efforts were made by Commissioners acting under the Tauranga District Lands Acts 1867 and 1868 to ensure land was returned to all the hapu. Many of the grantees subsequently sold their grants, including, in some cases, lands held in trust for hapu.

A computerised list of names comprising a draft roll of beneficiaries has been compiled on the following basis:

1. A consolidated list of owners has been prepared from the original titles issued to Maori owners in the whole of the confiscated area as outlined in the Schedule of the Tauranga Moana Maori Trust Board Act 1981. This comprises grants in the Katikati Te Puna Purchase, Confiscated Block, Township of Tauranga, and "Lands Returned to Ngaiterangi", all of which were made under the Tauranga District Lands Acts 1867 and 1868 over the period 1867-1886.
2. The following qualifications clarify the status of other tribal claims in Tauranga Moana.
 - a) Marutuahu (Hauraki) tribes are not included as these claims were extinguished by payment in 1866. "Compensation Awards" to "Hauraki Chiefs" are excluded.
 - b) Ngati Haua reserves are not included as these were based on occupation rights granted by Tauranga people (take tuku), not conquest or inheritance (take raupatu, take tupuna). Ngati Haua are also beneficiaries of the Tainui Trust Board.
 - c) Ngati Pukenga (Tawera) are included only to the extent of descent from those who were included in the Crown Grant to the Ngapeke Block, that is the people who settled in Tauranga Moana after 1857. Other claims were extinguished by payment in 1866.

- d) Waitaha are included by virtue of inclusion in the Crown Grant for the Ottawa Waitaha Block where Waitaha claims were acknowledged.
- e) Ngati Tokotoko, Ngati Hinerangi and several hapu of Ngati Raukawa in the Kaimai Ranges are included in blocks in the Whakamarama-Kaimai-Waoku area in Brabant's list (AJHR 1886, G10), and the Ngati Tokotoko reserves at Omokoroa.
- f) Ngati Rangiwehi are included in Brabant's lists in the Otanewainuku-Oropi area.
- g) Reserves in the Township of Tauranga are not included in that the Tauranga names already appear in the grants in the Katikati Te Puna Purchase and Confiscated Block and the other sections were awarded for services rendered by other tribes such as "Arawa Chiefs," Ngati Manawa, and "Hauraki Chiefs".
- h) Motiti was included in the original schedule but was referred to the Native Land Court for investigation of title in 1867 and is excluded on those grounds. Tuhua and other off-shore islands are included. Whanau a Tauwhao on Motiti are covered in the Tuhua and Rangiwea lists.

The current roll of beneficiaries is being compiled from the names of applicants to the Tauranga Moana Maori Trust Board for registration on this roll. The onus is on beneficiaries to ensure enrolment (Section 43, Maori Trust Boards Act). Qualification as a beneficiary is based on descent from at least one of those persons listed in the parent roll, the consolidated list of grantees named by Commissioners under the Tauranga District Lands Acts 1867 and 1868, over the period 1867-1886. Applicants are also being asked to state the hapu they identify with for the purposes of election of a representative to the Trust Board. Any dispute, if it can not be resolved by the Board, may be referred to the Maori Land Court. The Board has jurisdiction to make additions or corrections to the roll of beneficiaries (Section 45 Maori Trust Boards Act 1955).

The establishment of the Tauranga Moana Maori Trust Board has not resolved all the grievances over Raupatu, the Confiscation. There were many who felt that the \$250,000 payment by Government was a paltry sum for the loss of lands and anguish of war. Some felt it should be refused. Others felt

THE WARRIOR SPEAKS

"I was a young man of about twenty-five when we fought the Pakeha at the Gate Pa. I had already seen some service with my tupara (d.b. fowling piece). When the war began I and some of my people went to assist our kinsmen and joined the Kingites at Meremere in the Waikato River. There we exchanged shots with the British gunboats on the river, and were under rifle and shell fire. My second engagement was at Otahu. The Gate Pa was my third fight, and then came our repulse at Te Ranga, where over one hundred and fifty of our people were slain by the Imperial and Colonial soldiers, who stormed our unfinished position at the point of the bayonet. That was a black day for Ngaiterangi, but I will tell of that another time. I will speak of the Gate Pa engagement.

In the New Year many of our people had gone to assist the Waikato natives. We were waiting to be attacked by the Imperial Troops at Te Tiki-o-te Ihinga-Rangi, between Cambridge and Maungatautari, when news came that soldiers had been landed at Te Papa, Tauranga, so we hurried back across country to defend our own homes.

On arrival in our homeland we decided to fortify our pas and fight to the last against the pakeha. The majority of Ngaiterangi selected a strong old pa at Waoku at upper Waimapu, which we strengthened and there waited to be attacked. Other sections took up positions at Kaimai, Poripori, and Wairoa, etc., on the main roads leading from Tauranga to Waikato. My own people occupied Te Wairoa. There we were joined by two noted fighting men of the Whakatohea (Opotiki) tribe, named Tamaki and Te Poihipi. Meetings were held and a plan of action agreed upon.

The Maori's Challenge

We drew up a challenge in the form of a letter to the British General inviting him to meet us and fight it out. This letter was sent by a herald to the pakeha camp at Te Papa, and we waited a reply. All was excitement. The clansmen were busy preparing for

the fray, making cartridges, sharpening tomahawks, cleaning guns, getting food supplies and so forth. Martial councils were held and great war dances took place daily to put our young men in form and to arouse their warlike spirits. Our leaders drew up a code of regulations for the conduct of the fighting. It was resolved that barbarous customs should not be practised by us, that the wounded should be spared, and the dead should not be mutilated. We resolved, too, that we should not harm non-combatants or unarmed persons. In short to fight fairly and squarely on the same lines as the pakeha. These regulations were put in by Rawiri Puhirake. This document was lost by us at Te Ranga and found by the Europeans in the trenches there, and is, I believe, still in existence.

For some time we waited for a reply to our challenges, but none came. We considered it very discourteous of the English that they did not even acknowledge that letter. We could not understand them making no move of any sort. We became impatient and it was decided to attack the soldiers' camp at Te Papa. Our party started out one night and selected men from the other detachments who joined up at Kopurererua. Just as they were starting a gun accidentally exploded, wounding one of our men and giving the alarm, so we abandoned the attack and returned to our quarters.

The Building of the Fort

Some days went by and at last we resolved to occupy and fortify a position on the ridge known as Pukehinahina, about three miles from the town of Tauranga. This place was called the Gate Pa, by the Europeans, because a ditch and bank had been made across the narrow ridge connecting the two arms of Tauranga harbour, Waikareao and Waimapu. In the evening we set out for this place, every person carrying bundles of flax, small manuku, and tupakihi poles and sticks for building our redoubt—you know how scarce timber is at Tauranga.

We crossed high up the Kopurererua and met the Hairini and Waoku detachments in rear of Pukehinahina. We reached the position about midnight, and started at once to build two pas. We trenched out one (the smaller of the two), on the western side of the ridge. This was built by the Pirirakau (bush denizens) and Ngaitamawhariua hapus of Ngaiterangi and the Koheriki people. Heta and from thirty to thirty-five men garrisoned it. The large pa on the eastern side of the ridge was garrisoned by about two hundred men of the Ngaiterangi. Our women were with us, working as hard as the men, carrying back loads of material for the defences and food for the warriors. We sent them away to safety before the fighting began. We were very short of wood for the stockade, so

next night a number of us went down toward the township quite close to the soldiers' quarters and pulled down Mr Clarke's fence and collected all the timber we could, also demolishing a stockyard and hauling the rails back to our position. They came in handy for the pa. With the material so obtained we built a light low fence enclosing the two redoubts. Besides the fences there were parapets, ditches and rifle pits, and within the redoubt shelters were dug for the protection of the garrison. Men went to Pukereia to collect timber to roof over our rifle pits and covered ways. While so engaged three Europeans were seen approaching on horseback. Our men concealed themselves in the fern and the pakehas rode straight up to where they lay. I think Colonel Harington was one. They suddenly came upon the Maoris, but were not molested, and seemed very glad to escape, going back faster than they came. Then we knew why the pakeha chief had not sent a reply to our challenge. It was because the Europeans were waiting for reinforcements from Auckland, and now they had come; so we girded up ourselves for the fight, and our leaders spoke words of valiant encouragement, bidding us be strong and fearless and strike hard for our homes, though all the might of Ingarangi (England) assailed us.

Men and Guns Landed

The tall masted ships landed their men, stores and big guns on the beach; this work occupied two days. One vessel landed all her coal and stores at Horoipia, below the Narrows, and thus lightened, steamed up and anchored opposite Te Papa township. The white tents of the Queen's soldiers covered the foreshore, the bugle called to us on Pukehina ridge. One morning we were all out at the back of our fortification where the food was being cooked, waiting for our breakfast. One man, Poihipi (the Wakatohea Chief) remained in the redoubt as sentry. Suddenly, as our eyes ranged over the country towards Te Papa, we saw unusual activity in the soldiers' camp.

In Battle Array

The warriors of the Queen, soldiers and sailors, were marshalled in array of battle, and then they advanced towards us. T'was an army that marched against our fort—a great body of infantry and a number of cannon. Anana! The hour was at hand. Te Poihipi, a cool brave man, called out to us from his post on the parapet: "Eat well, oh friends. Eat leisurely—make one more hearty meal. I will watch here and give you timely warning."

"E Tama! When we gazed on these soldiers, how could we eat? Grandly did they march; strode they towards us as one man, with

measured resounding footsteps, their bright bayonets flashing in the sun, and their great guns rumbling along—those terrible guns, which we thought would soon blow our frail defences into the air. Oh friend, when we gazed on those sons of thunder, launched forward in their might, can you wonder that the cooked potatoes seemed to have lost their sweetness and that many a one of us forgot his hunger?

The Attack

The British column came to within five or six hundred yards of our front, then most of the soldiers turned to the right on to Puke-reia Hill, where they mounted their guns and pitched tents. One of the cannon (the 110lb. Armstrong) was planted in the middle of the road, right opposite our pa. Some of the soldiers came quite close to us, walking leisurely about smoking their pipes. This was on April 28th. Soon there was a flash and a roar and a shell from the big gun flew whistling like a "Kehua" (spirit) over our heads. Several other shots followed, and some rockets were fired at us without much effect. The troops in front made a sort of sham attack, while a large force (the 68th Regiment under Colonel Greer) deployed round by Ruatuna, guided by Tupotahi and Hamiora Tu, and under the cover of darkness took up a position in our rear. So the next morning the pakehas were in front of us, on our left flank and in our rear, and then the fight began in earnest. The big guns poured shot and shell into our position and the rifle balls whistled round us.

The Fate of the Maori Chaplains

One of the most remarkable incidents of the siege was the killing of both our tohunga. We had two men of prayer in our camp. One who was a Christian minister named Ihaka (Isaac), who fortified us with the rites of the pakeha religion. The other was a heathen priest, one Te Wano, who performed the war rites of our forefathers and recited the olden time karakias (invocations) for victory in the fight. So we were making things right with both sides—the Christian God and the Atuas of the Maori. It was all tino-tika (very correct). The cannonade that morning began just as we were about to eat our meal of potatoes. Our Christian tohunga Ihaka, clad in a white surplice, was standing up in a very conspicuous position invoking a blessing. Just as he uttered the words:—"May the grace of our Lord Jesus Christ and love of—" a shell from one of the big guns struck him in the waist, and bursting, scattered his

body all over the place. Aue (alas), what a sight. Panepane, one of our old men, a tattooed veteran, had leaned his gun against the earthworks while he joined in the prayers. After the burst of the shell he went to pick up his gun and found some of the dead Minister's intestines were wrapped round and round the barrels, and a grim joke even at the cannon's mouth did the old warrior utter: "He hinu ano kai roto i te purepo a te pakeha," ("See, the white man even load and fire delicacies at us through their big guns.")

A few hours later our other tohunga was killed in a precisely similar manner. Te Wano was standing up in an elevated position exhorting us and reciting olden incantations when a cannon shot took him short and he parted from us.

Stormed at with Shot and Shell

The cannonade became heavier. An awful fire was concentrated on our redoubt. Eighteen big guns (so we learned afterwards) were hurling their projectiles at us and shells were bursting all round. Our fences and frail parapets crumbled away under the heavy artillery fire, and splinters and earth were continually flying through the air. We were every now and then smothered with the dirt thrown up by the exploding shells, and this the rain, which had set in, soon converted into mud. To add to our suffering, the troops who had crossed an arm of the Kopurererua swamp had, by dint of laying down planks and fascines, managed to get a big gun across, which they placed on a hill to our left and it completely raked our position. The troops in our rear (the 68th) began to close in on us. The chief, Te Hawa, stood up on the ruined parapet shouting defiance at them and calling on us to meet their attack with courage.

Our position now seemed desperate. All our defences above ground had been demolished and levelled flat, while as we took shelter in our trenches, we were all more or less covered with mud and drenched with the rain. Our leaders, Rawiri, Tuaiia, Hakaraia, Mahika, Timoti and Poihipi showed valiant front, directing our affairs with cool courage. They ordered us not to utter a word or fire a shot till the proper time came for the order.

A party of our people tried to break away through the troops in the rear. They were met by the 68th and fired on heavily. The chiefs, Te Kani and Keni and a number of men were killed, and several badly wounded, including Te Ipu and Wiari. Te Ninihi and Pomare got through and escaped to Wairoa. All the others who could, hastily rejoined their comrades in the pa who were now resisting the storming party.

The British Repulsed

The British assault on the Pa was delivered about four o'clock in the afternoon. The storming party, soldiers and sailors of the Naval Brigade and 43rd Regiment (in all about 300 men) rushed gallantly to the attack. Then we loosed our fire on them when they got well within range—still they charged on, with bayonets fixed and swords waving, cheering as they came. Through and over the breach walls they rushed; they entered the ruins of the larger pa; most of it was in their possession. But all at once the tide of war was changed. Up leaped our men from the rifle pits as if vomitted from the bowels of the earth, and together with those who had been forced back by the 68th Regiment in the rear, began a deadly hand to hand fight with the storming party. The defenders of the smaller pa held their position and raked the attackers with a heavy fire. Men fell thick and fast. Tomahawk clashed on cutlass and bayonet—tupara (double and single barrel fowling pieces) met rifle and pistol. Skulls were cloven—Maoris were bayoneted—Ngaiterangi patiti (hatchets) bit deep into white heads and shoulders. The place was soon full of dying and dead men, pakeha and Maori. We in the eastern position of the large pa stood firm. It was terrible work, but soon over. The pakehas were driven clean out of the pa; as they ran our men falling upon them. They fell back on their main body below our works, leaving many of their dead and wounded strewn on the battle ground.

The Maoris, though victorious, had suffered severely. My parent, Rawiri, fell with seven gunshot wounds. The troops suffered most from getting into a cross fire between the two pas, but particularly from the smaller one. The soldiers and sailors were all mixed up together and were equally brave.

A Maori Toa

I was amused at the coolness of one of our warriors in the thickest of the fight. He was a deeply tattooed old man of the past generation of toas (braves). He had six or seven bullets in his body, and being shot through both thighs was quite helpless. He was leaning against the remains of the parapet, had taken out his pipe and was wanting to have a consoling smoke, but could not find a light. So he kept calling out "Give me a light." ("Hoi mai te mati no toku paipa.") He was not, as you may imagine, attended to, for everyone was fighting for dear life. Still his voice could be heard now and then above the tumult, especially when his excitement would over-master him and he would cry "Fight on, fight on, my hearties, give it to them." With one breath he would ask for a light, and then with the next he would urge on the battling tribesmen. Such queer things are but the ways of war.

Maori Chivalry

We adhered strictly to the terms of the battle-covenant, and harmed not the wounded nor interfered with the bodies of the dead. The British Colonel (Booth) fell mortally wounded, just inside the gateway, and there he lay all night. In the hours of darkness his voice could be heard calling for water. One of our people went and got some and ministered to his wants. It has been said that Te Ipu gave the dying soldier water, but he was badly wounded (foot smashed) and quite incapacitated. One of the Maoris took Colonel Booth's sword. Another wounded officer left behind after his men had retreated dropped his sword a little distance away. A Maori picked it up and went to restore it to the officer. The pakeha squared himself up as well as he could to meet his death-blow, but to his surprise the Maori turned the hilt toward him (the officer) and returned his weapon.

Ah! Those were glorious days. Every fighter was a rangatira, and one was proud to meet each other in battle. Whatever the reverses were to either side no bitter feelings were engendered to form any permanent hatred. We were all friends immediately there was no fighting.

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The Maori Retreat

In the night we collected arms, accoutrements and ammunition from the British dead. Then recognising that our defences no longer existed we abandoned the ruined pa under cover of darkness, retiring in good order and spirits. We crept quietly through the lines of the 68th at the rear. The soldiers kept firing on us, but none of us were killed, only a few wounded. I believe that some of the soldiers were accidentally killed by their own comrades. We retired to the Waoku pa and then dispersed to our various stations along the edge of the forest.

My younger relative Rerekaipuke took away a spy glass belonging to Captain Hamilton (mortally wounded in the fight), but on being himself wounded afterwards by the 68th he threw it away. Our firearms were only light double-barrelled and single-barrelled fowling pieces, and some flint muskets, and most of our powder was wet with rain or expended during the fight.

Our loss in the fight was about 25 men killed, including the following:—Petarika-Te-Beweti Manatini (taken next day to Te Papa, where he died), Eru Puhirake, Te Kani, Reka Tamatea, Ihaka, Te Wano, Te Rauhuhu, Tikuhu, Te Rangitau, Te Keni Te Wharepouri and Parawai. We Heti was both bayoneted and shot but got away, also Hone Taharangi and Te Moapanui, the latter with gunshot wounds. Our leader, Rawiri, was killed at Te Ranga a few weeks afterwards. This is all.



such things are not paid off with money. There was general acknowledgment that lands already alienated and legally owned and occupied by others could not be returned. There are still complaints that some hapu lost more land than others. There has been further protest. Several claims have been lodged with the Waitangi Tribunal. There are complaints about further loss of lands after 1886, particularly under the Public Works Act, as the Tauranga Urban Area has expanded. There are other issues related to the harbour, fishing rights and so on. This paper has addressed only the events of the period of the wars of the 1860s and the administration of lands under the Tauranga District Lands Acts which ended in 1886. In a narrative such as this it is difficult to put into words the psychological impacts of the traumatic events of the 1860s which are, several generations later, still deeply imprinted in social, cultural and spiritual perceptions of Maori people of Tauranga Moana.



Plate 29. Te Arikini Te Atairangikaahu and Henare Tuwhangai at Huria Marae for the opening of the dining hall, September 1979.
Photo: Bay of Plenty Times

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APPENDIX 1

Te Papa Blocks: Deeds of Purchase by Church Missionary Society 1838 and 1839.

Transcribed from H.H. Turton and F.D. Bell *Maori Deeds of Old Private Land Purchases in New Zealand*. Wellington, Government Printer, 1882 pp.378-379 .

Deed No.410 [Old Land Claim 444C, 30 acres]

Te Papa Block No.1, Tauranga Bay of Plenty District.

Kia rongo nga tangata katoa ki tenei pukapuka na matou. Na, ko matou ko Tare, ko Tamakaipi, ko Ngatiti, ko Tahu, ko Koreko, ko Hui, ko Mahikai, ko te Ngahue, ko Wairakau ko Tutamata, ko Matapihi, ko Hota, ko Ngau, ko Warerau, ko Pareterangi, ko Kape, ko Tipa, nga rangatira no Tauranga ka tuku ka hoko ki a te Paraone mo te hunga o te Hahi Mihanere, mo o ratou wanaunga, mo amua tonu atu, kia noho kia hoko kia aha noa, kia aha noa i te wenua no o matou tupuna, no matou hoki.

Na ko te Kaha tenei: kei Taumatakahawai te timatanga, marere noa ki tatahi kei Herekura, puta noa ki te Kauere, marere noa ki tatahi; ko to uta kotinga tenei, ko te Moana ki tetahi taha ki tetahi taha o te Papa; a tahuna Maruru te rohe o waho me nga tahuna kokota o Aopo: Me nga mea e tupu ana, me nga aha noa ki runga ki raro.

Ko te utu tenei kua riro nei i a matou 20 Paraikete, 10 Puka, 10 Kapu, 10 Titaha, 10 Karauna, 10 Koehoa. Koia ka tuhituhia e matou tohu hei tohu ki tenei tukunga ki tenei hokonga i te toru tekau o nga ra o te marama Hepetema, i te tau o to tatou Ariki 1838.

Te tohu o	x	Tare	Te tohu o	x	Hui
		Tamakaipi	"	x	Mahikai
		Ngatiti	"		Na te Hu
	x	Tahu	"	x	Wairakau
Te tohu o	x	Koreko	"	x	Tutamata
"	x	Matapihi	"	x	te Ngau
		Hota	"	x	Warerau
"	x	Pareterangi	"	x	Kape
"	x	Tipa			

Ko nga kai kite
Hamiora
Toaroto
Ao
James Stack

Copy of Deed
T. Chapman
E. Shortland

Translation

Know all men by this deed that we, Tare, Tamakaipi etc. rangatiras of Tauranga do let go and sell to the Rev. A.N. Brown ("Te Paraone") on behalf of the Church Missy. Society, and to their heirs or assigns for ever, the lands belonging to our fathers and to us also.

This is the boundary: the beginning the Taumatakahawai, going on to Herekura, and from thence to the Kauere, going on by the seaside (of the inlet) to the narrow where you cross, the inlet of the sea on each side being the boundary of the Papa and also from thence to the sandbanks called Maruru and Aopo, and whatever may be found growing thereon or deposited therein.

This is the payment which we have received 20 blankets, 10 spades, 10 adzes, 10 axes, 10 hoes, 10 iron pots. In witness thereof we have written our signs "hei tohu" of our having let go or agreed, to this selling on the 30th day of September 1838.

[Witnesses]

[Signatures]

True Translation
E. Shortland

Deed No.411 [Old Land Claim 444D, 1000 acres]

Te Papa Block No.2, Tauranga, Bay of Plenty District

Kia rongo nga tangata katoa ki tenei pukapuka na matou. Na, ko matou ko Reretuwenua, ko Tamakaipi, ko Ngapipi, ko Taharangi, ko Uatahi, ko Rangipo, ko Tiro, ko Amohau, ko Ngatihi, ko Hota, ko Tahu, ko Kapa, ko Ponui, ko Tihe, ko Kaponga, ko Poho, ko Taureka, ko Tangimoana, ko Tautohetohe, ko Pahoro, ko Kape, ko Tuku, ko Waimuri, ko Tekitemate, ko Rangiwiri, ko te Kumikumi, ko Ngahui, nga rangatira no Tauranga. Ka tuku ka hoko ki a te Paraone mo te hunga o te Hahi Mihanere mo o ratou wanaunga mo amua tonu atu kia noho kia hoko kia aha noa kia aha noa i te wenua no o matou tupuna no matou hoki. Na, ko te kaha tenei. Ka timata te kaha i Taumatakahawai ka haere a Herekura puta noa ki te Kauere marere noa ki tatahi ka haere tonu wakaroto i te awa ka haere ki Warepapa a - Papeka a - Okehuroa a - Taikau a - Waiariki a - Tuki o te Waihaki a - Waiparapara a - Omarori a - Opohue a - Tahataharoa a - Iretawata a - te Waipuna a - Heremaro a - te Rangiora a - Turangipo a - Ora a - Ohinetekuri a - Te Tarere ka wakawiti i te tuawenua a - Pukahinahina ka haere a - Pokorau a - Pukehouhou a - Te Ware o te Ao ka haere i runga i te kahiwi ra te maoro o te Pa marere noa ki te Ririiti a - Tauparirua a - Maeaui a - ko te Waihirere a - Puharakeke puta noa ki Taumatakahawai me nga mea e tupu ana me nga aha noa ki runga ki raro.

Ko te utu tenei kua riro nei i a matou 1 Kuao Kau, 40 Kapu, 60 Paraikete nui, 40 Titaha 40 Karauna, 40 Hate, 40 Tarautete, 12 Puka, 100 Paipa, 70 lbs Tupeka, 24 Kotikoti, 44 Heu, 24 Kota, 100 Matau.

Koia ka tuhituhi e matou o matou tohu hei tohu ki tenei tukunga ke tenei hokonga 30 Maehe 1839.

Te tohu o	x	Taharangi		Tautohetohe,
Te tohu o	x	Reretuwenua		tamaiti o Taureka
		Tamakaipi	Te tohu o	x Amohau
		Ngapipi	"	x Ngatihi
Te tohu o	x	Huatahi		Pahoro
"	x	Rangipo	Te tohu o	x Kape
"	x	Tiro	"	x Taureka
		Hota	"	x Tuku
		Tahu	"	x Waimuri
		Kapa	"	x Te Kitemate
Te tohu o	x	Pohui	"	x Rangiwiri
"	x	Tihe	"	x Tangimoana
		Kaponga		Te Kumekume
Te tohu o	x	Poho	"	x Ngahui

Witness - James Stack
 Copy of Deed. T. Chapman

Translation

Know all men by this Deed that we Reretuwenua, Tamakaipi etc. etc. chiefs of Tauranga do let go and sell to the Rev'd A.N. Brown (Te Paraone) for the Church Missy. Society and their heirs or assigns forever, to locate, sell, or any other purpose whatever the lands of our fathers and of us also.

This is the boundary. Begins at Taumatakahawai, going on to Herekura, and from thence to Kauere, from thence going inland to the river and on to Warepapa, Papeka, Okehuroa, Taikau, Opohue, Tahataharoa, Iretewata, Waipuna, Heremaro, Rangiora, Turangipo, Ora, Ohinetekuri, Tarere, crossing over the land to Pukahinahina and from thence to Pokorau, Pukehouhou, Ware o te Ao, from thence going on to Ririiti, Tauparirua, Maeanui, Waihirere, and Puharakeke, and on from thence to Taumatakahawai: also all things growing thereon or deposited above the earth or below it.

These are the payments given to us: One Calf, 40 Adzes, 60 Large Blankets, 40 Axes, 40 Hoes, 40 Shirts, 40 Trowsers [sic], 12 Spades, 100 Pipes, 70 lbs Tobacco, 24 Scissors, 24 Razors, 24 Plane irons, and 100 Fish Hooks.

In witness whereof to this our letting go and selling, we have written our signs (or tohus) on the 30th March in the year of our Lord 1839.

[Witnesses]

[Signatures]

True Translation.

E Shortland, P.A. [Protector of Aborigines]

Notices of Hearing of Claims by Old Land Claims Commission 1842:

Transcribed from Turton and Bell p.621

444C T. Chapman of Tauranga on behalf of the Church Missionary Society, Claimant.

30 (thirty) acres, more or less, situate at Tauranga, extending from Taumatakakawai by the beach to Herikura, thence to Kahuore, following the beach to Taumatakakawai. Alleged to have been purchased from the Native chiefs Tare, Tarua, Kaipi, Ngatiti, Tohu, and thirteen others by claimant, on the 30th September, 1838. Consideration given to the natives: a quantity of merchandise; value not stated. Nature of conveyance: Deed in the Native language.

444D T. Chapman of Tauranga on behalf of the Church Missionary Society, Claimant.

1,000 (one thousand) acres, more or less, situate at Tauranga, extending from Taumatakakawai to Herikura thence to Kopuare along the River Warepapa, Papeka, Okekurou, Taihau, Waiariki, Tuki o te Waiheke, Waiparapara - Omarori, Opohue, Tahataharoa, Inetaireta, Heremaro, Rangiora, Tarangepo, Ora, to Pukehinahina; thence to Pokorau, Pukehouhou, Ware o te Ao; thence along the ridge to the embankment of the Pa, thence to Ririetu, Toapairua. Maranui. Waihirere, Pukarakeke, going on to Taumatakakawai. Alleged to have been purchased from the Native chiefs Taharangi, Rerehewenua [sic], and twenty-three others, by claimant, on the 30th March 1839. Consideration given to the Natives: One heifer and a quantity of merchandise, value not stated. Nature of conveyance: Deed in favour of claimant.

Report of Land Claims Commissioner:

Extract from Appendix to Report ...AJHR 1863, D14 p.53

OLC444C payment	£ 24.0.0)	
444D "	£285.4.0)	1333 acres

Grant to Trustees C.M. Society 2 July 1852 for 1333 acres.

Note: There are discrepancies in spelling of names in the Notices which are mainly errors of transcription.

APPENDIX 2

Other Old Land Claims at Tauranga

Report of the Land Claims Commissioner 8 July 1862 with the Return of Lands Finally Settled.

Return of Land Claims Finally Settled:

Claim No.1252 James Farrow: claim preferred and grant for half acre issued 3 April 1865 under the Auckland Waste Lands Act 1858.

Half Caste Claims:

J.L. Faulkner: land claimed for half caste children through his wife. Settled by Compensation Court. Grants to J.L. Faulkner, in trust for his half caste children, for a total area of 99 acres, 3 roods 6 perches, 1 acre of which was granted 2 July 1868 and the rest 25 April 1871.

(H.H. Turton and F.D. Bell, *Maori Deeds of Old Private Land Purchases in New Zealand*. Wellington, Government Printer 1882, pp.644 and 646.

Note: Some other claims made on behalf of half-caste children were dealt with by Commissioners under the Tauranga District Lands Acts after 1868.

Appendix to the Report of the Land Claims Commissioner:

The following claims were listed but were all disallowed (AJHR 1863, D14).

OLC No.	Name	Area(acres)	Date	Payment
272	Richard Jones	100,000	1830	L21.0.0
349	T. Scott	6	n.a.	n.a.
398	William Stewart	500	1825	L18.0.0*
409/409A	R. Espie	130	n.a.	L95.0.0

* This payment also included 200 acres at Hokianga and 900 acres at Akaroa.

APPENDIX 3

Lists of those who surrendered, July 1864, prepared by H.E. Rice, Government Interpreter. (GBPP 1865 vol. 14, pp. 104-106).

<u>Name</u>	<u>Hapu</u>	<u>Arms</u>
(Signed) Penehamene	Ngaitamarawaho	No arms
Wi Paraeone	"	Sick
Hohepa Ta	"	Musket and pouch
Hoani	"	"
Otehau	"	"
Matiu	"	"
Kohu	"	No arms
Ngapati	"	Musket and pouch
Hori	"	"
Hemi	"	No arms
Kapa	"	Child
Rota	"	Musket and pouch
Ture	"	Sick
Eruera	"	No arms.

Signed before me at Hairini, part of Tauranga, this 24th day of July 1864.
(Signed) H. E. RICE.

(Signed) Te Hoani	Te Ngare	Talaha; no gun
Maaka	"	Musket
Era	"	1 hatchet (wounded)
Hemi	"	Not at the fighting
Hohepa	Ngatihangarau	"
Pauro	"	Musket and pouch
Mete	"	No gun; 1 hatchet
Heta	Wharirua	Musket and pouch
Rotoehu	"	Enfield rifle and pouch
Raimona	"	Lost his gun at last fight
Hohepa	"	Lost his gun (wounded)
Herewhini	"	No arms
Ihaka	Materawaho	Musket and pouch
Te Hurateneui	"	"
Wharepouaka	"	"
Peita	"	No gun
Turia	"	"
Nirai	"	"
Netana his x mark	"	"
Mitara his x mark	"	"
Wipori Ratahi his x mark	"	No gun; pouch
Tamehana his x mark	"	No gun
Hemi his x mark	"	"
Mohi his x mark	"	"
Hakiaha his x mark	"	"
Witness to marks, H. E. RICE.		
Metera	Papaunahi	"

(These natives were amongst the first to surrender. I will forward a list of arms next steamer.)

	Hoani his x mark	Hapu-Ngatimateika
	Maka his x mark	"
	Mikaere his x mark	"
	Hohepa his x mark	"
(Signed)	Te Hoko Hoko	"
	Ngatiiti his x mark	"
	Le Matehuirua his x mark	"
	Te Wetini his x mark	"
	Potaka his x mark	"
	Rapata his x mark	"
(Signed)	Hamiora	Ngatirakei
	Hakaraia (boy)	Waitaha
	Tutaia	"
	Ihaka	"
	Hohepa	"
(Signed)	Te Amohau	Te Ngare
	Te Wio his x mark	"

Signed before me, and witnessed by me, at Te Papa, part of Tauranga, this 25th day of July 1864.

(Signed) H.E. RICE.

Tauranga District.

(Signed)	Wira	Ngaituwhiwia	Musket and pouch
	Tupara	"	"
	Tepuru	"	"
	Paora	"	"
	Hamiora	"	"
	Karora	"	Fowling-piece; caps and pouch
	Hemi Tukere	"	Musket and pouch
	Hohepa Tangatahou	"	Sick
	Tame Mohorangi	"	Musket and pouch
	Ware	"	No arms
	Patuhoe	Tokotoko	1 spear and pouch
	Tahatika	"	Musket and pouch
	Te Hori	"	2 guns and 2 pouches
	Parawhai	"	1 box of caps; 1 pouch
	Aperahama Te Hoha	"	Sick
	Haumera	"	Fowling-piece; caps; pouch
	Parata Kanamora	Te Pirirakau	Taiaha and pouch
	Te Wanakore	"	No gun; 1 pouch
	Aperahama	"	Musket and pouch
	Mamera Taiiao	"	"
	Maungapohato	"	Sick
	Petera Whangapato	Te Patutahora	Musket and pouch
	Wi Ripo	"	Fowling-piece and pouch
	Haka Terauhuka	"	No gun; 1 pouch
	Tera Ngaitama	"	Sick
(Signed)	Hori Ngatai	Ngaiterangi	Musket and pouch
	Penata	"	No gun; 2 pouches
	Te Aria	"	1 spear and 1 pouch
	Wiremu	"	Fowling-piece and 2 pouches

Toruo	"	Musket and pouch
Te Tiepa	"	"
Tuori	"	"
Tone	"	Enfield rifle
Tihi Tapa	"	Musket and pouch
Renata	"	Enfield rifle
Rere Kaipuke	"	Fowling-piece and pouch
Te Kaha	"	Musket
Ngahuhu	"	Double gun and pouch
Te Kaha	"	Musket and pouch
Tupara	"	"
Rawiri Pono	"	"
Matiu	"	Patu parao and pouch
Pene Taka Tuaia	"	Musket and pouch
Repato	"	Preacher; carried no arms
Parona Wira	"	No gun
Te Ngari	"	Sick
Pou Kohatu	"	"
Warepapa	Ngatikahu	Spear and pouch
Tihema	"	Old man
Terea	"	"
Te Mame	"	"
Maiha	Te Matehaere	Fowling-piece and pouch
Heremaia	"	Musket and pouch
Te Ngaruwhiti	"	Fowling-piece and pouch
Arama Karaka	"	Musket and pouch
Ngawaka	"	Cripple; carried no arms
Te Hera	"	No gun
Kereti	"	Wounded; lost gun at Gate Pa
Whakamahu	"	Old infirm man
Hamiora	"	"
Tea	"	"
Hamiora Tupaea	Te Papaunahi	Gun and pouch
Nihi Nihi	"	Musket and pouch
Eruera	"	"
Tewharehera	"	"
Maki	"	No gun
Hemi Taera	"	"
Hemi Porou	"	"
Koi	"	"
Reupena	"	"
Houhou	"	Hatchet and pouch
Hopi	"	Never been to fight
Paieka	Te Ngare	Fowling-piece and pouch

Signed before me at Otumoetai, Tauranga, this 24th day of July 1864.

(Signed) H. E. RICE.

(Signed) Enoka	Ngaitukairangi	Enfield rifle and caps
Ruka	"	Sword and pistol
Kawa	"	Musket and pouch
Nitika	"	"
Wiremu Heti	"	Enfield rifle and pouch
Niao	"	Wounded
Teipu	"	Musket and pouch
Ihala	"	Two pounds
Hati	"	Musket and pouch
Te Rikihana	"	"
Patai	"	Sick

Tari	"	Old man
Whenua	"	
Hamiora Tangi Awa	Ngaitirawharo	Musket, sword, and pouch
Waiari	Kahurautao	"
Hirini	"	Musket and pouch
Ihaka	"	"
Hakaraia	"	"
Te Ruato	"	"
Te Homa	"	"
Kereopa	Ngaititeniha	No gun
Kopene	"	Musket and pouch
Kopetera	"	Arms lost at Te Ranga
Kotamaone	"	Cripple
Ko Te Kohiwi	"	"
Ko Terangi	"	No gun
Hemi Haki	"	"

Signed before me at Hairini, part of Tauranga, this 24th day of July 1864.
 (Signed) H.E. RICE

APPENDIX 4

Katikati Te Puna Purchase Agreements

The notes on James Mackay's Rough Sketch Plan of Tauranga District, 1867, summarise the payments made as follows:

Katikati Block: Purchased for £1300 each from Ngaiterangi and Ngatitamatera - £600 each, and £100 to Ngaiterangi "for tapu".

Te Puna Block: Purchased from Ngaiterangi, Ngati Maru, Ngati Tamatera, Tawera and Ngati Paoa tribes.

Ngaiterangi £7000 and 6,000 acres of reserves, nearly all with water frontage.

Ngati Maru) £1180

Ngati Tamatera)

Tawera £500

Ngati Paoa £100

Te Moananui of Thames £380

These figures do not quite tally with the agreements set out in Turton's Deeds.

Deed No. 458	Ngati Paoa	£100 (1866)
" " 459	Tawera	£500 (1866)
" " 460	Ngati Maru and Ngati Tamatera	£1180 (1866)
" " 461	Ngaiterangi	£7700 (1866)
" " 462	Pirirakau and Ngati Hinerangi	£471 (1871)

In the notes on the Mackay map the Tawera payments were described as £150 for Te Puna and the rest for Katikati. Deed 459 indicates that payment was for both blocks. There is no record of the payment to Te Moananui of Thames, or explanation of the discrepancies in amounts in Deeds 460 and 461. Deed 462 refers to settlement of Pirirakau claims in 1871.

Details of signatories and payments in the various Deeds are as follows:

1. Te Puna and Katikati No.1, Deed No. 458 (Turton pp. 633-4), 10 August 1866: payment by James Mackay of £100 to "Chiefs and People of the Tribe Ngatihura of Ngatipaoa"
Signatories: Rawiri Takurua, Haora Tipa, Harata Kati, Tamati Tangiteruru, Maihi Te Hinaki and James Mackay. Receipts signed by Hora Tipa, Harata Kati and Tamati Tangiteruru for £75; and by Maihi Te Hinaki for £25.
2. Te Puna and Katikati No. 2, Deed No. 459, (Turton pp. 634-5). 14 August 1866: payment by James Mackay of £500 to "the Chiefs and People of the Tribe Tawera and Ngatipukenga"
Signatories: Paroto Tawhiorangi, Paurini, Ruka Huritaupotiki, Riritahi, Hone Paurini, Ko te Ruruku, Hihi Taua, Ko Roki, Hemi Korohua, Hirini Ngawaka, Manuera, Ratene, Hori Marino, Pumipi Te Pararewa, Nikora, Nga Kiore, Papira, Ngati and James Mackay. Receipt for £500 signed by Paroto Tawhiorangi, Paurini and Ruka Huritaupoki.
3. Te Puna and Katikati No. 4, Deed No. 460, (Turton pp. 635-8), 3 September 1866: payment by James Mackay of £1,130 to "the Chiefs and People of the Tribes Ngatimaru and Ngatitamatera"

Signatories: Te Moana, Taraia Ngakuti, Teira Te Amora, Riwai Kiore, Ihaka, Na Parata Te Mapu, Irihia, Wiropo Hotereni Taipari, Tutuki, Te Rua, Karauna, Ruihana, Mango, Keepa Te Wharau, Te Kereihe, Waituruturu, Wiremu Paka, W. Hopihana, Eriatara, Hunia, Hingikerea Puru, Hotereni Taipari, Piniha, Haora Tipa, Tanewha Kitahi, Morgan Hou and James Mackay.

Receipts signed by: Te Moananui for £25; Taraia Ngakuti for £30; Te Moananui, Taraia Ngakuti, Teira, Riwai Kiore, Na Parata, Irihia, Karauna for £1075; Tarewha Kitahi for £10; Ruihana for £25; Mokena Hou for £5; Riwai Kiore for £10.

The following areas were reconveyed to Ngati Maru and Ngati Tamatera in this agreement: Pukewhakatara (burial ground) 50 acres; Tiroa (burial ground) 5 acres; Te Paewai (burial ground) 5 acres; Takaihuehue 5 acres; Ngatukitukihikawera 5 acres; Tangitu 5 acres.

4. Te Puna and Katikati No. 3, Deed No.461, (Turton pp. 638-641) 3 November 1866, payment of £7700 by James Mackay to "Chiefs and People of the Tribe Ngaiterangi and its hapus"

Signatories: Te Moananui, Hamiora Tu, Kepa Te Amohau, Te Patu, Te Ninhi, Tuae, Temi, Harawira, Hohepa Hikutaia, Te Kuka Te Mea, Hori Ngatai, Wiremu Parera, Tahere, Enoka Make, Te Wharehera, Rotoehu, Mangapohatu, Tomika Te Mutu, Karora, Taraiti Wiripo, Hori Tupaea, Te Puru, Rangiwaka, Hatirira and James Mackay.

Receipts signed by: Te Moananui, Enoka Turere, Harawira, Timi, 10 December 1866 for £700; Enoka, Moananui, Te Kuka Te Mea, Huka Parera, Mere Taka, Te Puru, Wanakore Mangapohatu, Timi, Hohepa Te Kai, Harawira, Turere, Paratoenga, Te Wharenui, Ngatia, Rotohia, Wherama Ananai, Hohepa Hikutaia, Tenara, Ruka, Hori Ngatai, 24 June 1867, for £3000; Enoka, Hamiora Tu, Te Moananui, Hemi Palmer, Heta, Tone, Hohepa Hikutaia, Te Puru, Timoti, Hori Ngatai, Kepa Amohau, Rotoehu, Riko, Harawira, Heroke, Hamiora, Mere Taka, Paikea, Akuhata Tupaea, Hamiora, Pini Te Wharehera, Hohepa Kai, Kuka Te Mea, Te Hatiwira, Wi Parera, 23 January 1868, for £3,000.

The following schedule was included in this agreement:

LIST OF LANDS RETURNED TO NATIVES

Otawhiwhi	Patu, Turere, Te Ninhi, and others - One hundred acres (100a.)
Ahipatiki	Hori Tupaea and Moananui - Fifty acres (50a.)
Okeru	Te Hira Te Tuiri - Fifty acres (50a.) Enoka Make [sic = Whanake] and Hohepa - One hundred and forty-one acres (141a.)
Otaratahae	Enoka Make [sic = Whanake] - One hundred acres (100a.) Hohepa Hikutaia - Fifty acres (50a.) Hamiora Iwipau - Fifty acres (50a.)
Tahawai (N.S.)	Rotoehu, Timi, and others - Five hundred acres (500a.)
Tahawai (S.S.)	Heni [sic = Heirs] of Tawaha - One hundred acres (100a.)
Rereatukahia	Moananui and others - Two hundred and fifty acres (250a.) Moananui, Ngarae and others - Three hundred acres (300a.) Ruka Tamakohe - Eighty acres (80a.) Hohepa Te Kai - Two hundred acres (200a.) Ngatira and Te Kiri - One hundred and twenty acres (120a.) Hamiora Tu - Fifty acres (50a.)
Puketutu	Hamiora Tangiawa and others - One hundred acres (100a.)
Matahui	Wi Parera, Taraiti, and others - Five hundred acres (500a.)

	Merania - One hundred acres (100a.)
	Harawira Tewi and others - Fifty acres (50a.)
	Hatiwira Uruwahaika and others - One hundred and fifty acres (150a.)
	Titipa and others - One hundred acres (100a.)
	Te Kuka and others - Five hundred acres (500a.)
	Te Puru - One hundred acres (100a.)
	Ngapuru, Te Puru, and others - Three hundred and fifty acres (350a.)
	Keepa - Fifty acres (50a.)
	Tewi and another - Eighty acres (80a.)
	Wiremu Hete, Hemi Pama, and others - One hundred acres (100a.)
	Hohepa Tangatahou - Sixty acres (60a.)
Te Apata	Raniera te Hiahia and Riko - Two hundred acres (200a.)
	Rakera and Mirita - Twenty acres (20a.)
	Mere Taka - One hundred acres (100a.)
	Hori Tupaea - One hundred acres (100a.)
	Hamiora Tu and Mere Tu - Two hundred acres (200a.)
	Hone Poro and others - Two hundred acres (200a.)
	Pererika Taratoa and others - Two hundred acres (200a.)
Atuakahae	Moananui and Ngarae - Twenty acres (20a.)
Omokoroa	Ngawaka Patuhoe and others of Ngatitokotoko - Four hundred acres (400a.)
	Te Kiteki and Mere Toke - Twenty-eight acres (28a.)
	Hamuera Heheu - Twenty-five acres (25a.)
Forest Land	Enoka Make [sic = Whanake] - Thirty acres (30a.)
	Timi - Thirty acres (30a.)
	Moananui - One hundred acres (100a.)

The reserves listed in Turton's Deed 461 have been matched as far as possible with lands actually allocated as follows:

<u>Names</u>	<u>Area in acres</u>	<u>Lot. Nos</u>	<u>Parish</u>
Patu, Turere Te Ninihi and others	100	1,3	Katikati
Hori Tupaea and Moananui	50	2	"
Te Hira Te Tuiri	50	1	Tahawai
Enoka Make [Whanake] and Hohepa	141)	4,5,6,17	"
Enoka Make [Whanake]	100)		
Hohepa Hikutaia	50	3	"
Hamiora Iwipau	50	7	"
Rotoehu, Timi and others	500	9	"
Heirs of Tawaha	100 =	21, 23	"
Moananui and others	250	12	"
Moananui Ngarae and others	300	13, 14	"
Ruka Tamakohe	80	36	Te Mania
Hohepa Te Kai	200	11	Tahawai
Ngatira and Te Kiri	120	48	Te Mania
Hamiora Tu	50	15	Tahawai
Hamiora Tangiawa and others	100	41	Te Mania
Wi Parera, Taraiti and others	500	24,25,26,39	"
Merania	100	19	"
Harawira Tewi and others	50	43	"
Hatiwira Uruwahaika and others	150	32	"
Titipa and others	100	27	"
Te Kuka and others	500	33,35,46,47	"
Te Puru	100	45	"

Ngapura, Te Pura and others	350	37,38	"
Keepa [Te Kiepa Amohau]	50	29	"
Tewi and another	80	42	"
Wiremu Hete, Hemi Pama and others	100	44	"
Hohepa Tangatahau	60	28	"
Raniera Te Hiahia and Riko	200	207	Apata
Rakera and Mirita	20	210	"
Mere Taka	100	206	"
Hori Tupaea	100	209	"
Hamiora Tu and Mere Tu	200	205,208	"
Hone Poro and others	200	212	"
Pererika Taratoa and others	200	211	"
Moananui and Ngarae	20	not located	
Ngawaka Patuhoe and others of Ngati Tokotoko	400	52,53,187,188	Te Puna
Te Kiteki and Mere Toke	28	186	Te Puna
Hamuera Heheu	25	51	"
Enoka Make [Whanake]	30 (forest land)		not located
Timi	30	19	
Tahawai Moananui	100	49	Te Mania

5. Te Puna and Katikati No. 5 Deed No. 462 (Turton pp. 641-3) 16 May 1871: payment of 1,471 by H.T. Clarke to "the Chiefs and People of the Tribe Pirirakau and Ngatihinerangi...in consideration of the claims of these three hapus (viz. Pirirakau, Ngatihinerangi and Ngatitokotoko) to the land sold by all the Ngaiterangi to the Government".

Signatories: Kepa Ringatu, Paratene, Te Kahukoti, Pukutoia, James Pottier, Hori Teira and Henry T. Clarke.
Payment made to the above at the time.

APPENDIX 5

Confiscated Block: Clarke's List 1867

On 25 June 1867 H.T. Clarke, Civil Commissioner, Tauranga, furnished a schedule of lands allocated (dated 31 May 1867) which he explained as follows:

1. Quantity of land given to surrendered rebels within the fifty thousand acres confiscated in Tauranga.
2. Lands Given to Loyal Natives within the said block.
3. Lands given to Native both loyal and surrendered the Chief part of whom were rebels.
4. Reserves under the Native Reserves Act within the said block.
5. Town Sections promised but not yet allocated.
6. Lands allotted to Military Settlers in Tauranga on Block Wairoa East. No land has been allocated to Settlers in Block Wairoa West.

The following lists are extracted from the schedules of 31 May 1867. The actual lot numbers have been omitted as these do not correspond with the surveyed plans. The lists are indicative of the scale and nature of land grants in 1867. There were numerous additions and modifications to this list made by subsequent Commissioners operating under the Tauranga District Lands Acts 1867 and 1868. The original of this list is held in DOSLI files, Hamilton.

Abstract of the Within Returns - Reserves made to Natives in Confiscated Block of 50,000 acres, together with the Quantity of Land allotted to Military Settlers up to 31st May 1867.

	Area
<u>Return A East Wairoa</u>	a. r. p.
Land returned to Loyal Natives or awarded in compensation	822. 2. 0.
Mixed - Most of Natives to whom allotted have been in Rebellion	1,160. 0. 0.
<u>Return B East Wairoa</u>	
Lands given to Surrendered Rebels	1,116. 2. 21.
<u>Return C West Wairoa</u>	
Native Reserves awarded to Natives Loyal and Surrendered Mixed, Chief part Rebels	1,903. 3. 0.
<u>Return D</u>	
Native Reserves under the Native Reserves Act	209. 0. 0.
<u>Return E</u>	
Town Sections promised but not yet allotted (Area not known)	- - -
<u>Return F</u>	
Lands allotted to Military Settlers	14,400 2. 0.

Clarke's note, dated 25 June 1867, reads "3792a 3r 21p of the best land in the Confiscated Block, both from position and quality, has been allocated to Natives". All the lands in Return F "have been awarded to Europeans, for what reason I am unable to state". The lands involved were awarded to military settlers of the First Waikato Regiment as part of the terms of enlistment for military service. The names East Wairoa and West Wairoa refer to land east and west of the Wairoa River respectively.

Return A: Land Returned to Loyal Natives or Awarded in Compensation at Tauranga Within the 50,000 acres, Confiscated Block.

East Wairoa

	a.	r.	p.
Wife and half caste children of Johnson	108.	0.	0
Ruka Huritaupoki and Te Riritahi	50.	0.	0
Paroto Tawhlorangi	50.	0.	0
Riripeti Piahana, Heneri Perepi and others	85.	0.	0
Anaru	80.	0.	0
Wiremu Patene	10.	0.	0
Wiremu Parera	10.	0.	0
Hohepa Hikutaia	10.	0.	0
Hamuera Paki	10.	0.	0
Hamiora Tu and Raniera Te Hiahia	71.	2.	0
Faulkner's half caste children	88.	0.	0
Tomika Te Mutu (Foley)	100.	0.	0
Turere and Te Patu	100.	0.	0
Ranapia (Forest) unallotted	50.	0.	0
	<hr/>		
Total	822.	2.	0
	<hr/>		

The undermentioned are mixed, most of those Natives interested therein have been in Rebellion.

Hamiora Tu a Te Materawaho		160.	0.	0
" " "	Forest	1000.	0.	0
		<hr/>		
Total		1160.	0.	0
		<hr/>		

Return B: Land given to Surrendered Rebels within the 50,000 acres Confiscated Block.

East Wairoa

Otumoetai East

Wiremu Paraone and Ngaitamarawaho hapu	97.	0.	0
Hori Ngatai and hapu	84.	3.	21
Enoka, Mika and Mohi	101.	0.	0
Hori Tupaea - Te Whanau o Tauwhao and Patutahora hapu	110.	0.	0
Pauro Ngati, Rewiri Maihi and Ngatihangarau hapu	130.	0.	0
Pene Taka - Ngatirangi and Ngatikahu hapu	120.	0.	0

Temporary Reserve to be granted to Ngatikehu [sic] subject to good behaviour	53. 3. 0
The following have not yet been allotted	
Forest - Ngaiteahi hapu	320. 0. 0
Forest - Ngatiteoho hapu	100. 0. 0
	<hr/>
Total	1116. 2. 21
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Return C: Native Reserves within Confiscated Block at Tauranga awarded to Natives Loyal and Surrendered - Mixed.

West Wairoa

Otumoetai West:

Hori Tupaea and Ngaitauwhao hapu	100. 0. 0
Kuka, Puru, Karora and Ngaituwhiwia hapu	100. 0. 0
Hamiora Tu, Kuka Te Mea, Wiremu Patene, Wiremu Parera, Enoke Te Whanake, Raniera Te Hiahia, Hori Ngatai, Wiremu Te Matewai, Ngamanu, Maihi Haki, Hamiora Tangiawa, Wainakore Maungapohatu and Ruka Te Makae - to be subdivided into 7 acre lots, road to be reserved along one side, allowance to be made for swamp along one side	100. 0. 0
W. Heti, James Palmer, Joseph Palmer, Romana, Kotiu, Tewa Rewarewa	77. 3. 0
Wiremu Parera, Ana Maria, Te Toto, Porimira, Moumou and Matiatia	35. 0. 0
Wiremu Patene, Hamiora Tangiawa and others	30. 0. 0
Tomika Te Mutu individually	50. 0. 0
Kiri Rangatira and Te Hohi	20. 0. 0
Ngamanu	30. 0. 0
Ipu, Riria and others	40. 0. 0
Mere Taka	30. 0. 0
Kiepa	30. 0. 0
Hohepa Hikutaia and children	60. 0. 0
Rikihana, Tauri, Huriwaka, Kawa and Hohepa Hikutaia	40. 0. 0
Matenga Tawero	50. 0. 0
Harawira	50. 0. 0
Louise Charles Potier, James Potier, Alfred Potier and Jane Potier, the father to have life interest in the same	208. 0. 0
Eriapeti Bidois, Jean Charles Bidois, Joseph Bidois, Henry Bidois, Festime Louis Bidois, Charles Louis Bidois, Louis Napoleon Bidois, Jacques Bidois, Adelaide Bidois, Makarita Bidois and Pierre Michael o Wa	163. 0. 0
Maungapohatu, Wanakore Maungapohatu and Pirirakau	340. 0. 0

Pukewhanake:

Maihi, Ihaka, Wiremu Te Matewai, Te Uara and others	100. 0. 0
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Paorangi:

Hamuera Te Paki	50. 0. 0
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Pukekounui:

Hori Ngatai and Ngatipango hapu to include mill dam	150. 0. 0
Two islands of Te Karaka -	
A. Hori Ngatai	15. 0. 0
B. Enoke Make [Te Whanake]	5. 0. 0
Huhana Urawaere (Mrs Calloway)	30. 0. 0
	<hr/>
Total	1903. 3. 0
	<hr/>

Return D: Native Reserves under the Native Reserves Act within the Confiscated Block of 50,000 acres.

Otumoetai Block:

Reserve under Native Reserves Act	92. 0. 0
" " " " "	63. 0. 0

Wairoa West:

Reserve under Native Reserves Act	54. 0. 0
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Total	209. 0. 0
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Return E: Town Sections not yet allotted

Tomika Te Mutu
Te Kuka
Hamiora Tu
Raniera
Patene
Hohepa
Parera
Ranapia
Humana
Te Riro Riro
Ruka Huritaupoki
Anaru

And twelve sections for Arawa Chiefs according to promise made by His Excellency the Governor.

Area not Known

Return F: Land allotted to Military Settlers out of Confiscated Block to 31st May 1867.

Wairoa East:

Farm Sections		14,164. 0. 0
Town Allotments	Gate Pa	180. 0. 0
" "	Te Papa	56. 2. 0

Total	14,400. 2. 0
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No land has been allotted on Block Wairoa West.

APPENDIX 6Township of Tauranga: Mackay's List 1867.

1. Memorandum of lots selected for Natives within Tauranga Township.

Section 1, Township of Tauranga,
"Loyalty and services rendered":

Ngatiwhakaue	Lots 226, 227, 228, 229
Ngatipikiao	Lots 190, 191
Ngatirangitihi	Lot 185
Ngatikereru	Lot 202
Ngatitarawai	Lot 186
Ngatituhourangi	Lots 175, 176
Ngatiunukopoka [sic]	Lot 201
Te Kuka Te Mea	Lot 201
Tomika Te Mutu	Lot 11

Section 2, Township of Tauranga
"Compensation":

Paroto Tawhiorangi	Lot 13
Ruka Huritaupoki	Lot 14
Wiropo Hoterene Taupari	Lot 12
Moananui Tanumeha	Lot 25?

"Loyalty and Services rendered":

Humana	Lot 1
Hamlora Tu	Lot 5
Raniera Te Hiahia	Lot 6
Hohepa Hikutaia	Lot 20
Wiremu Parera	Lot 2
Wiremu Patene	Lot 21
Ranapia Kahukoti	Lot 52
Ngatimanawa	Lot 17

2. Memorandum of lands reserved under Native Reserves Act in Township of Tauranga.

Section 1:

Lots 2, 3, 6, 7	"for Native Hostelry"
Lots 72, 140, 141	"General Native purposes"

Section 2:

Lots 3, 4, 193	"General Native purposes"
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Section 3:

Lots 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 505, 506, 519, 520	"General Native purposes"
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Suburban lots:

Lot 50	"50 acres General Native purposes"
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Source: DOSLI files, Hamilton. Memoranda of James Mackay and dated 15 July 1867.

Note: Some subsequent revision and additions to the list as well as some changes in appellation of lots make this list indicative, but not authoritative for "native reserves" in Tauranga City

The following list is derived from a large roll plan held in Department of Survey and Land Information, Hamilton, dated 1869, and reproduced on SO 441. There are some disparities between this and the above list.

Township of Tauranga: Allotments Reserved for Native Purposes/

Section 1	Lots	2, 3, 6, 7	Native Hostelry
"	"	" 72, 140	General Native Purposes
"	2	" 3, 4, 193	" " "
	3	" 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 505, 506, 519, 520	all for General Native Purposes.
Suburban Lot		50 (5 acres)	for General Native Purposes.
Section 1	Lots	226, 227, 228, 229	Ngati Whakaue
"	"	" 201, 202	Ngati Pikiaro
"	"	" 185	Ngati Rangitihī
"	"	" 190	Ngati Kereru
"	"	" 186	Ngati Tarawhai
"	"	" 175, 176	Tuhourangi
"	"	" 191	Ngati Uenukukopako
"	"	" 192	Ngati Raukawa
"	"	" 10	Kuka Te Mea
"	"	" 11	Tomika Te Mutu
"	2	" 17	Ngati Manawa
"	"	" 13	Paroto Tawhiorangi
"	"	" 14	Ruka Huri Taupoki
"	"	" 12	Wiropi Hotoreni Taipari
"	"	" 1	Humana
"	"	" 5	Hamlora Tu
"	"	" 6	Raniera Te Hiahia
"	"	" 7	Hori Tupaea
"	"	" 20	Hohepa Hikutaia
"	"	" 21	Wiremu Parera
"	"	" 2	Wiremu Patene
"	"	" 52	Ranapia Kahukoti
"	"	" 25	Moananui Tanumeha

Note: Lots in Section 1 were all a quarter acre, and in Section 2 one acre each. See also Appendix 7: 4. Schedule of Town Lots.

APPENDIX 7

Confiscated Blocks, Township of Tauranga and Katikati Te Puna Purchase: Clarke's List 1871.

In 1871, H.T. Clarke, Civil Commissioner, Tauranga was instructed to compile for Parliament, a report on land awards granted to "Friendly Natives" and "Returned Rebels" and "lands surrendered to Natives". The following is extracted from the original held in DOSLI files, Hamilton, dated 29 June 1871, It should be noted that although lot numbers are included, not all these awards were actually granted as changes were made later by subsequent Commissioners under the Tauranga District Lands Acts. These lists are therefore indicative, not authoritative.

Tauranga District

Abstract of the Accompanying Returns.

Description of Lands	Area
1. Lands awarded to friendly Natives within the 50,000 acres block actually confiscated	3,340. 0. 0
2. Lands awarded to returned Rebels within the 50,000 acre block actually confiscated	3,708. 3. 21
3. Lands awarded to mixed friendly and rebel Natives within the 50,000 acre block actually confiscated	645. 0. 0
4. Lands awarded to Natives in the Townships of Tauranga and Greerton	15. 3. 1.
5. Lands awarded to Natives within the Te Puna and Katikati purchased block estimated to contain 80,000 acres	6,909. 0. 0
6. Lands under operation of Tauranga District Lands Acts to be surrendered to Natives. This is an approximate estimate.	64,000. 0. 0*
Total	78,708. 2. 22

* A note added sometime later indicates that the area of lands actually returned was 136,191 acres, the total given in AJHR G10, 1886 (see Appendix 8). No schedule was provided under this heading.

1. Schedule of lands awarded to Friendly Natives within the 50,000 acre block actually confiscated.

Parish of Te Papa:

Names	Lot No.	Area in acres
Half caste children of Johnson	93, 12	108
Ruka Huritaupoki and another	99	49
Paroto Tawhiorangi	13	49
Riripeti Piahana and others	116	85
Anaru Haua	117	80
Wiremu Parera	16	10
Mere Hohepa and another	113	10
Hohepa Hikutaia	17	10

Hamuera Te Paki	18	10
Hamiora Tu and another	26	77
Mika and Hohi	6	20
Faulkner's half caste children	4	88
Tomika Te Mutu	109	100
Turere and Te Patu	102	100
Hamiora Tu and hapu	20	196
Tomika Te Mutu and Te Kuka Te Mea	92	100
Te Patuwai hapu	pt. 79	100
Humana Te Ruataewa	28	50
Paora Tautohetohe	29, 30	100
Henare Piahana and others	31	50
Eruera Karaka	32	50
Piahana	33	50

Parish of Te Puna:

Wiremu Parera and others	168	35
Te Kuka Te Mea	170	50
Mere Taka	161	30
Ngamanu	172	30
Hohepa Hikutaia and others	164	60
Matenga Tawhero	185	50
Half caste children of Potier	157	208
Half caste children of Bidois	156, 174, 184	230
Hamuera Te Paki	180	61
Huhana Arawaire	183	34

Forest land - not yet defined

Hamiora Tu and hapu		1000
Ranapia		50
Teneti and Marara		50
Matutaera		50

Note: All blocks were described as "Compensation award" although actual lot numbers for forest land were not yet allotted.

2. Schedule of lands awarded to returned Rebels within the 50,000 acre block actually confiscated.

Parish of Te Papa:

Names	Lot No.	Area
Wiremu Paraone and hapu	115	100.0.0
Hori Ngatai and hapu	21, 107, 108	84.3.21
Enoka Te Whanake and others	110	81
Hori Tupaea and hapus	103	110
Pauro Ngati and hapu	95	130
Pene Taka and hapu	91	120
Enoka Te Whanake	9	5
Wiremu Paraone and hapu	not yet defined	100

Parish of Te Puna:

Enoka Te Whanake	177, 178	125
Maihi Haki and others	175, 176	60
Maungapohatu and Pirirakau hapu	154, 161	382

Forest Land

Ngaiteahi hapu	not yet defined	320
Hone Reweti and hapu	" " "	100

Unappropriated Hiria Tireni	will be required not yet defined	2000 50
	Total	<u>3708.3.21</u>

3. Schedule of lands awarded to mixed friendly and rebel Natives within the 50,000 acre block actually confiscated.

Parish of Te Papa:

Names	Lot No.	Area
Hamiora Tu and Ngamanu	100	50

Parish of Te Puna:

Hori Tupaea and hapu	8	100
Kuka Te Mea and hapu	9	100
Hamiora Tu and others (compensation for services rendered)	10,11,12,13,14, 15,147,148,149 150,151,152,153 and part 158	103
Wi Heti and others	173	50
Hemi Palmer and others	167	35
Hamiora Tangiawa and others	169	30
Kirirangatira and another	171	20
Ipu and others	160	40
Kiepa Te Amohau	162	30
Rikihana and others	163,164	100
Moananui Maraki	165	47
	Total	<u>645</u>

4. Schedule of Town lots awarded to Natives in the Township of Tauranga

Section 1:

	Lot No.	Area
Wi Keepa Te Rangipuawhe and another	175	0.0.27
Arama Karaka and another	185	0.0.32
Araha Te Rahui and another	190	0.0.32
Te Waata Rauhi and another	191	0.1.2
Ieni Tapihana and another	192	0.0.32
Wi Maihi Te Rangikaheke and another	201	0.0.32
Petera Pukuatua and another	226	0.0.32
Paora Te Amohau and another	227	0.0.32
Hori Haupapa and another	228	0.0.32
Ngahuruhuru and another	229	0.0.33
Maihi Kakauparaoa and another	176	0.0.31
Temuera Te Amohau	187	0.0.32
	Total	<u>2.2.21</u>

"Promise to Arawa Chiefs by Sir George Grey in 1864 for services performed during the war".

Te Kuka Te Mea	8,9	0.1.8
Enoka Te Whanake	145	0.0.32
Hori Ngatai	146	0.0.32
Anaru Haua	188	0.0.32
Hohaia Korouateka	189	0.0.32
Mrs Dihars (née Irena Parerau Kawakawa)		
4 Lots, no. of 4th not known	75,78,79	0.2.0.

Section 2:

Hori Tupaea	7	0.1.0
Humana Te Ruataewa	1	0.1.0
Hamiora Tu	5	0.1.0
Raniera Te Hiahia	6	0.1.0
Wiremu Parera	2	0.1.0
Wiropi Hotereni Taipari	12	0.0.35
Paroto Tawhiorangi	13	0.1.0
Ruka Huritaupoki	14	0.1.0
Aperaniko and another	17	0.1.0
Hohepa Hikutaia	20	0.1.0
Ruato and another	21	0.1.0
Moananui Tanumeha	25	0.1.0
Ranapia Te Kahukoti	52	0.1.17
Parata Te Mapu 6 lots	749 to 754	1.0.32
Wikiriwhi	191	0.1.0
Humana Te Ruataewa	"at Te Pahipoto"	0.1.0

Greerton:

Pihopa Ngamanu		2.0.0
Marata and others		3.0.0
		<hr/>
	Total	15.3.1
		<hr/>

5. Lands awarded to Natives within the Te Puna and Katikati purchased block, estimated to contain 80,000 acres.

Parish of Katikati:

Names	Lot No.	Area
Te Patu and hapu	1	68
Rapata Te Arakai	Bowentown	15
Unappropriated	not defined	15

Parish of Tahawai:

Te Hira Te Tuiri	1	50
Hohepa Hikutaia	3,6	100
Enoka Te Whanake (3 lots)	4,5,?	221
Hamiora Te Iwipau	7	50
Rotoehu and others	9	500
Paratene and others	undefined yet	150
Hohepa Te Kai	11	200
Moananui Maraki and others	12,13,14	550
Hamiora Tu	15	50

Parish of Te Mania:

Ngatira and another	48	120
Hamiora Tangiawa and another	41	100
Te Wi and another	42	80
Harawira Kotai	43	50
Wi Heti and others	44	100
Te Puru	45	100
Te Kuka and hapu	33,35,46,47	500
Te Moananui Maraki	49	100
Ngapuru and others	37,38	350
Ruka Tamakohe	36	80
Merania (4 lots)	19,20,23,?	275
Wiremu Parera and others	24,25,26,39	514
Titipa and others	27	100
Hohepa Tangatahou	28	60
Klepa Te Amohau	29	50
Hatiwira and others	32	150
Paratoenga	not yet defined	60
General Wood Reserve for Natives	50	100

Parish of Te Apata:

Mere Tu	205	100
Hamiora tu	208	100
Pererika and others	211	200
Mere Taka	206	103
Hori Tupaea	209	100
Raniera Te Hiahia	207	207 [200]
Merita	10	200
Hone Mutu and others	212	200
Ngeri Ngarai	213	18

Parish of Te Puna:

Raihi, Hakiriwhi and tribe [Ngati Haua]	49,50,56	240
Tekiteki and another	186	28
Te Makaka, Te Puru and others	52,53,187,188	400
Te Puru and others	51	25
Ngatitokotoko	Unappropriated	130

Total 6909 acres

The following schedule is undated but accompanies papers in DOSLI files dated 1871.

Status of Lands Awarded on Confiscated Block.

Parish of Te Papa:

Name	Lot No.	Area in Acres	Remarks
Riripeti Piahana and others	116	85	
Anaru Haua	117	80	50 acres sold to European
Wiremu Parera		10	Leased to European
Mere Hohepa (Patene)		10	Sold
Hohepa Hikutaia		10	Sold
Hamiora Tu and another	26	100	Sold
" " " "		77	Sold
Faulkner's half caste children	4	88	
Tomika Te Mutu	109	100	Sold
Turere and Te Patu	102	100	Leased
Hamiora Tu and hapu	20	196	Sold
Te Kuka	92	100	Sold
Wiremu Paraone	115	100	Leased
Hori Ngatai and hapu	21) 107) 108)	84.3.21	Leased
Enoka Te Whanake	110	81	Leased
Hori Tupaea and others	103	110	Leased
Pauro Ngati and another	95	130	
Pene Taka and hapu	91	120	
Hamiora Tu and Ngamanu	100	50	Sold

Lands "not yet defined":

Hamiora tu and hapu	1000	"Forest land"
Ngaiteahi hapu	320	

APPENDIX 8

The Lands Returned: Brabant's Report 1886 (AJHR G10, 1886)

1886.

NEW ZEALAND.

LANDS RETURNED TO NGAITERANGI TRIBE UNDER
TAURANGA DISTRICT LAND ACTS

(REPORT ON), BY MR. COMMISSIONER BRABANT.

Presented to both Houses of the General Assembly by Command of His Excellency.

H. W. BRABANT, Esq., Tauranga, to the UNDER-SECRETARY, Native Department.

SIR,—

Tauranga, Bay of Plenty, 4th May, 1886.

I have the honour to report, for the information of the Hon. the Native Minister, that I have now completed the work of settling the titles to the lands returned to the Ngaiterangi Tribe under the Tauranga District Lands Acts, 1867 and 1868. The blocks which have been dealt with by me and by previous Commissioners are 210 in number, having a gross area of 136,191 acres. This is exclusive of the large Katikati-Te Puna Government purchase, of the compensation awards to loyal Natives, and of the reserves made for surrendered rebels, and of the actually confiscated block.

The surveys of these lands have all been completed, and the certificates of investigation of title have been sent to your office, with the exception of three which are now being prepared.

Applications have been and are being received from Natives for the subdivision of these lands, but these will be left for the ordinary operation of the Native Land Court after the Crown titles have issued.

The titles are now being issued by the Crown Lands Department, and the certificates are from time to time referred to me for revision.

I append hereto—1. A return showing the name and area of each block dealt with, and the name of the Commissioner who investigated. 2. A return showing the names and acreages of the blocks which have been purchased by the Government. 3. A return showing the names and acreages of the blocks in course of purchase by the Government. 4. A return showing the names and acreages of the blocks which private individuals have obtained leave to purchase (not including those which are reported to have been bought without leave). 5. A return showing the names and acreages of the blocks which are known to have been leased by Europeans.

I have &c.,

HERBERT W. BRABANT,
Commissioner of Tauranga Lands.

The Under-Secretary, Native Department, Wellington.

Enclosure 1.

RETURN of LANDS which have been dealt with by the Commissioners under the Tauranga Districts Lands Acts (exclusive of the actually confiscated block, and the Katikati Te-Puna Purchase).

Name of Block.	Area.			Commissioners by whom investigated.	No. of Certificate.	Date of Certificate.
	A.	R.	P.			
Waikoura	824	0	0	H. T. Clarke	66	Not dated.
Oturoa	206	0	0	.. .. .	59	.. .. .
Paretata No. 1	1,527	0	0	.. .. .	55	.. .. .
No. 2	3	0	8	.. .. .	54	.. .. .
Omanuwhiri	1,817	0	0	.. .. .	67	.. .. .
Ohinetama	1,412	0	0	.. .. .	56	.. .. .
Wairuka	713	0	0	.. .. .	63	.. .. .
Tuingiri	397	0	0	.. .. .	58	.. .. .
Pukekahu	1,910	0	0	.. .. .	57	.. .. .
Purakau No. 1	1,170	0	0	.. .. .	64	.. .. .
No. 2	44	0	0	.. .. .	60	.. .. .
Okotaro	767	0	0	.. .. .	61	.. .. .
Panepano	143	0	0	.. .. .	62	.. .. .
Motuhou Island	249	0	0	.. .. .	65	.. .. .
Ohauiti No. 2						
Pukehouhou						
Kahotea						
To Karai						
Te Hika	6,547	0	0	.. .. .	68	.. .. .
Pukepotu						
Tongaparaoa (part)						
Kotekete						
Rautahi						
Pukemapou	79	2	8	H. T. Clarke & H. W. Brabant	180	April 19, 1884.
Ohauiti No. 1	643	0	0	.. .. .	249	Nov. 7, 1885.
Poike	431	1	16	.. .. .	172	March 5, 1884.
Opou	176	0	0	.. .. .	190	Nov. 17, 1884.
Matapihi No. 1	144	0	0	.. .. .	253	Nov. 7, 1885.
No. 2	1	2	13	.. .. .	178	Dec. 20, 1883.
Okahu	14	1	0	.. .. .	250	Nov. 7, 1885.
Puwhariki	40	2	24	.. .. .	177	Dec. 20, 1883.
Tumakinui	55	1	80	.. .. .	176	.. .. .
Oruamatua	80	0	0	.. .. .	179	.. .. .
Mangatawa	1,295	0	0	H. W. Brabant	89	Aug. 9, 1878.
Rangiwahakaoma No. 1	2	1	0	H. T. Clarke and J. A. Wilson	93	July 10, 1880.
No. 2	1	1	0	.. .. .	94	June 9, 1880.
No. 3	2	1	0	.. .. .	95	.. .. .
No. 4	2	1	0	.. .. .	96	.. .. .
No. 5	1	1	0	.. .. .	97	.. .. .
No. 6	2	1	0	.. .. .	98	.. .. .
No. 7	4	2	0	.. .. .	99	.. .. .
Otuawahia No. 1	4	8	33	.. .. .	87	June 11, 1880.
No. 2	2	1	22	.. .. .	88	.. .. .
No. 3	21	0	16	H. W. Brabant	117	May 19, 1882.
No. 4	7	0	6	H. W. Brabant & J. A. Wilson	89	June 11, 1880.
Karamaramu	300	0	0	J. A. Wilson	96	June 10, 1880.
Hikutawatawa	1,092	0	0	.. .. .	97	.. .. .
Ngapeke	1,496	0	0	.. .. .	92	June 11, 1880.
Waitaha No. 2	8,082	0	0	H. W. Brabant, H. T. Clarke, and J. A. Wilson	100	June 14, 1880.
Papomoa	12,763	0	0	Ditto	86	.. .. .
Oropi No. 1	2,550	0	0	H. W. Brabant	101	Sept. 2, 1881.
No. 2	600	0	0	.. .. .	103	Dec. 14, 1881.
Waaku No. 1	1,995	0	0	.. .. .	102	Sept. 2, 1881.
No. 2	1,056	0	0	.. .. .	104	Dec. 7, 1881.
No. 3	500	0	0	.. .. .	105	.. .. .
Paengaroa No. 2	2,890	0	0	.. .. .	138	May 5, 1883.
Taumata No. 1	3,062	0	0	.. .. .	130	April 21, 1883.
No. 2	2,279	0	0	.. .. .	131	.. .. .
To Ahiroa	496	0	0	.. .. .	132	.. .. .
Moukunui	221	0	0	.. .. .	133	.. .. .
Otauna	202	0	0	.. .. .	134	.. .. .
Weraroa No. 1	100	0	0	.. .. .	135	.. .. .
No. 2	82	0	0	.. .. .	136	.. .. .
No. 3	20	0	0	.. .. .	137	.. .. .
Houpukioe No. 1	97	2	0	.. .. .	106	Dec. 14, 1881.
No. 1A	48	2	0	.. .. .	107	.. .. .
No. 2	9	2	16	.. .. .	108	.. .. .
Oruahine	46	2	0	J. A. Wilson & H. W. Brabant	109	.. .. .
Hukitawatawa	24	2	23	.. .. .	110	.. .. .
Waikorire	71	1	0	.. .. .	111	Dec. 7, 1881.
Awaiti	30	2	0	.. .. .	113	March 17, 1882.
Motukauri	14	3	0	.. .. .	112	Dec. 7, 1881.
Tauwharawhara	2,268	0	0	H. W. Brabant	118	May 19, 1882.
Kaimai No. 1	3,233	0	0	.. .. .	146	Sept. 18, 1883.
Ongaonga No. 2	3,057	0	0	.. .. .	123	Oct. 4, 1882.
Purakautahi	463	0	0	.. .. .	122	.. .. .
Whakamarama No. 2	7,080	0	0	J. A. Wilson & H. W. Brabant	119	August 2, 1882.
Te Mara-a-Tatahou	2	0	0	H. W. Brabant	114	March 29, 1882.
Carried forward						

RETURN of LANDS which have been dealt with by the Commissioners, &c.—continued.

Name of Block.	Area.			Commissioners by whom Investigated.	No. of Certificate.	Date of Certificate.
	A.	R.	P.			
Brought forward ..						
Raka'a ..	208	0	0	J. A. Wilson & H. W. Brabant	115	May 12, 1884.
Whareroa ..	1,262	0	0		116	May 19, 1882.
Mangatotara No. 1 ..	3,580	0	0	H. W. Brabant ..	127	Nov. 21, 1882.
No. 1A ..	250	0	0		142	July 1, 1883.
No. 2 ..	2,830	0	0		128	Nov. 21, 1882.
No. 3 ..	1,000	0	0		129	
Te Mahau ..	181	2	28		156	Nov. 14, 1883.
Otcora No. 1 ..	2,441	0	0		155	
No. 2 ..	262	0	0		161	Nov. 28, 1883.
Te Iriranga No. 1 ..	685	0	0		154	Nov. 14, 1883.
No. 2 ..	330	0	0		162	Nov. 30, 1883.
No. 2A ..	5	0	0		163	
Waimanu No. 1 ..	1,274	3	0		151	Nov. 14, 1883.
No. 2 ..	800	0	0		158	Nov. 30, 1883.
Poripori No. 1 ..	3,000	0	0		150	Nov. 14, 1883.
No. 2 ..	2,700	0	0		157	Nov. 30, 1883.
Kaimai No. 2 ..	2,578	0	0		125	Nov. 2, 1882.
Kumikumi No. 1 ..	2,617	0	0		121	Oct. 4, 1882.
Tarawhai ..	5	0	0		124	Oct. 31, 1882.
Mataiwhehu ..	862	1	24	J. A. Wilson & H. W. Brabant	126	Nov. 2, 1882.
Waitaia No. 1 ..	22	0	0	H. W. Brabant ..	188	Nov. 17, 1884.
Maire No. 1 ..	179	1	0		144	July 1, 1883.
No. 2 ..	179	0	0		143	
No. 3 ..	181	0	81		145	
Te-Awa-o-Tukorako No. 1 ..	66	3	0	J. A. Wilson & H. W. Brabant	187	Sept. 24, 1884.
Kaitimako No. 1 ..	472	0	0		175	March 31, 1884.
No. 2 ..	138	0	0		191	Dec. 17, 1884.
No. 3 ..	125	0	0		192	
Otava Waitaha No. 1 ..	4,947	0	0		140	July 25, 1883.
Kumikumi No. 2 ..	623	0	0	H. W. Brabant ..	189	May 25, 1883.
Ongaonga No. 1 ..	1,333	0	0		141	July 1, 1883.
Kaimai No. 1A ..	1,033	0	0		147	Sept. 18, 1883.
No. 1B ..	184	0	0		148	
Te Awa-a-Tukorako No. 2A ..	17	0	30		149	
Waimanu No. 1A ..	100	0	0		159	Nov. 23, 1883.
No. 1B ..	300	0	0		160	
No. 1C ..	446	0	0		152	Nov. 14, 1883.
No. 2A ..	450	0	0		153	
Moturiki Island ..	6	1	20		173	March 20, 1884.
Motuotau Island ..	6	0	30		174	
Tongaparaoa No. 1 ..	85	1	9		164	Nov. 30, 1883.
No. 2 ..	87	0	83		165	
No. 3 ..	29	0	0		166	Jan. 2, 1884.
Whakamarama No. 1 ..	3,330	0	0	J. A. Wilson & H. W. Brabant	181	April 30, 1884.
Hairini No. 2A ..	3	0	30	H. W. Brabant ..	167	Nov. 23, 1883.
No. 2B ..	4	0	81		168	
No. 2C ..	3	0	86		169	
No. 3 ..	40	0	0		170	
No. 4 ..	11	0	6		171	Nov. 30, 1883.
No. 1 ..	48	0	10		182	May 10, 1884.
No. 1A ..	56	2	10		183	
No. 1B ..	9	0	17		184	
No. 5 ..	40	0	0		185	
Te Karewe (Island) ..	8	3	12		186	July 11, 1884.
Tuhua or Mayor Island ..	3,154	0	0		189	Nov. 17, 1884.
Omanu ..	402	8	0		198	March 13, 1885.
Horopia ..	222	2	0		194	
Wharawhara No. 1 ..	393	0	0		195	
No. 2 ..	26	0	0		196	
No. 3 ..	23	1	30		197	
Ohuki No. 1 ..	148	1	8		198	
No. 2 ..	75	2	24		199	
No. 3 ..	4	0	0		200	
Mimihaniui ..	8	8	0		201	
Otumoko ..	20	1	16		202	
Mahiwahine ..	14	1	0		203	
Maungatapu No. 1 ..	319	1	17	W. G. Mair & H. W. Brabant	204	Sept. 24, 1885.
No. 2 ..	8	0	10	H. W. Brabant ..	205	March 19, 1885.
Motungaio ..	234	0	0		220	May 9, 1885.
Motu-o-Tangaroa ..	4	2	36		227	May 8, 1885.
Pacora No. 1 ..	394	0	0		248	Sept. 24, 1885.
No. 2 ..	7	0	0		245	May 18, 1885.
Mangakoheri ..	21	1	23		228	May 9, 1885.
Aonganui ..	8	2	30		229	May 8, 1885.
Tangoio ..	3	1	24		230	
Iwituaroa No. 1 ..	84	0	0		231	May 9, 1885.
No. 2 ..	0	3	24		244	May 8, 1885.
Orau ..	6	0	8		232	May 9, 1885.
Oponui No. 1 ..	39	2	0		233	May 8, 1885.
No. 2 ..	10	0	0		234	
Pikirangi ..	6	2	10		235	
Carried forward ..						

RETURN of LANDS which have been dealt with by the Commissioners, &c.—continued.

Name of Block.	Area.			Commissioners by whom investigated.	No. of Certificate.	Date of Certificate.
	A.	R.	P.			
Brought forward ..						
Patoto No. 1 ..	4	1	24	H. W. Brabant ..	236	May, 8, 1885.
No. 2 ..	3	0	0	..	237	..
No. 3 ..	3	1	8	..	238	..
Tauranga ..	63	2	0	..	239	..
Rangiwaqa No. 1 ..	196	0	0	..	246	May 18, 1885.
No. 2 ..	5	0	0	..	247	..
Ranginui ..	811	8	8	..	243	May 9, 1885.
Matakana ..	1,999	0	0	..	206	May 18, 1885.
Tirohanga ..	142	0	0	..	207	May 14, 1885.
Matatiki ..	5	0	0	..	208	..
Kokoroko ..	16	2	0	..	209	..
Kikohoko ..	4	0	0	..	210	May 18, 1885.
Pukekororo No. 1 ..	34	2	0	..	211	..
No. 2 ..	5	0	0	..	212	..
Kopuatoto ..	59	0	0	..	213	May 14, 1885.
Opuhi ..	11	2	0	..	214	..
Whakatopo No. 1 ..	60	0	0	..	215	..
No. 2 ..	20	0	0	..	216	..
Awakokopu ..	29	0	0	..	217	..
Kauaenui ..	34	1	0	..	218	..
Kutaroa ..	54	2	0	..	219	..
Tauraroa ..	5	0	0	..	220	..
Whakarau No. 1 ..	12	0	0	..	221	..
No. 2 ..	9	1	0	..	222	..
Opureroa ..	346	0	0	..	223	May 18, 1885.
Otawa No. 1 ..	5,000	0	0	J. A. Wilson & H. W. Brabant	224	July 1, 1885.
No. 2 ..	1,580	0	0	H. W. Brabant ..	225	..
Tahunamanu ..	25	1	0	..	240	May 14, 1885.
Tutaetaka ..	3	0	0	..	241	May 6, 1885.
Te Hopai ..	163	8	0	..	242	May 2, 1885.
Waipapa ..	15	2	24	..	252	Nov. 7, 1885.
Te Ra-o-Korotangi ..	5	8	87	..	254	..
Te Ngaio ..	43	0	86	..	256	..
Te Ahipouto ..	19	2	16	..	255	..
Te Onepu ..	6	0	0	H. T. Clarke & H. W. Brabant	251	Dec. 23, 1885.
Waitaia No. 2 ..	3	2	0	H. W. Brabant ..	257	..
Waihirero ..	678	0	0	..	260	..
Tutukeranga ..	99	1	22	H. T. Clarke & H. W. Brabant	258	..
Kauwanui ..	30	1	18	..	259	..
Hungahungatoroa No. 1 ..	47	2	0	H. W. Brabant ..	262	Mar. 4, 1886.
No. 2 ..	10	0	0	..	263	..
No. 3 ..	5	0	0	..	264	..
Matapihi No. 3A ..	140	3	0	H. T. Clarke, J. A. Wilson, and H. W. Brabant	265	..
No. 3B ..	5	8	24	Ditto ..	..	..
No. 3C ..	12	1	0	..	266	..
Tapuaeotu ..	51	0	0	H. T. Clarke & H. W. Brabant	267	..
Otehotu ..	14	2	0	H. W. Brabant ..	261	..
Te Umuhapuku No. 1 ..	593	0	0	..	..	..
No. 2 ..	48	1	0	..	..	..
Whakamarama No. 2A ..	735	0	0	..	..	..
Te Awa-o-Tukorako No. 2 ..	17	0	80	..	208	Jan. 22, 1886.
Total ..	196,191	0	89			

Enclosure 2.

GOVERNMENT PURCHASES.

RETURN of LANDS in the Tauranga District the Purchase of which has been completed, exclusive of the Katikati-Te Puna Purchase.

Name of Block.	Area.	Name of Block.	Area.	Name of Block.	Area.
Otawa Waitaha No. 1	A. 4,561 R. 0 P. 0	Rangiwhakaoma No. 4	A. 2 R. 1 P. 0	Houpuikiore No. 1	A. 97 R. 2 P. 0
Oruahina	46 2 0	No. 5	1 1 0	No. 2	9 2 16
Rangiwhakaoma No. 1	2 1 0	No. 6	2 1 0	Te Maire No. 2	179 0 0
No. 2	1 1 0	No. 7	4 2 0	Awa-o-Tukorako No. 2	17 0 80
No. 3	2 1 0	Awaiti	80 2 0	Total..	4,957 1 6

Enclosure 3.

RETURN of LANDS in the Tauranga District under Purchase by Government that the Title to which is not complete.

Name of Block.	Area.	Name of Block.	Area.	Name of Block.	Area.
Waikorire	A. R. P. 71 1 0	Te Maire No. 3	A. R. P. 181 0 31	Horoipia	A. R. P. 223 2 0
Huketawatawa	24 2 23	Awa-o-Tukorako No. 2A	17 0 30	Papamoa	12,763 0 0
Motukauri	14 3 0	Moturiki	6 1 20	Wharawhara No. 1	893 0 0
Houpukiore No. 1A	48 2 0	Motuotau	6 0 30	Total.. ..	13,936 2 26
Te Maire No. 1	179 1 0	Karewa	8 3 12		

Enclosure 4.

RETURN of LANDS in the Tauranga District which have been allowed to be purchased by Private Individuals.

Name of Block.	Area.	Name of Block.	Area.	Name of Block.	Area.
Waikoura	A. R. P. 824 0 0	Pukekahu	A. R. P. 1,810 0 0	Kaimai No. 1	A. R. P. 3,233 0 0
Paretata No. 1	1,527 0 0	Okotare	767 0 0	No. 1A	1,033 0 0
No. 2	3 0 8	Waitaha No. 2	8,082 0 0	Kumikumi No. 1	2,617 0 0
Oturoa	206 0 0	Ohauti No. 2	6,547 0 0	Ongaonga No. 2	3,057 0 0
Omanuwhiri	1,317 0 0	Oropi No. 1	2,550 0 0	Whakamarama No. 2	11,500 0 0
Ohinetama	1,412 0 0	Waoku No. 1	1,995 0 0	Total.. ..	49,243 0 8
Wairaka	713 0 0	No. 3	500 0 0		

Enclosure 5.

RETURN of LANDS in the Tauranga District, which are known to have been leased by private Individuals.

Name of Block.	Area.
Polke	A. R. P. 431 1 16
Ohauti No. 1	643 0 0
Tapuaeotu	51 0 0
Tutukiranga	99 1 22
Total	1,224 2 38

[Approximate Cost of Paper.—Preparation, nil; Printing (1,400 copies), £6 10s. 6d.]

By Authority: GEORGE DIDSBUY, Government Printer, Wellington.—1886.

APPENDIX 9

Maps showing Location of Land Grants

1. Katikati Te Puna Purchase:

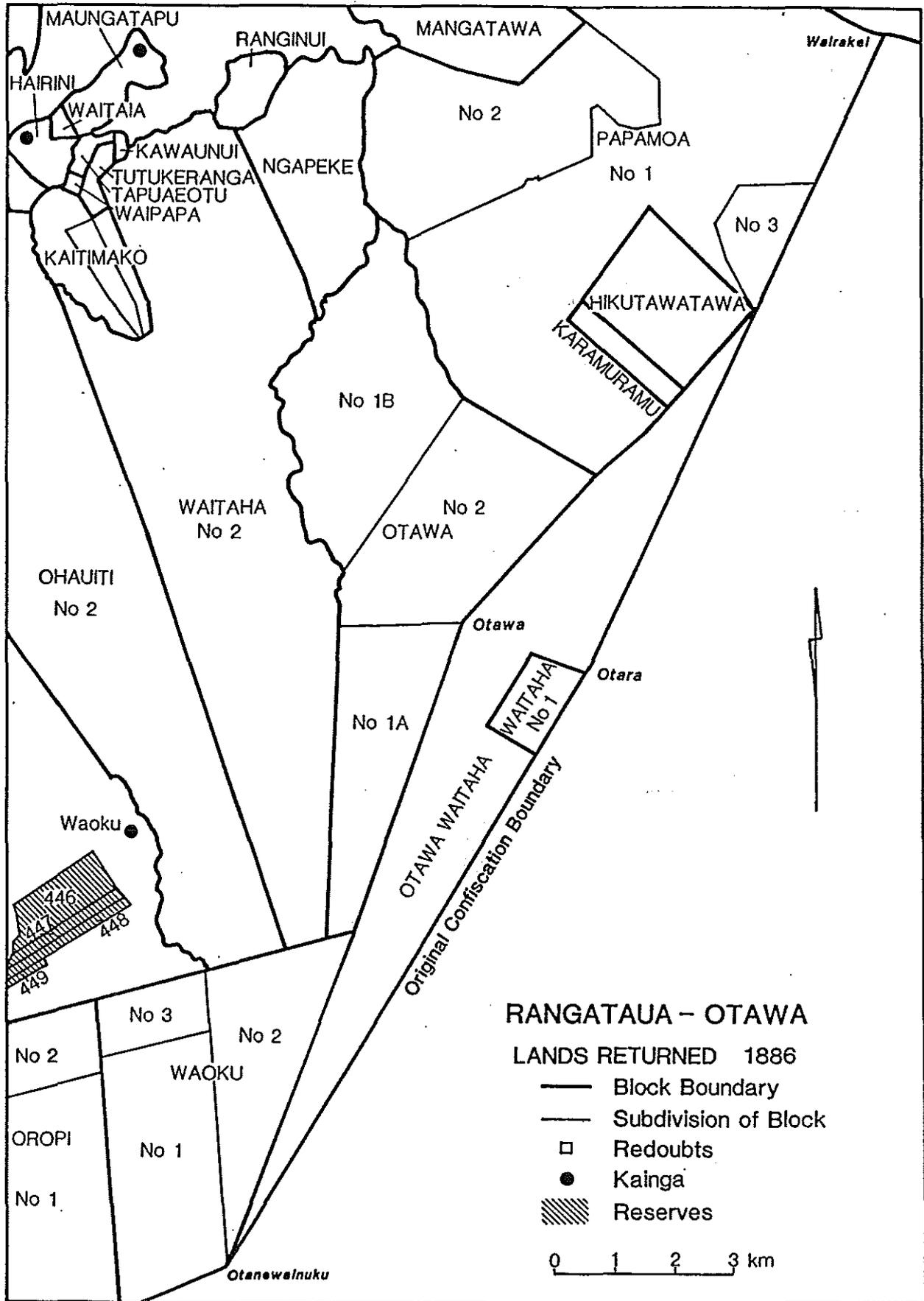
Sheet 1 Parishes of Katikati and Tahawai
Sheet 2 Parishes of Te Mania, Apata and Te Puna

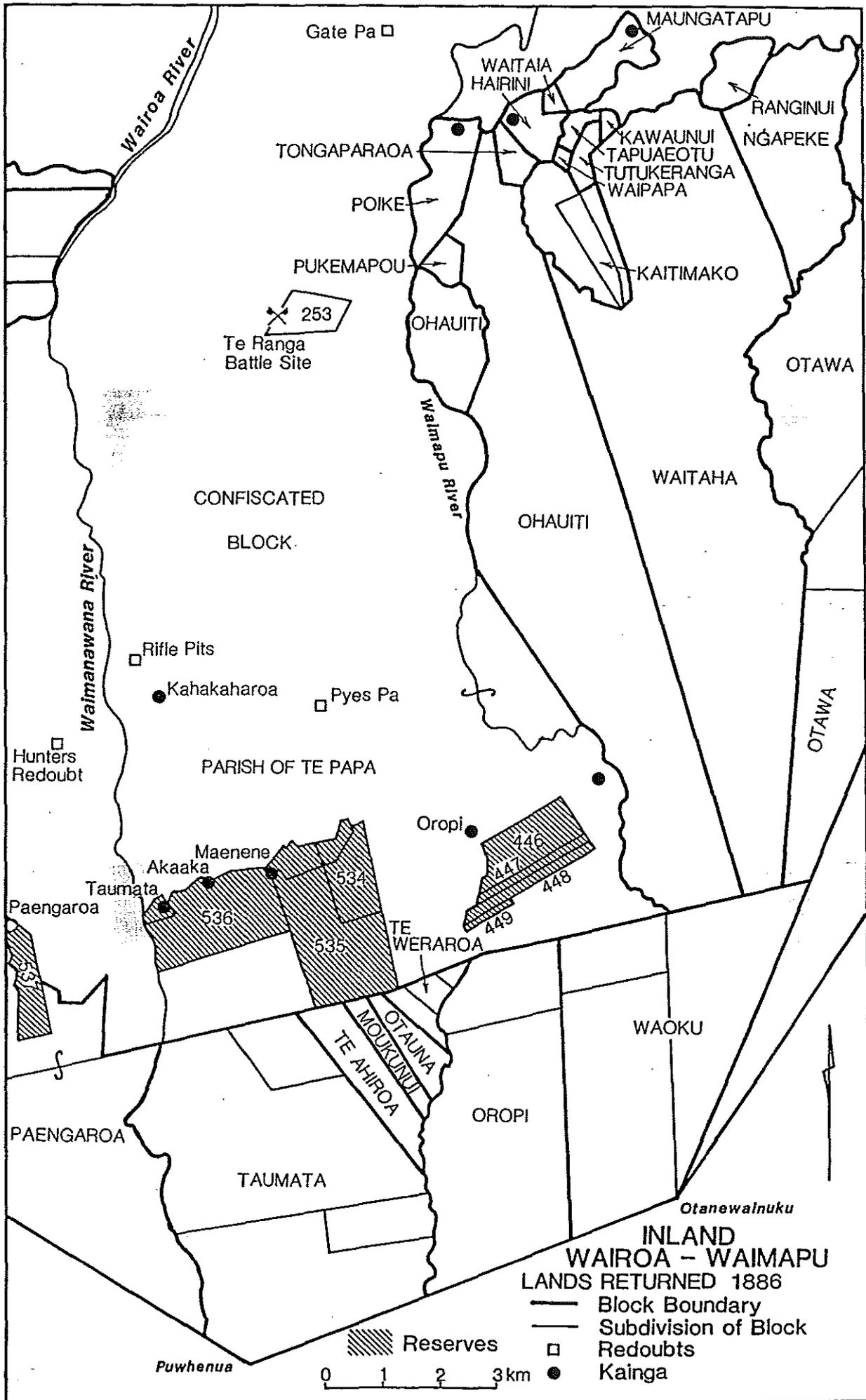
2. Confiscated Block:

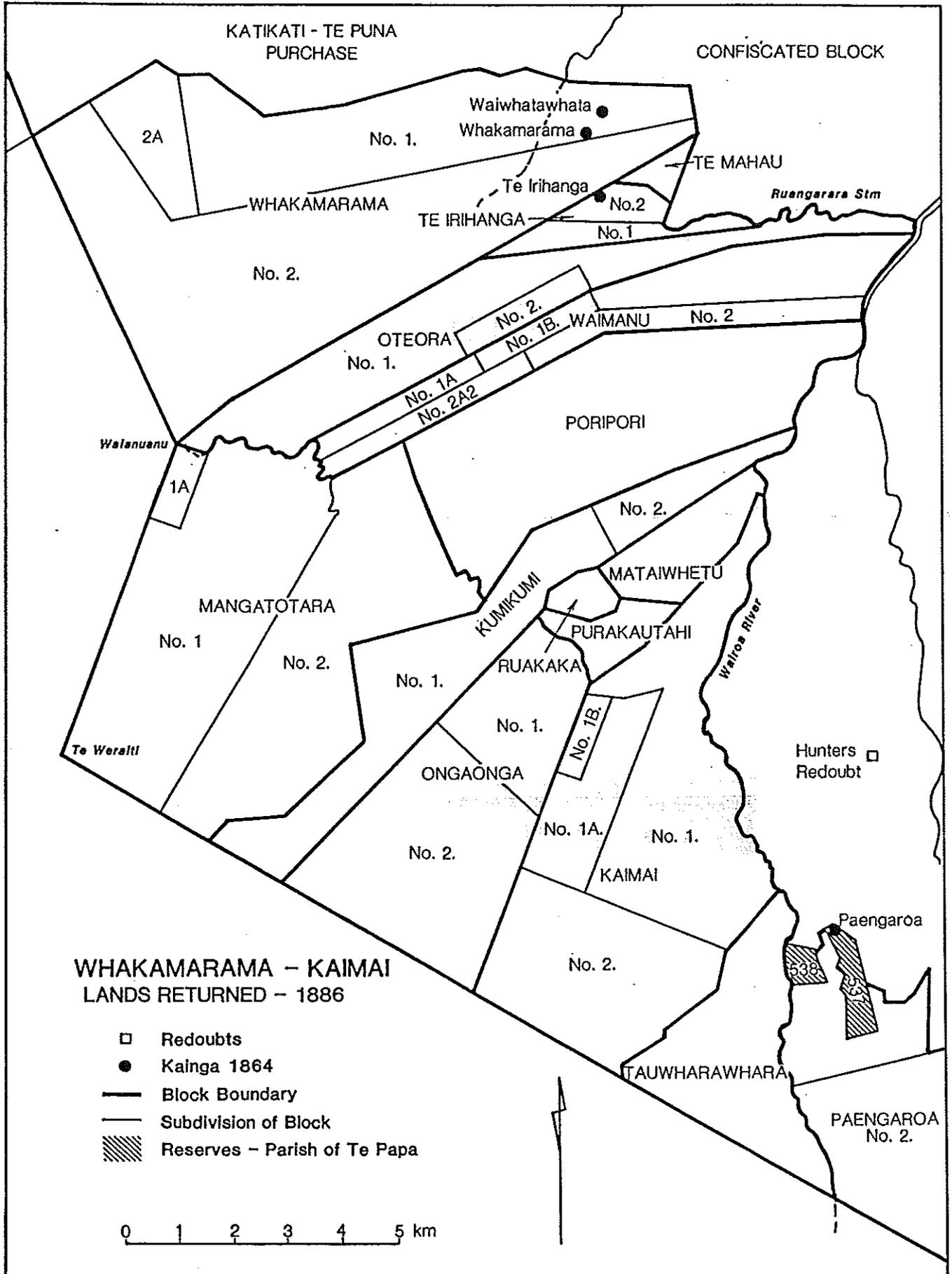
Te Puna District
Otumoetai - Bethlehem District
Town of Tauranga - Greerton District

3. Lands Returned: (Location of Blocks in Brabant's List 1886)

Matakana - Rangiwaea
Mount Maunganui
Matapihi - Papamoa
Rangataua - Ottawa
Inland Wairoa - Waimapu
Whakamarama - Kaimai





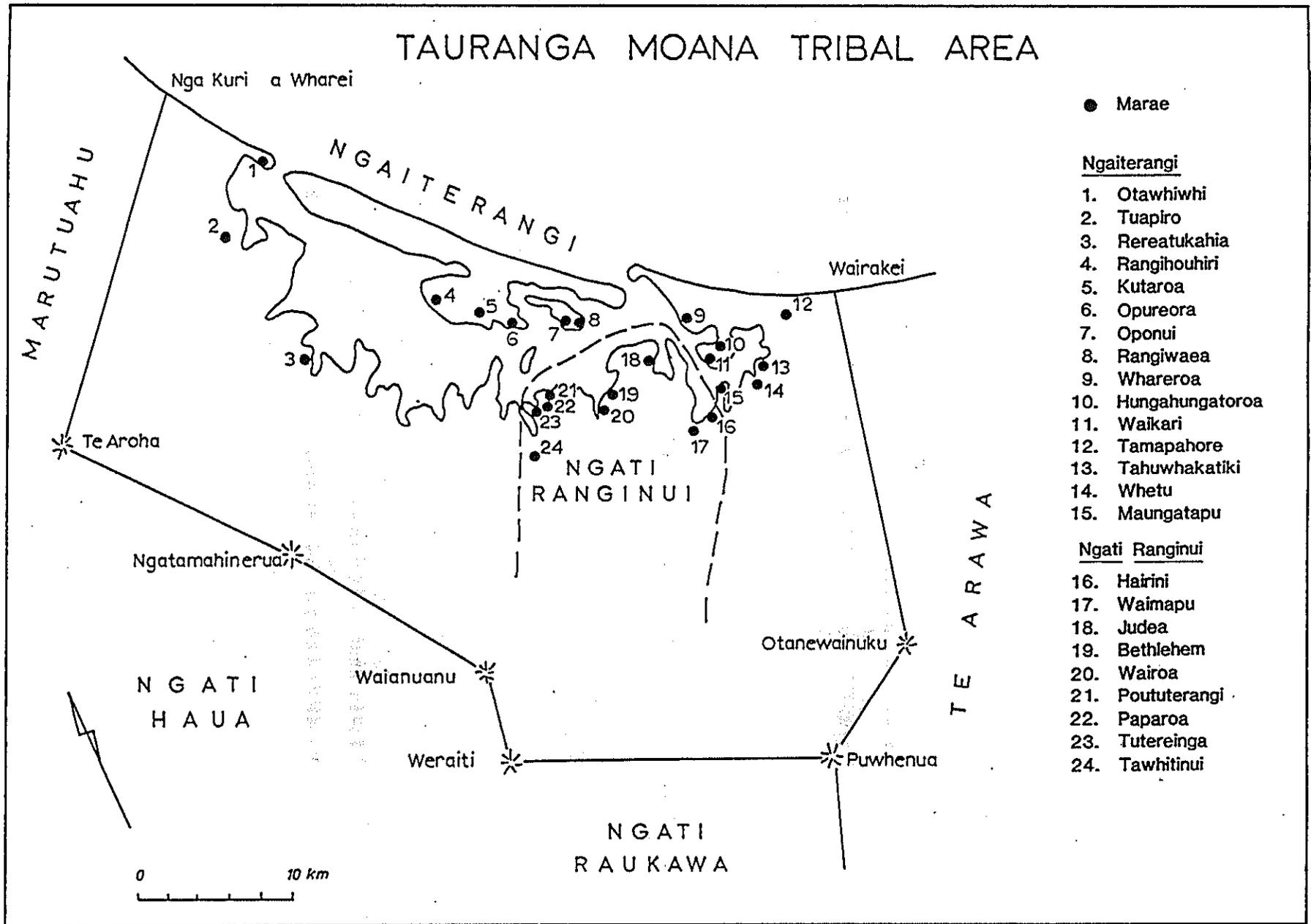


APPENDIX 10

Marae and Hapu of Tauranga Moana

<u>HAPU</u>	<u>MARAE</u>	<u>WHARENUI</u>
<u>Ngaiterangi:</u>		
Whanau a Tauwhao	Otawhiwhi Rangiwaewa	Tamaoho Te Haka
Ngaitamawhariua	Rereatukahia	Tamawhariua
Ngai Tuwhiwhia) Ngati Tauaiti)	Opureora Matakana	Tuwhiwhia Rangihouhiri
Te Ngare	Oponui	Romainohorangi
Ngaitukairangi	Whareroa Hungahungatoroa	Raurukitahi Taapuiti
Ngati Tapu	Waikari	Tapukino
Ngapotiki	Tamapahore Tahuwhakatiki	Tamapahore Romainohorangi
Ngati Pukenga	Whetu	Whetu
Ngati He	Maungatapu	Wairakewa
<u>Ngati Ranginui:</u>		
Pirirakau	Tawhitinui Tutereinga Paparoa Poututerangi	Tawhitinui Tutereinga Werahiko Takurua
Ngati Kahu	Wairoa	Kahutapu
Ngati Hangarau	Bethlehem	Hangarau
Ngaitamarawaho	Huria	Tamatea-pokaiwhenua
Ngati Ruahine	Waimapu	Ture Tawhito
Ngai Te Ahi	Hairini	Ranginui

TAURANGA MOANA TRIBAL AREA



● Marae

Ngaiterangi

1. Otawhiwhi
2. Tuapiro
3. Rereatukahia
4. Rangihouhiri
5. Kutaroa
6. Opureora
7. Oponui
8. Rangiwaea
9. Whareroa
10. Hungahungatoroa
11. Waikari
12. Tamapahore
13. Tahuwhakatiki
14. Whetu
15. Maungatapu

Ngati Ranginui

16. Hairini
17. Waimapu
18. Judea
19. Bethlehem
20. Wairoa
21. Poututerangi
22. Paparoa
23. Tutereinga
24. Tawhitinui

Appendix 11: Hori Ngatai's Account of the Battle at Gate Pa

Note: The original Maori version of this account was not recorded. What follows is Gilbert Mair's "translation" of Hori Ngatai's reminiscences in 1903. The circumstances were explained in the introduction by James Cowan: "This is Hori Ngatai's story as told in Wellington, in answer to questions put by Captain Mair, of the Native Department, and translated by him to the short hand reporter" The account was first published in a "Special Issue" of The Bay of Plenty Times, 14 June 1924, to commemorate the opening of the East Coast Main Trunk Railway. It subsequently appeared in The Story of Gate Pa by Captain Gilbert Mair, published by the Bay of Plenty Times at Tauranga in 1926, and a further edition in 1937. In his foreword to the 1926 edition, the editor quoted a letter written to him by Mair in response to a request for material for the Special Issue:

Next comes 'The Battle of Gate Pa - How the Ngatirangi repulsed the Pakeha. A Maori Survivor's Story,' with a preface written at my request by Mr James Cowan. After a life long experience in such matters I declare the Maori-told story as the finest thing of its kind ever produced. It was related by my dear old Maori friend Hori Ngatai, or Taiaho, to a number of distinguished officials, including several members of Parliament, at Wellington in 1903.

Sir James Carroll (the Native Minister), A.T. Ngata, L.L.B., M.P., and other Maori experts declared the narrative to be absolutely correct, and in accordance with historic facts. Each sentence as uttered was translated by me, typed by the Hansard reporter, and placed on record. I kept a copy of the same from which this is written ...

I have always been struck with Taiaho's comprehensive, modest and truthful account. I believe it will be a great feature in your publication.

The following is extracted from the 1937 edition of Mair's Story of Gate Pa, pp 22-28. It is best described as a "loose translation" or a version of reminiscences written for public consumption in the mid 1920s, rather than a contemporary account of battle. In spite of Mair's somewhat romanticised (and perhaps patronising) embellishments, the account is significant in providing a Maori version of the military engagement at Gate Pa in April 1864:

THE WARRIOR SPEAKS

"I was a young man of about twenty-five when we fought the Pakeha at the Gate Pa. I had already seen some service with my tupara (d.b. fowling piece). When the war began I and some of my people went to assist our kinsmen and joined the Kingites at Meremere in the Waikato River. There we exchanged shots with the British gunboats on the river, and were under rifle and shell fire. My second engagement was at Otaku. The Gate Pa was my third fight, and then came our repulse at Te Ranga, where over one hundred and fifty of our people were slain by the Imperial and Colonial soldiers, who stormed our unfinished position at the point of the bayonet. That was a black day for Ngaiterangi, but I will tell of that another time. I will speak of the Gate Pa engagement.

In the New Year many of our people had gone to assist the Waikato natives. We were waiting to be attacked by the Imperial Troops at Te Tiki-o-te Ihinga-Rangi, between Cambridge and Maungatautari, when news came that soldiers had been landed at Te Papa, Tauranga, so we hurried back across country to defend our own homes.

On arrival in our homeland we decided to fortify our pas and fight to the last against the pakeha. The majority of Ngaiterangi selected a strong old pa at Waoku at upper Waimapu, which we strengthened and there waited to be attacked. Other sections took up positions at Kaimai, Poripori, and Wairoa, etc., on the main roads leading from Tauranga to Waikato. My own people occupied Te Wairoa. There we were joined by two noted fighting men of the Whakatohea (Opotiki) tribe, named Tamaki and Te Poihipi. Meetings were held and a plan of action agreed upon.

The Maori's Challenge

We drew up a challenge in the form of a letter to the British General inviting him to meet us and fight it out. This letter was sent by a herald to the pakeha camp at Te Papa, and we waited a reply. All was excitement. The clansmen were busy preparing for

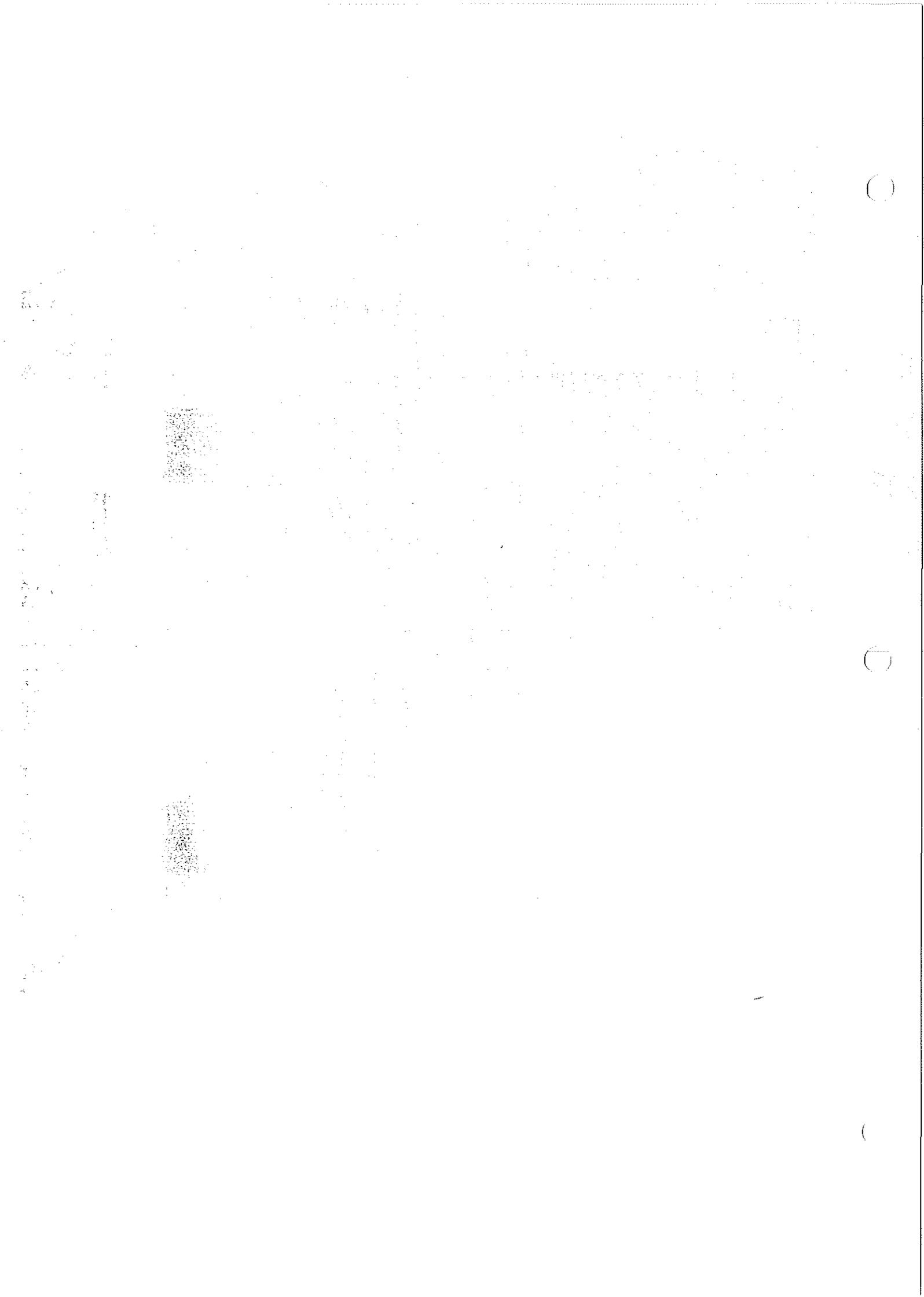
the fray, making cartridges, sharpening tomahawks, cleaning guns, getting food supplies and so forth. Martial councils were held and great war dances took place daily to put our young men in form and to arouse their warlike spirits. Our leaders drew up a code of regulations for the conduct of the fighting. It was resolved that barbarous customs should not be practised by us, that the wounded should be spared, and the dead should not be mutilated. We resolved, too, that we should not harm non-combatants or unarmed persons. In short to fight fairly and squarely on the same lines as the pakeha. These regulations were put in by Rawiri Puhirake. This document was lost by us at Te Ranga and found by the Europeans in the trenches there, and is, I believe, still in existence.

For some time we waited for a reply to our challenges, but none came. We considered it very discourteous of the English that they did not even acknowledge that letter. We could not understand them making no move of any sort. We became impatient and it was decided to attack the soldiers' camp at Te Papa. Our party started out one night and selected men from the other detachments who joined up at Kopurererua. Just as they were starting a gun accidentally exploded, wounding one of our men and giving the alarm, so we abandoned the attack and returned to our quarters.

The Building of the Fort

Some days went by and at last we resolved to occupy and fortify a position on the ridge known as Pukehinahina, about three miles from the town of Tauranga. This place was called the Gate Pa, by the Europeans, because a ditch and bank had been made across the narrow ridge connecting the two arms of Tauranga harbour, Waikareao and Waimapu. In the evening we set out for this place, every person carrying bundles of flax, small manuku, and tupakihī poles and sticks for building our redoubt—you know how scarce timber is at Tauranga.

We crossed high up the Kopurererua and met the Hairini and Waoku detachments in rear of Pukehinahina. We reached the position about midnight, and started at once to build two pas. We trenched out one (the smaller of the two), on the western side of the ridge. This was built by the Pirirakau (bush denizens) and Ngaitamawhariua hapus of Ngaiterangi and the Koheriki people. Heta and from thirty to thirty-five men garrisoned it. The large pa on the eastern side of the ridge was garrisoned by about two hundred men of the Ngaiterangi. Our women were with us, working as hard as the men, carrying back loads of material for the defences and food for the warriors. We sent them away to safety before the fighting began. We were very short of wood for the stockade, so



next night a number of us went down toward the township quite close to the soldiers' quarters and pulled down Mr Clarke's fence and collected all the timber we could, also demolishing a stockyard and hauling the rails back to our position. They came in handy for the pa. With the material so obtained we built a light low fence enclosing the two redoubts. Besides the fences there were parapets, ditches and rifle pits, and within the redoubt shelters were dug for the protection of the garrison. Men went to Pukereia to collect timber to roof over our rifle pits and covered ways. While so engaged three Europeans were seen approaching on horseback. Our men concealed themselves in the fern and the pakehas rode straight up to where they lay. I think Colonel Harington was one. They suddenly came upon the Maoris, but were not molested, and seemed very glad to escape, going back faster than they came. Then we knew why the pakeha chief had not sent a reply to our challenge. It was because the Europeans were waiting for reinforcements from Auckland, and now they had come; so we girded up ourselves for the fight, and our leaders spoke words of valiant encouragement, bidding us be strong and fearless and strike hard for our homes, though all the might of Ingarangi (England) assailed us.

Men and Guns Landed

The tall masted ships landed their men, stores and big guns on the beach; this work occupied two days. One vessel landed all her coal and stores at Horoipia, below the Narrows, and thus lightened, steamed up and anchored opposite Te Papa township. The white tents of the Queen's soldiers covered the foreshore, the bugle called to us on Pukehina ridge. One morning we were all out at the back of our fortification where the food was being cooked, waiting for our breakfast. One man, Poihipi (the Wakatohea Chief) remained in the redoubt as sentry. Suddenly, as our eyes ranged over the country towards Te Papa, we saw unusual activity in the soldiers' camp.

In Battle Array

The warriors of the Queen, soldiers and sailors, were marshalled in array of battle, and then they advanced towards us. 'T'was an army that marched against our fort—a great body of infantry and a number of caanon. Anana! The hour was at hand. Te Poihipi, a cool brave man, called out to us from his post on the parapet: "Eat well, oh friends. Eat leisurely—make one more hearty meal. I will watch here and give you timely warning."

"E Tama! When we gazed on these soldiers, how could we eat? Grandly did they march; strode they towards us as one man, with

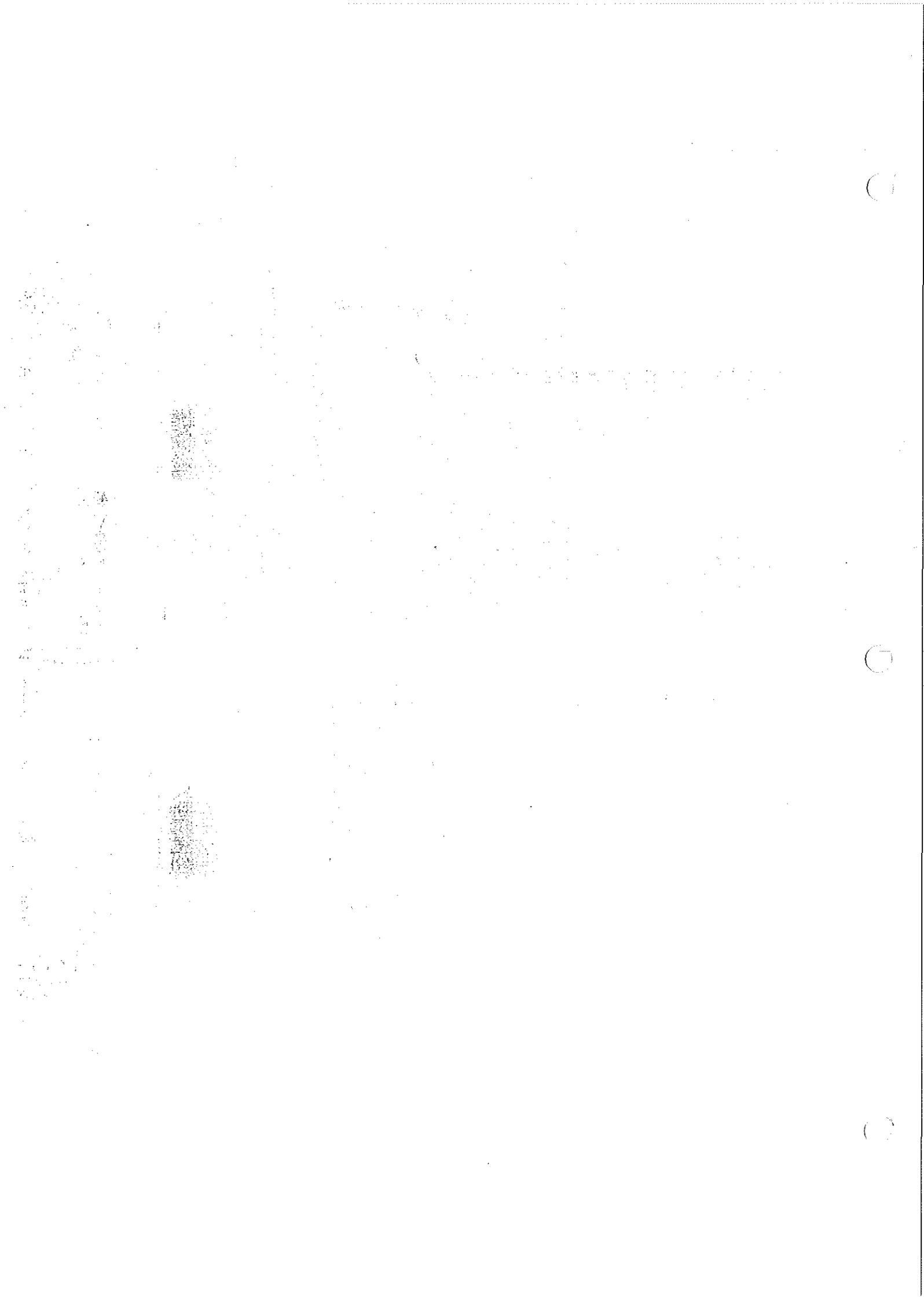
measured resounding footsteps, their bright bayonets flashing in the sun, and their great guns rumbling along—those terrible guns, which we thought would soon blow our frail defences into the air. Oh friend, when we gazed on those sons of thunder, launched forward in their might, can you wonder that the cooked potatoes seemed to have lost their sweetness and that many a one of us forgot his hunger?

The Attack

The British column came to within five or six hundred yards of our front, then most of the soldiers turned to the right on to Puke-reia Hill, where they mounted their guns and pitched tents. One of the cannon (the 110lb. Armstrong) was planted in the middle of the road, right opposite our pa. Some of the soldiers came quite close to us, walking leisurely about smoking their pipes. This was on April 28th. Soon there was a flash and a roar and a shell from the big gun flew whistling like a "Kehua" (spirit) over our heads. Several other shots followed, and some rockets were fired at us without much effect. The troops in front made a sort of sham attack, while a large force (the 68th Regiment under Colonel Greer) deployed round by Ruatuna, guided by Tupotahi and Hamiora Tu, and under the cover of darkness took up a position in our rear. So the next morning the pakehas were in front of us, on our left flank and in our rear, and then the fight began in earnest. The big guns poured shot and shell into our position and the rifle balls whistled round us.

The Fate of the Maori Chaplains

One of the most remarkable incidents of the siege was the killing of both our tohunga. We had two men of prayer in our camp. One who was a Christian minister named Ihaka (Isaac), who fortified us with the rites of the pakeha religion. The other was a heathen priest, one Te Wano, who performed the war rites of our forefathers and recited the olden time karakias (invocations) for victory in the fight. So we were making things right with both sides—the Christian God and the Atuas of the Maori. It was all tino tika (very correct). The cannonade that morning began just as we were about to eat our meal of potatoes. Our Christian tohunga Ihaka, clad in a white surplice, was standing up in a very conspicuous position invoking a blessing. Just as he uttered the words:—"May the grace of our Lord Jesus Christ and love of—" a shell from one of the big guns struck him in the waist, and bursting, scattered his



body all over the place. Aue (alas), what a sight. Panepane, one of our old men, a tattooed veteran, had leaned his gun against the earthworks while he joined in the prayers. After the burst of the shell he went to pick up his gun and found some of the dead Minister's intestines were wrapped round and round the barrels, and a grim joke even at the cannon's mouth did the old warrior utter:—"He hinu ano kai roto i te purepo a te pakeha," ("See, the white man even load and fire delicacies at us through their big guns.")

A few hours later our other tohunga was killed in a precisely similar manner. Te Wano was standing up in an elevated position exhorting us and reciting olden incantations when a cannon shot took him short and he parted from us.

Stormed at with Shot and Shell

The cannonade became heavier. An awful fire was concentrated on our redoubt. Eighteen big guns (so we learned afterwards) were hurling their projectiles at us and shells were bursting all round. Our fences and frail parapets crumbled away under the heavy artillery fire, and splinters and earth were continually flying through the air. We were every now and then smothered with the dirt thrown up by the exploding shells, and this the rain, which had set in, soon converted into mud. To add to our suffering, the troops who had crossed an arm of the Kopurererua swamp had, by dint of laying down planks and fascines, managed to get a big gun across, which they placed on a hill to our left and it completely raked our position. The troops in our rear (the 68th) began to close in on us. The chief, Te Hawa, stood up on the ruined parapet shouting defiance at them and calling on us to meet their attack with courage.

Our position now seemed desperate. All our defences above ground had been demolished and levelled flat, while as we took shelter in our trenches, we were all more or less covered with mud and drenched with the rain. Our leaders, Rawiri, Tuaiia, Hakaraina, Mahika, Timoti and Poihipi showed valiant front, directing our affairs with cool courage. They ordered us not to utter a word or fire a shot till the proper time came for the order.

A party of our people tried to break away through the troops in the rear. They were met by the 68th and fired on heavily. The chiefs, Te Kani and Keni and a number of men were killed, and several badly wounded, including Te Ipu and Wiari. Te Ninini and Pomare got through and escaped to Wairoa. All the others who could, hastily rejoined their comrades in the pa who were now resisting the storming party.

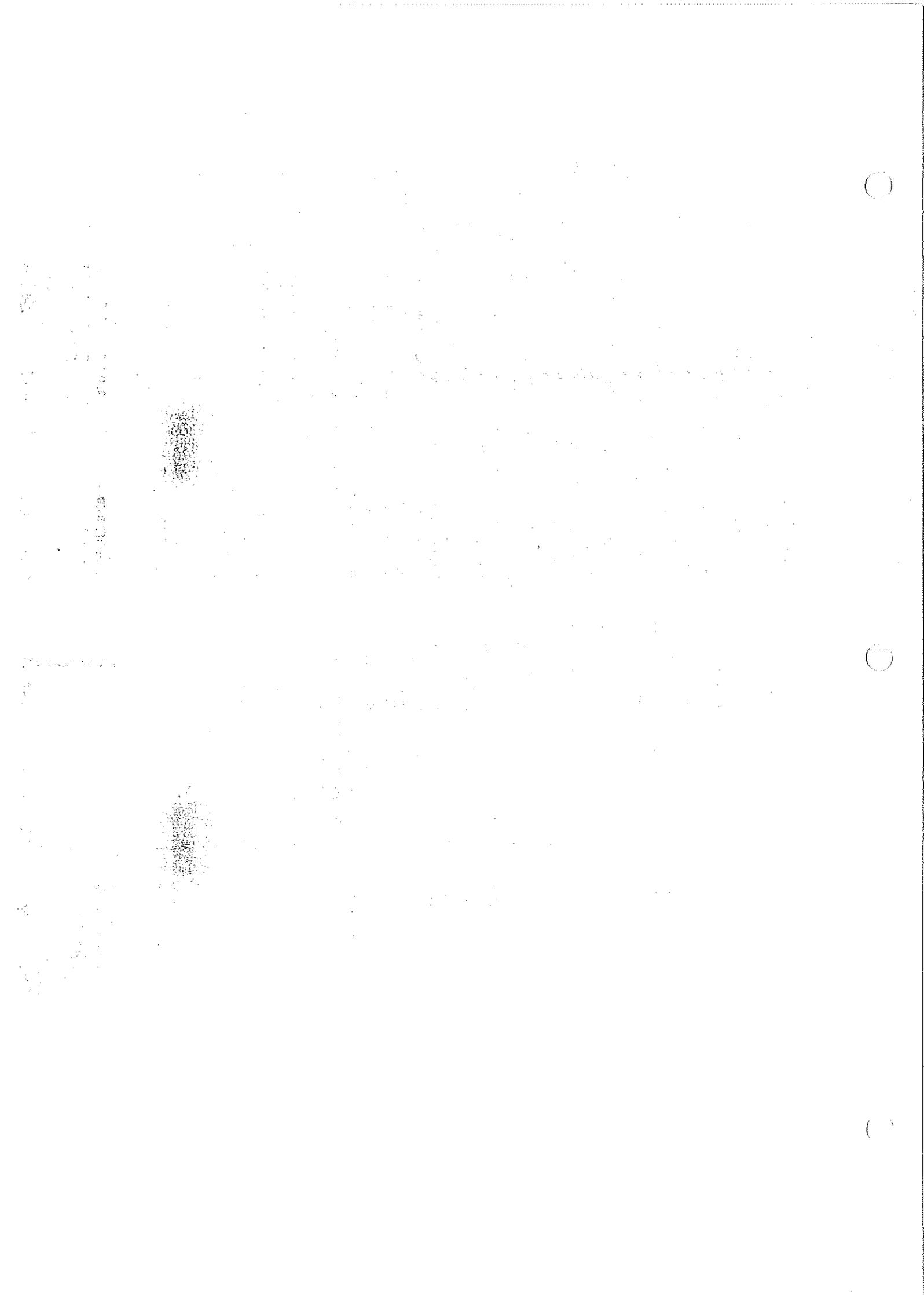
The British Repulsed

The British assault on the Pa was delivered about four o'clock in the afternoon. The storming party, soldiers and sailors of the Naval Brigade and 43rd Regiment (in all about 300 men) rushed gallantly to the attack. Then we loosed our fire on them when they got well within range—still they charged on, with bayonets fixed and swords waving, cheering as they came. Through and over the breach walls they rushed; they entered the ruins of the larger pa; most of it was in their possession. But all at once the tide of war was changed. Up leaped our men from the rifle pits as if vomitted from the bowels of the earth, and together with those who had been forced back by the 68th Regiment in the rear, began a deadly hand to hand fight with the storming party. The defenders of the smaller pa held their position and raked the attackers with a heavy fire. Men fell thick and fast. Tomahawk clashed on cutlass and bayonet—tupara (double and single barrel fowling pieces) met rifle and pistol. Skulls were cloven—Maoris were bayoneted—Ngaiterangi patiti (hatchets) bit deep into white heads and shoulders. The place was soon full of dying and dead men, pakeha and Maori. We in the eastern position of the large pa stood firm. It was terrible work, but soon over. The pakehas were driven clean out of the pa; as they ran our men falling upon them. They fell back on their main body below our works, leaving many of their dead and wounded strewn on the battle ground.

The Maoris, though victorious, had suffered severely. My parent, Rawiri, fell with seven gunshot wounds. The troops suffered most from getting into a cross fire between the two pas, but particularly from the smaller one. The soldiers and sailors were all mixed up together and were equally brave.

A Maori Toa

I was amused at the coolness of one of our warriors in the thickest of the fight. He was a deeply tattooed old man of the past generation of toas (braves). He had six or seven bullets in his body, and being shot through both thighs was quite helpless. He was leaning against the remains of the parapet, had taken out his pipe and was wanting to have a consoling smoke, but could not find a light. So he kept calling out "Give me a light." ("Honui te mati no toku paipa.") He was not, as you may imagine, attended to, for everyone was fighting for dear life. Still his voice could be heard now and then above the tumult, especially when his excitement would over-master him and he would cry "Fight on, fight on, my hearties, give it to them." With one breath he would ask for a light, and then with the next he would urge on the battling tribesmen. Such queer things are but the ways of war.



Maori Chivalry

We adhered strictly to the terms of the battle-covenant, and harmed not the wounded nor interfered with the bodies of the dead. The British Colonel (Booth) fell mortally wounded, just inside the gateway, and there he lay all night. In the hours of darkness his voice could be heard calling for water. One of our people went and got some and ministered to his wants. It has been said that Te Ipu gave the dying soldier water, but he was badly wounded (foot smashed) and quite incapacitated. One of the Maoris took Colonel Booth's sword. Another wounded officer left behind after his men had retreated dropped his sword a little distance away. A Maori picked it up and went to restore it to the officer. The pakeha squared himself up as well as he could to meet his death-blow, but to his surprise the Maori turned the hilt toward him (the officer) and returned his weapon.

Ah! Those were glorious days. Every fighter was a rangatira, and one was proud to meet each other in battle. Whatever the reverses were to either side no bitter feelings were engendered to form any permanent hatred. We were all friends immediately there was no fighting.

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The Maori Retreat

In the night we collected arms, accoutrements and ammunition from the British dead. Then recognising that our defences no longer existed we abandoned the ruined pa under cover of darkness, retiring in good order and spirits. We crept quietly through the lines of the 68th at the rear. The soldiers kept firing on us, but none of us were killed, only a few wounded. I believe that some of the soldiers were accidentally killed by their own comrades. We retired to the Waoku pa and then dispersed to our various stations along the edge of the forest.

My younger relative Rerekaipuke took away a spy glass belonging to Captain Hamilton (mortally wounded in the fight), but on being himself wounded afterwards by the 68th he threw it away. Our firearms were only light double-barrelled and single-barrelled fowling pieces, and some flint muskets, and most of our powder was wet with rain or expended during the fight.

Our loss in the fight was about 25 men killed, including the following:—Petarika-Te-Reweti Manatini (taken next day to Te Papa, where he died), Eru Puhirake, Te Kani, Reka Tamatea, Ihaka, Te Wano, Te Rauhuhu, Tikuhu, Te Rangitau, Te Keni Te Wharepouri and Parawai. We Hieti was both bayoneted and shot but got away, also Hone Taharangi and Te Moananui, the latter with gunshot wounds. Our leader, Rawiri, was killed at Te Ranga a few weeks afterwards. This is all.





11

NEW ZEALAND.

ANNO VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. 8.

ANALYSIS:

Title.	11. Extent of jurisdiction.
Preamble.	12. Power of Judges to compel attendance of witnesses, &c.
1. Short Title.	13. Colonial Secretary to transmit claims and Judges to hear them.
2. Governor in Council may proclaim Districts.	14. Certificates to be granted.
3. Governor in Council may set apart sites for settlement.	15. Grantees of certificate entitled to amount from Colonial Treasury.
4. Governor in Council may take land for such settlements.	16. Towns &c. to be laid out on land subject to this Act for Military Settlers.
5. Compensation to be granted. Who not entitled thereto.	17. Governor in Council may cause remaining land to be laid out in Towns &c.
6. Persons not submitting deprived of Compensation.	18. And to be disposed of according to regulations to be made by the Governor in Council.
7. Compensation to be granted according to the nature of the Title of the party claiming.	19. Disposal of proceeds of sale.
8. Compensation Courts to be established.	20. Act may apply to land obtained by purchase &c.
9. The Governor in Council to appoint Judges.	
10. Judges to take oath.	

AN ACT to enable the Governor to establish Settlements for Colonization in the Northern Island of New Zealand. Title.

[3rd December 1863.]

WHEREAS the Northern Island of the Colony of New Zealand has from time to time been subject to insurrections amongst the evil disposed persons of the Native race to the great injury alarm and intimidation of Her Majesty's peaceable subjects of both races and involving great losses of life and expenditure of money in their suppression And Whereas many outrages upon lives and property have recently been committed and such outrages are still threatened and of almost daily occurrence And Whereas a large number of the Inhabitants of several districts of the Colony have entered into combinations and taken up arms with the object of attempting the extermination or expulsion of the European settlers and are now engaged in open rebellion against Her Majesty's authority And Whereas it is necessary that some adequate provision should be made for the permanent protection and security of the well disposed Inhabitants of both races for the prevention of future insurrection or rebellion and for the establishment and maintenance of Her Majesty's authority and of Law and Order throughout the Colony Preamble. And

New Zealand Settlements.

Whereas the best and most effectual means of attaining those ends would be by the introduction of a sufficient number of settlers able to protect themselves and to preserve the peace of the Country:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows:—

Short Title.

I. The short Title of this Act shall be "The New Zealand Settlements Act 1863."

Governor in Council may proclaim Districts.

II. Whenever the Governor in Council shall be satisfied that any Native Tribe or Section of a Tribe or any considerable number thereof has since the first day of January 1863 been engaged in rebellion against Her Majesty's authority it shall be lawful for the Governor in Council to declare that the District within which any land being the property or in the possession of such Tribe or Section or considerable number thereof shall be situate shall be a District within the provisions of this Act and the boundaries of such District in like manner to define and vary as he shall think fit.

Governor in Council may set apart Sites for Settlements.

III. It shall be lawful for the Governor in Council from time to time to set apart within any such District eligible sites for settlements for colonization and the boundaries of such settlements to define and vary.

Governor in Council may take Land for such Settlements.

IV. For the purposes of such settlements the Governor in Council may from time to time reserve or take any Land within such District and such Land shall be deemed to be Crown Land freed and discharged from all Title Interest or Claim of any person whomsoever as soon as the Governor in Council shall have declared that such Land is required for the purposes of this Act and is subject to the Provisions thereof.

Compensation to be granted.

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

Who not entitled thereto.

- (1.) Who shall since the 1st January 1863 have been engaged in levying or making war or carrying arms against Her Majesty the Queen or Her Majesty's Forces in New Zealand or—
- (2.) Who shall have aided assisted or comforted any such persons as aforesaid or—
- (3.) Who shall have counselled advised induced enticed persuaded or conspired with any other person to make or levy war against Her Majesty or to carry arms against Her Majesty's Forces in New Zealand or to join with or assist any such persons as are before mentioned in Sub-Sections (1) and (2) or—

New Zealand Settlements.

- (4.) Who in furtherance or in execution of the designs of any such persons as aforesaid shall have been either as principal or accessory concerned in any outrage against person or property or—
- (5.) Who on being required by the Governor by proclamation to that effect in the *Government Gazette* to deliver up the arms in their possession shall refuse or neglect to comply with such demand after a certain day to be specified in such proclamation.

VI. It shall be lawful for the Governor by proclamation to be published in the Maori as well as the English language to call upon any Native Tribes or individuals thereof who shall have been engaged in any of the offences specified in Section 5 of this Act to come in and submit to trial according to law on or before a certain day to be therein named and all who shall refuse or neglect to come in and submit themselves accordingly shall not be entitled to Compensation under this Act.

Persons not submitting deprived of compensation.

VII. Compensation shall be granted according to the nature of the title interest or claim of the person requiring compensation and according to the value thereof Provided always that no claim shall be entertained unless the same shall have been preferred in writing to the Colonial Secretary by the claimant if residing in the Colony within six months and if not residing in the Colony then within eighteen months after the Land in respect of which the claim is made has been proclaimed under Section 4 as required for the purposes of this Act.

Compensation to be granted according to the nature of the title of the party claiming.

VIII. For the purpose of determining claims for compensation under this Act there shall be established Courts to be called "Compensation Courts."

Compensation Courts to be established.

IX. It shall be lawful for the Governor in Council from time to time by Letters Patent under the Public Seal of the Colony to appoint Judges of such Courts and at any time by warrant to remove any such Judge.

The Governor in Council to appoint Judges.

X. Any Judge before proceeding to act shall take and subscribe before a Judge of the Supreme Court an Oath that he will faithfully perform the duties of his Office.

Judges to take Oath.

XI. Every Compensation Court shall be held before one such Judge whose jurisdiction shall extend over a district to be specified in the Letters Patent by which he is appointed.

Extent of Jurisdiction.

XII. Every Judge shall have the power as near as circumstances will permit of compelling the attendance of and examining witnesses and of regulating the proceedings of his Court as a Resident Magistrate in New Zealand has in reference to a cause of complaint over which he has summary jurisdiction and also power to make rules for the conduct of the business of his Court.

Power of Judges to compel attendance of witnesses &c.

XIII. It shall be the duty of the Colonial Secretary to transmit every claim under this Act which shall be received by him

Colonial Secretary to transmit claims and Judges to hear them.

New Zealand Settlements.

to the Judge of a Court competent to hear the same and it shall be the duty of such Judge to hear the claim and determine the right of the claimant to compensation and the amount of compensation to which he is entitled. Provided always that it shall be competent for the person making a claim to require that the amount of Compensation shall be determined by the award of two indifferent Arbitrators—one to be appointed in writing by the Claimant at the time of making his claim and the other by the Colonial Secretary or in case of their not agreeing in an award within two months from the time of the question being referred to them by the Colonial Secretary in writing then by the award of their Umpire to be chosen before they enter on the question and if no award shall have been made within three months from the time of such reference by the Colonial Secretary the amount of Compensation shall be determined by the Court.

Certificates to be granted.

XIV. The Judge shall grant to every Claimant who shall be entitled to compensation a Certificate specifying the amount thereof and describing the Land in respect of which the same is granted and the nature of the Claimant's title interest or claim therein.

Grantee of Certificate entitled to amount from Colonial Treasurer.

XV. Such Certificate shall entitle the person in whose favour the same was granted to receive from the Colonial Treasurer the amount named in such Certificate as payable to him.

Towns &c. to be laid out on land subject to this Act for military settlers.

XVI. On part of the Land subject to the provisions of this Act the Governor shall cause to be laid out a sufficient number of Towns and Farms around or as near as conveniently may be to the same to give full effect to the provisions of the several Contracts heretofore or hereafter to be entered into by or on behalf of the Government of New Zealand with certain persons for the granting of land to them respectively in return for Military Service on the terms in and subject to the Conditions of the said Contracts respectively expressed and the several persons who shall have been enrolled under the said Contracts respectively shall be entitled to such Town and Farm Sections in conformity with the Provisions of the said Contracts Provided always that it shall be lawful for the Governor with the consent in writing of any person entitled under such Contracts to vary the Conditions thereof as regards such person as the Governor in Council may think fit.

Governor in Council may cause remaining land to be laid out in towns, &c.

XVII. After setting apart sufficient Land for all the persons who shall be entitled thereto under the said Contracts it shall be lawful for the Governor in Council to cause Towns to be surveyed and laid out and also Suburban and Rural allotments.

And to be disposed of according to regulations to be made by the Governor in Council.

XVIII. All such Town Suburban and Rural Land shall be let sold occupied and disposed of for such prices in such manner and for such purposes upon such terms and subject to such Regulations as the Governor in Council shall from time to time prescribe for that purpose.

New Zealand Settlements.

XIX. Money to arise from the sale and disposal of any Land under this Act shall be disposed of as the General Assembly shall direct in or towards the repayment of the expenses of suppressing the present insurrection and the formation and colonisation of the Settlements including the payment of any Compensation which shall be payable under this Act and subject thereto to the payment of any Compensation which may be awarded by law to individuals for losses by the said rebellion Provided always that all such money shall for the purposes of "The New Zealand Loan Act 1856" be deemed and taken to be Revenue arising from the disposal of Waste Lands of the Crown in the Colony of New Zealand and shall be chargeable with the sum of money borrowed or raised under the authority of the said Act and with interest thereon.

Disposal of proceeds of sale.

XX. The several powers vested in the Governor and the Governor in Council by this Act authorizing the formation of Settlements for colonization shall so far as the same are applicable thereto apply to any land which shall be obtained by cession or purchase or shall be set apart by the Superintendent of any Province with the advice and consent of the Provincial Council thereof for the purpose of such settlements although such land shall not be situate within the limits of a District to be declared under the second section of this Act.

Act may apply to land obtained by purchase &c.

New Zealand.

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

No. 4.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Governor in Council may in certain cases award compensation or increased compensation.
3. Duration of Act.

AN ACT to Alter and Amend "The New Zealand Settlements Act 1863."

[13th December 1864.]

WHEREAS an Act was passed by the General Assembly of New Zealand called "The New Zealand Settlements Act 1863" and it is expedient to limit the duration thereof and that the same should be altered and amended as hereafter provided

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

I. The Short Title of this Act shall be "The New Zealand Settlements Amendment Act 1864."

II. In any case in which under the said Act the Compensation Court shall have refused to award compensation or shall have awarded less compensation than may have been claimed or in any other case if the Governor in Council shall be of opinion that the circumstances of the case would render it expedient that compensation or larger compensation should be awarded it shall be lawful for the Governor in Council to award and direct that compensation or increased compensation shall be paid to any person or persons who in the judgment of the Governor in Council shall be reasonably entitled thereto.

III. The said Act and this Act shall respectively continue in operation until the third day of December 1865.

New Zealand.

ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

No. 66.

ANALYSIS.

Title.	9. Parties may agree that compensation shall be in land.
Preamble.	10. The Crown may elect to give compensation in land.
1. Short Title.	11. Power of appeal.
2. Continuance of former Acts. Power of Governor to proclaim districts not to be exercised.	12. Form of order and award.
3. Power of Governor to make regulations for proceedings of Compensation Court.	13. Payment or transfer not to be required till after a lapse of three months.
4. Regulations to be published in the Government Gazette.	14. Repeal of 14th and 15th clauses of the Act 1863 Provision in lieu thereof.
5. Claims to specify particulars.	15. Payment or transfer to be made to persons specifically named.
6. The Crown may abandon land in respect of which compensation is claimed.	16. Governor to have the power of laying out land for sale.
7. Power of Compensation Court.	17. Governor may grant land subject to conditions of military and other services.
8. Bills of costs &c. to be taxed by any officer appointed by the Compensation Court.	18. Application of proceeds of sale.

AN ACT to Alter Amend and Continue Title. "The New Zealand Settlements Act 1863." [30th October 1865.]

WHEREAS by "The New Zealand Settlements Act Amendment Preamble.
Act 1864" (herein referred to as the Act of 1864) it was enacted that
"The New Zealand Settlements Act 1863" (herein referred to as the
Act of 1863) and the said Act of 1864 should respectively continue in
operation until the third day of December 1865 and it is expedient to
alter and amend the said Act of 1863 as amended by the said Act of
1864 and to prolong the continuance thereof as so amended

BE IT THEREFORE ENACTED by the General Assembly of New
Zealand in Parliament assembled and by the authority of the same as
follows—

I. The Short Title of this Act shall be "The New Zealand Settle- Short Title.
ments Amendment and Continuance Act 1865."

II. The said Act of 1863 as amended by the said Act of 1864 and Continuance of former Acts. Power of Governor to proclaim districts not to be exercised.
by this Act is hereby made perpetual Provided that the powers
vested by the said Act of 1863 in the Governor in Council of
proclaiming Districts and of reserving and taking land for settlement
under the said Act shall not be exercised after the third day of
December 1867.

III. The Governor in Council shall have power from time to time Power of Governor to make regulations for proceedings of Compensation Court.
to make regulations for the practice and procedure of the Compensation
Courts and of arbitrations umpirages and appeals under the said
Acts and under this Act and for establishing scales of fees in relation to all
such proceedings and may from time to time rescind alter and amend
such regulations.

New Zealand Settlements Amendment and Continuance.

Regulations to be published in the Government Gazette.

IV. All such regulations and all rescindings alterations and amendments thereof shall be from time to time notified in the Government Gazette of the Colony and shall take effect from the publication of such notice or at such other day as shall be therein fixed not being prior to the publication thereof.

Claims to specify particulars.

V. Every claim for compensation under the said Act of 1863 shall specify the name or names of the claimant or claimants the interest in respect whereof the claim is made and as nearly as may be the extent and particulars of land affected thereby and the amount claimed as compensation.

The Crown may abandon land in respect of which compensation is claimed.

VI. In every case of claim for compensation the Colonial Secretary on behalf of the Crown may if he shall think fit at any time before judgment or award by notice in writing to the claimant delivered to or addressed by post to him or her or delivered to his or her agent or attorney abandon the right of the Crown to take the land in respect of which compensation is claimed and after such notice of abandonment such land shall be excluded from the operation of the said Acts and of this Act Provided that if the Crown shall abandon its right after the claim shall have been referred to the Compensation Court such abandonment shall be subject to such conditions as to payment of costs as the Court shall think fit.

Power of Compensation Court.

VII. It is hereby declared and enacted that the Compensation Court has and since the passing of "The New Zealand Settlements Act 1863" always has had full power and authority to determine for the purposes of the said Act of 1863 and the said Act of 1864 and this Act whether any person or persons claiming compensation under the said Acts have committed any of the offences or have committed any of the acts specified in the five sub-sections of the fifth section of the said Act of 1863.

Bills of costs &c. to be taxed by any officer appointed by the Compensation Court.

VIII. All bills of costs and charges of attorneys solicitors agents and other persons engaged in prosecuting compensation claims whether in the Compensation Courts or by arbitration shall before payment be taxed by some officer to be appointed in that behalf by the Compensation Court and such sum only as shall be allowed on such taxation shall be paid or allowed and any money paid without or in excess of such taxation may be recovered from the person to whom the same shall have been paid.

Parties may agree that compensation shall be in kind.

IX. In any case of claim for compensation the Colonial Secretary on behalf of the Crown and the claimant may agree that land shall be given either wholly or in part by way of compensation for such claim in lieu of money and land may be so granted accordingly out of any land within the same Province subject to the provisions of the said Acts.

The Crown may elect to give compensation in land.

X. In every case of claim for compensation the Colonial Secretary may at any time before judgment or award elect to give the claimant land in lieu of money out of any land within the Province subject to the provisions of the said Acts and in every such case the Compensation Court or the arbitrators or umpire as the case may be shall determine the extent of land so to be given as compensation and land may in such case be granted accordingly.

Power of appeal.

XI. Instead of the periods of six months and eighteen months prescribed by the seventh section of the said Act of 1863 for preferring claims for compensation the period for such purpose shall be a period not less than three months nor more than six months to be prescribed by the Compensation Court in each case and the Court shall not proceed to hear or adjudicate upon claims so preferred till the expiration of the period so prescribed and due notice of such period for preferring claims shall be given by direction of the Court by advertisement in

New Zealand Settlements Amendment and Continuance.

public newspapers or otherwise by public notice in the Maori and English language. Provided that if any person shall after the expiration of such prescribed period but within the period of twelve months thereafter prefer to the Colonial Secretary a claim for compensation it shall be lawful for the Colonial Secretary if he shall think fit but not otherwise to refer such claim to the Court for adjudication and in such case the Court shall hear and determine such claim accordingly.

XII. Every order of the Compensation Court and every award shall be made in writing and shall be transmitted to the Colonial Secretary and shall be in such form and shall specify and be accompanied with such plans and particulars as shall be from time to time prescribed by regulations to be made as aforesaid.

Form of order and award.

XIII. No claimant shall be entitled to require payment or transfer of compensation whether in money or land until the expiration of three months after the judgment or award shall have been transmitted to the Colonial Secretary.

Payment or transfer not to be required till after a lapse of three months.

XIV. The 14th and 15th clauses of the Act of 1863 are hereby repealed and in lieu thereof it is hereby enacted as follows—

Repeal of fourteenth and fifteenth clauses of the Act 1863. Provision in lieu thereof.

Judgments or awards of compensation in money or land made under or in pursuance of the said Acts or of this Act may be satisfied by the Governor in the case of money by payment out of the general ordinary revenue of the Colony subject to the provisions hereinafter contained for making Treasury Bills payable as cash and in case of land by grant of such land in accordance with the provisions of this Act.

XV. Compensation in money shall be paid and in land shall be granted to some person or persons to be specifically named in the order or award and such payment or transfer shall be an effectual discharge to the Crown in respect of all claims in respect of which such compensation shall be made or granted. Provided that the Governor may direct that money or land awarded as compensation shall be invested for the benefit of the parties entitled upon such trusts and in such manner and subject to such conditions as he shall think fit.

Payment or transfer to be made to persons specifically named.

XVI. The 17th and 18th sections of the said Act of 1863 are hereby repealed and in lieu thereof it is enacted as follows—

Governor to have the power of laying out land for sale.

The order and manner in which land shall be laid out for sale and sold under the provisions of the said Act shall be in the discretion of the Governor who shall have power to cause such land or any part thereof to be laid out for sale and sold from time to time in such manner for such consideration in such allotments whether town suburban or rural or otherwise as he shall think fit and subject to such regulations as he shall with the advice of his Executive Council from time to time prescribe in that behalf. Provided that no land shall be sold except for cash nor at a less rate than ten shillings per acre.

XVII. If the Governor shall think it expedient to grant land taken under the Act of 1863 to persons subject to conditions for the performance of Military or Police services it shall be lawful for him with such advice as aforesaid to grant to any person or persons whomsoever any land out of the land taken as aforesaid accordingly and either with or without consideration in money subject to conditions for the performance of Military or Police services and the land so granted shall be held dealt with and disposed of subject to such conditions for the performance of such services as shall be so fixed by the Governor and agreed to by the grantees. And such conditions shall be binding on the grantees and all lessees sub-lessees sub-grantees and occupants of the

Governor may grant land subject to conditions of military and other services.

New Zealand Settlements Amendment and Continuance.

land granted and may be enforced according to the terms thereof and according to the provisions of this Act and shall bind and oblige the grantees lessees sub-grantees and occupants of such land to the performance of such Military or Police service for such period and in such manner as shall be specified in such conditions And the Governor may by such conditions provide that in addition to all liabilities incurred by way of contract the grantees lessees sub-lessees sub-grantees and occupants of such land shall be liable to penalties for breach or non-performance of such conditions but no penalty shall exceed one hundred pounds and all such penalties shall be recoverable in a summary way before two or more Justices of the Peace.

Application of pro-
ceeds of sale.

XVIII. The nineteenth section of the said Act of 1863 is hereby repealed and in lieu thereof it is enacted as follows—

Money to arise from the sale and disposal of land in each Province under the said Acts of 1863 and 1864 and this Act shall be paid to the Colonial Treasurer and shall be applied in such manner as the General Assembly shall from time to time by any Act passed in that behalf direct.

New Zealand.

ANNO TRICESIMO

V I C T O R I Æ R E G I N Æ .

No. 31.

ANALYSIS.

Title.	
1. Short Title.	5. Governor may make reserves.
2. Governor may authorize land to be sold under New Zealand Settlements Acts for such price or consideration as he may think fit.	6. All proceedings under New Zealand Settlements Acts to be deemed valid.
3. Colonial Secretary may before or after award elect to pay compensation in land.	7. Governor's proclamation published second day of September not to relieve persons who by terms of said Acts were excluded from compensation under Acts.
4. Colonial Secretary may grant land scrip.	8. Lands sold &c. to be under regulations issued by the Governor in Council.

AN ACT to amend "The New Zealand Settlements Amendment and Continuance Act 1865" and to confirm certain Acts done under "The New Zealand Settlements Act 1863" "The New Zealand Settlements Amendment Act 1864" and "The New Zealand Settlements Amendment and Continuance Act 1865." Title.

[8th October 1866.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

I. The Short Title of this Act shall be "The New Zealand Settlements Acts Amendment Act 1866" Short Title.

II. So much of the sixteenth section of "The New Zealand Settlements Amendment and Continuance Act 1866" as provides that the land therein referred to shall not be sold thereunder except for cash nor at a less rate than ten shillings per acre is hereby repealed. And it is hereby expressly declared and provided that the land in the said section referred to shall be sold for such consideration or at such price and whether for cash or otherwise as the Governor shall from time to time prescribe. Governor may authorize land to be sold under New Zealand Settlements Acts for such price or consideration as he may think fit.

III. It shall be lawful for the Colonial Secretary under section ten of the said "New Zealand Settlements Amendment and Continuance Act 1865" to elect either before or after judgment or award to satisfy such award wholly or in part by land in lieu of money. Colonial Secretary may before or after award elect to pay compensation in land.

IV. It shall be lawful for the Colonial Secretary to give land scrip in lieu of compensation in money for any land taken under the said "New Zealand Settlements Act 1863" and such scrip shall be available at any time to be prescribed thereon for the purchase of land. Colonial Secretary may grant land scrip.

New Zealand Settlements Acts Amendment.

taken under the said Act within the districts therein named Provided that any scrip heretofore granted by any Agent of the General Government shall be deemed to have been granted under this Act and to have been and to be valid from the issue thereof accordingly.

Governor may make reserves.

V. The Governor may reserve portions of any of the land taken under the said "New Zealand Settlements Act 1863" for the several purposes for which reserves may be made under the twelfth section of "The Waste Lands Act 1858" and may make grants thereof under "The Public Reserves Act 1854" or otherwise as the case may require.

All proceedings under New Zealand Settlements Acts to be deemed valid.

VI. All orders proclamations and regulations and all grants awards and other proceedings of the Governor or of any Court of Compensation or any Judge thereof heretofore made done or taken under authority of the said Acts or either of them are hereby declared to have been and to be absolutely valid and none of them shall be called in question by reason of any omission or defect of or in any of the forms or things provided in the said Acts or either of them.

Governor's proclamation published second day of September not to relieve persons who by terms of said Acts were excluded from compensation under Acts.

VII. None of the persons who under the provisions of the said Acts or any or either of the said Acts would have been excluded from compensation in respect of any of the lands taken under the said Acts or either of them or purporting to have been so taken shall be relieved from such exclusion by anything in the proclamation made by the Governor bearing date the second day of September one thousand eight hundred and sixty-five published in the *New Zealand Gazette* on the fifth day of September aforesaid.

Lands sold &c. to be under regulations issued by the Governor in Council.

VIII. Provided always and it is hereby enacted and declared that all lands sold or otherwise disposed of and all scrip issued under this Act shall be sold or disposed of or issued under regulations to be made by the Governor in Council which regulations shall be published in the *New Zealand Gazette*.

WELLINGTON, NEW ZEALAND:

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New Zealand.

ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

No. 44.

AN ACT to make further provision for the Administration of Lands reserved or taken under the provisions of "The New Zealand Settlements Act 1863."

Title.

[10th October 1867.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be "The Confiscated Lands Act 1867."

Short Title.

2. In any case in which under "The New Zealand Settlements Act 1863" as amended by "The New Zealand Settlements Act 1864" and "The New Zealand Settlements Amendment and Continuance Act 1865" and "The New Zealand Settlements Acts Amendment Act 1866" hereinafter referred to as the said Acts the Compensation Court shall have refused to award compensation or shall have awarded less compensation than may have been claimed or than may appear to the Governor to be just and reasonable it shall be lawful for the Governor from time to time as he shall think fit by proclamation in the *New Zealand Gazette* to reserve out of lands taken under the said Acts or any of them such lands as to him shall seem fit for the purpose of compensating such persons of the several hapu or tribes whom he shall consider to be entitled to land by way of compensation or for whom he shall consider the same necessary by way of provision and out of such lands so reserved to grant such portion or portions thereof as he shall think fit to any such person or persons aforesaid or by warrant under his hand to set apart such portion or portions as he may think fit of such lands for the benefit of any such persons as aforesaid.

Governor may make reserves in confiscated land and grant thereout lands as compensation to persons to whom Compensation Court has not awarded compensation or sufficient compensation.

3. It shall also be lawful for the Governor from time to time as he shall think fit by proclamation in the *New Zealand Gazette* to reserve out of the lands taken under the said Acts or out of lands which by "The East Coast Land Titles Investigation Act 1866" and "The East Coast Land Titles Investigation Act Amendment Act 1867" it is provided shall be deemed to be Crown lands such lands as to him shall seem fit and thereout to grant such portion or portions thereof as he shall think fit to such person or persons of the Native race as he shall think deserving and shall appear to him to have acted in the preservation of peace and order and in suppressing the rebellion or by warrant under his hand to set apart out of the lands so reserved as last aforesaid such portion or portions thereof as he shall think fit for the benefit of any such person or persons of the Native race as last mentioned.

Power to make reserves for friendly Natives.

Confiscated Lands.

Power to make reserves for surrendered rebels.

4. It shall be lawful for the Governor from time to time as he shall think fit by proclamation in the *New Zealand Gazette* to reserve out of lands taken under the said Acts or out of lands which by the said two last-mentioned Acts are to be deemed to be Crown lands such lands as to him shall seem fit and thereout to grant such portion or portions thereof as he shall think fit to such person or persons of the Native race as shall be proved to his satisfaction to have been in rebellion and have subsequently submitted to the Queen's authority or by warrant under his hand to set apart out of the lands so reserved as last aforesaid such portion or portions thereof as he shall think fit for the benefit of any such person or persons as last aforesaid.

Subdivision of land granted or set apart for such persons to be made by Native Land Court.

5. In any case where lands under the provisions contained in the second third or fourth sections of this Act have been granted to more persons than one or have been set apart for the benefit of more persons than one it shall be lawful for the Governor by warrant under his hand to refer the subdivision of such land to the Native Land Court and such court shall effect a partition of such land in the manner provided by "The Native Lands Act 1865" and "The Native Lands Act 1867" and such subdivision shall be made by the said court whether a Crown Grant of the land shall have been made or not and in cases where lands have only been set apart for the benefit of any such persons as aforesaid under the Governor's warrant and no grant has been made the court shall proceed as if a grant had been issued containing or subject to such restrictions limitations and conditions (if any) as are specified in such warrant.

Grants &c. may be made subject to conditions restrictions or limitations.

6. Any grant which the Governor is hereby authorized to make may be made subject to such conditions restrictions and limitations he may think fit And wherever the Governor shall under any of the provisions of this Act by warrant under his hand set apart any land for the benefit of any person or persons of the Native race he may either in the same or in a subsequent warrant specify what if any conditions restrictions or limitations shall be attached to the grant thereof when made.

Out of confiscated lands reserves may be made for sites for schools for Native race or generally for all inhabitants of Colony and for endowment of educational institutions.

7. It shall be lawful for the Governor from time to time as he shall think fit by proclamation in the *New Zealand Gazette* to reserve out of lands taken under the said Acts or out of land which by the said two last-mentioned Acts it is provided shall be deemed to be Crown lands such lands as he may think fit as sites for buildings for educational purposes for the Native race or as sites for buildings for educational purposes for the inhabitants of the Colony generally and also out of such lands to make reserves for the endowment of educational institutions already or hereafter to be established in the Colony Provided that such lands so reserved as sites for buildings for educational purposes for the inhabitants of the Colony generally or for the endowment of educational institutions shall be reserved generally for such purposes and not as the site of or for the endowment of any special building or institution but such reserves shall be maintained as reserves for such purposes subject to be appropriated to special purposes by any Act or Acts of the General Assembly to be hereafter passed.

Governor may declare parts of confiscated lands to be subject to Waste Land law of the Province in which they lie.

8. It shall be lawful for the Governor by proclamation published in the *New Zealand Gazette* to proclaim and declare that any lands taken under the said Acts or out of lands which by the said two last-mentioned Acts it is provided shall be deemed to be Crown lands and defined in such proclamation and not theretofore granted or agreed to be granted or reserved or set apart under any law now or hereafter to be in force shall from and after a day to be appointed in such proclamation be and be deemed to be Waste Lands of the Crown within the meaning of any Act or Ordinance or regulation regulating the sale of Waste Lands of the Crown in the Province within which

Confiscated Lands.

such lands are situate and for the time being in force and from and after the day so appointed such lands shall be sold occupied and disposed of and dealt with in the manner provided by such Act Ordinance or regulation and not in the manner provided by "The New Zealand Settlements Act 1863" or any Act amending the same or "The East Coast Lands Titles Investigation Act 1866" and any Act amending the same And the proceeds arising from the sale or other disposition of any such land so proclaimed shall be land revenue and subject to the provisions of any Act or Acts passed or to be passed appropriating the revenue arising from the sale or other disposition of Crown lands in the Province in which such land lies Provided that such charges as shall be specified in any such proclamation shall be first charges upon the proceeds of any lands to which such proclamation applies Provided also that any such proclamation may be made subject to such exceptions or reservations as the Governor shall think fit and any such exception or reservation of land from the operation of such proclamation may be made in such general terms as the Governor shall think fit and without defining the boundaries of the land so excepted or reserved.

9. It is hereby declared and enacted that the lands conveyed by a certain Crown Grant bearing date the eighth day of July one thousand eight hundred and sixty-five to the Superintendent of Auckland and by him surrendered to Her Majesty by deed dated the seventh day of January one thousand eight hundred and sixty-seven are and shall be deemed to be vested in Her Majesty and that so much of the said land as shall not have been sold or contracted to be sold by the Superintendent of Auckland prior to the execution of the deed of surrender shall be deemed to be Crown land subject to the provisions of "The New Zealand Settlements Act 1863" and "The New Zealand Settlements Amendment Act 1864" and "The New Zealand Settlements Amendment and Continuance Act 1865" and "The New Zealand Settlements Acts Amendment Act 1866" and this Act as if the same had not been granted to the Superintendent of Auckland Provided however that it shall be lawful for the Governor after such surrender shall have been made to Her Majesty to execute Crown Grants of such portions of the said block as have at any time prior to the execution of the said deed of surrender been sold or contracted to be sold to the purchaser or purchasers thereof.

Tuakau Block
declared to be subject
to New Zealand
Settlements Acts.

WELLINGTON, NEW ZEALAND:

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New Zealand.

ANNO TRICESIMO PRIMO

VICTORIÆ REGINÆ.

No. 46.

AN ACT to validate certain Proceedings Title.
relating to lands in the Tauranga
District. [10th. October 1867.]

WHEREAS by an Order in Council made the eighteenth day of Preamble.
 May one thousand eight hundred and sixty-five and therein referred to
 as a proclamation it was declared that all the lands of the tribe
 Ngaiterangi described in the Schedule thereto being the lands
 described in the Schedule to this Act should be a district within the
 provisions of "The New Zealand Settlements Act 1863" and should
 be designated by the name mentioned in such Schedule and it was
 declared that the said lands were required for the purposes of the said
 Act and ordered that the said lands should be and the same were
 thereby set apart as sites for settlement and colonization agreeably
 to the provisions of the said Act And it was expressed to be
 ordered that in accordance with the promise made by His Excellency
 the Governor at Tauranga on the sixth day of August one thousand
 eight hundred and sixty-four three-fourths in quantity of the said
 lands should be set apart for such persons of the tribe Ngaiterangi
 as should be determined by the Governor after due inquiry should
 have been made And whereas pursuant to the terms of the said
 Order in Council inquiry has been made on behalf of the Crown
 by officers thereunto appointed and various arrangements have
 been entered into with persons of the said tribe concerning
 portions of the said lands And whereas questions have arisen as to
 the effect of the said Order in Council and as to the validity of the
 said arrangements and it is expedient that the same should be carried
 out and that the estates and interests of the Crown under the said
 Order in Council and of persons claiming under such arrangements
 should be confirmed

BE IT THEREFORE ENACTED by the General Assembly of New Zealand
 in Parliament assembled and by authority of the same as follows—

1. The Short Title of this Act shall be "The Tauranga District Short Title.
 Lands Act 1867."

2. All grants awards contracts or agreements of or concerning any
 of the land described in the Schedule to this Act made or purporting
 to have been made pursuant to and in accordance with the terms of
 the said Order in Council of the eighteenth day of May one thousand
 eight hundred and sixty-five and all grants awards contracts or agree-
 ments of or concerning any of the said lands hereafter to be made or
 entered into by the Governor or by any person or persons authorized
 by the Governor in that behalf which shall be consistent with the
 terms of the said Order in Council are hereby declared to have been

Grants &c. of land
 comprised in Schedule
 to Act validated.

Tauranga District Lands.

Zealand in Parliament assembled and by the authority of the same as follows—

Short Title.

1. The Short Title to this Act shall be "The Tauranga District Lands Act 1868."

Schedule to "The Tauranga District Lands Act 1867" amended.

2. In lieu of the Schedule to "The Tauranga District Lands Act 1867" there shall be substituted the Schedule to this Act and the Schedule hereto shall be deemed and taken to have been from the time of the making of the said Order in Council inserted in the said Order as the Schedule thereto in lieu of the Schedule thereto and the said Order shall be construed and read accordingly and the Schedule hereto shall be deemed and taken to have been from the time of the passing of "The Tauranga District Lands Act 1867" inserted therein as the Schedule thereto in lieu of the Schedule thereto and the said Act shall be construed and read accordingly and all proceedings taken or hereafter to be taken in fulfilment of the said promise and arrangement in reference to lands within the boundaries in the Schedule hereto shall be deemed to have been taken under authority of the said Order and Act.

SCHEDULE.

Schedule.

ALL that land estimated to contain two hundred and fourteen thousand acres known as the Tauranga Block Bounded on the North-east by the sea from Ngakuri-a-whare Point to Wairakei Creek on the South-east by a line from the mouth of the Wairakei Creek to Otara from thence to Otanewainuku from thence to Poutiki on the South-west by a line from Poutiki to the summit of the watershed of the dividing range of hills between the East Coast and the Thames Valley and thence following the said watershed northward to the summit of the Aroha Mountain and on the North-west by a straight line from the summit of the Aroha Mountain to Ngakuri-a-whare Point.

Together with the Island of Tuhua or Mayor Island and such portions of Motiti or Flat Island as shall be adjudged to belong to the Ngaiterangi Tribe or to individual members thereof.

WELLINGTON, NEW ZEALAND:

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1981

Tauranga Moana Maori Trust Board

No. 37



ANALYSIS

Title	4. Tauranga Moana Maori Trust Board constituted
Preamble	5. Membership of Board
1. Short Title	6. Payment to Board of agreed sum
2. Interpretation	7. Reputation of certain persons restored
3. Act to bind Crown	Schedule

1981, No. 37

An Act to establish the Tauranga Moana Maori Trust Board and to settle various matters relating to the Battles of Gate Pa and Te Ranga [3 October 1981]

WHEREAS in or about 1863 the Ngaiterangi, Ngati Ranginui, and certain other Maori tribes or their members held certain lands situated in and around the township of Tauranga: And whereas in 1864 some of those persons took up arms against the Crown but were defeated at the Battle of Te Ranga: And whereas the then Governor in Council, regarding those persons as having been engaged in rebellion against the Crown's authority, declared the land described in the Schedule to this Act to be a district under and within the provisions of the New Zealand Settlements Act 1863: And whereas the area of land to be forfeited to the Crown under that Act was to be some 86602.804 hectares, but, in recognition of the honourable way in which the persons concerned had fought, that area was reduced to about one-fourth: And whereas it has not hitherto been accepted by all interested parties that the claims of all persons affected or aggrieved by any such action were properly considered or resolved: And whereas it has been agreed by and between the Crown and representatives of the descendants of such persons that the Crown should pay and those descendants should accept the sum of \$250,000 in full and final settlement of all claims of whatever nature arising out of the confiscation or other acquisition of any of the said

*Public—37**Price 30c*

land by the Crown: And whereas it is expedient that the money be paid to and dealt with by a Maori Trust Board under and in accordance with the Maori Trust Boards Act 1955:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Tauranga Moana Maori Trust Board Act 1981.

2. Interpretation—In this Act, unless the context otherwise requires, "Board" means the Tauranga Moana Maori Trust Board constituted by section 4 of this Act.

3. Act to bind Crown—This Act binds the Crown.

4. Tauranga Moana Maori Trust Board constituted—
(1) There is hereby constituted a body corporate to be known as the Tauranga Moana Maori Trust Board, which shall be a Maori Trust Board within the meaning and for the purposes of the Maori Trust Boards Act 1955 and, subject to the provisions of this Act, the provisions of that Act shall apply accordingly.

(2) The beneficiaries of the Board shall be the descendants of the members of those tribes who took up arms against the Crown at the Battles of Gate Pa and Te Ranga or which were dispossessed of any lands as a direct result of those battles.

5. Membership of Board—(1) As soon as practicable after the commencement of this Act, the Governor-General shall, on the recommendation of the Minister of Maori Affairs, appoint such number of persons not exceeding 10 as the Minister thinks fit to be the initial members of the Board.

(2) Each initial member of the Board shall hold office until his successor is elected and comes into office under subsection (3) of this section.

(3) The Board shall cause to be prepared a roll containing the names and addresses of all adult beneficiaries of the Board, and, as soon as practicable thereafter, the Board and the Secretary to the Board shall do everything necessary, in accordance with Part III of the Maori Trust Boards Act 1955, to hold an election of members of the Board.

6. Payment to Board of agreed sum—(1) There shall, without further appropriation than this section, be paid out of the Consolidated Account to the Board the sum of \$250,000.

(2) Within 14 days after receiving that sum, the Board shall pay the whole of it into an account, at such bank as may be approved by the Minister, to be called the "Tauranga Moana Maori Trust Board Account".

(3) The Board shall thereafter use and expend the said sum in accordance with the Maori Trust Boards Act 1955.

(4) Upon its receipt by the Board, the said sum shall be accepted in full and final settlement of all claims of whatever nature arising from or out of any confiscation or acquisition by the Crown of any of the land described in the Schedule to this Act.

7. Reputation of certain persons restored—It is hereby declared that after the passing of this Act the character and reputation of Rawiri Puhirake, Henare Taratoa, and all other members of the Ngaiterangi, Ngati Ranginui, and other tribes who fought in the Battles of Gate Pa and Te Ranga shall be the same as if a full pardon had been granted to them in respect of all matters arising out of, or in any way related to, those battles.

SCHEDULE

Section 6 (4)

THE LAND IN RESPECT OF WHICH CLAIMS ARE SETTLED

ALL that area of land described in the Schedule to the Tauranga District Lands Act 1868 as follows:

"All that land estimated to contain two hundred and fourteen thousand acres known as the Tauranga Block bounded on the North-east by the sea from Ngakuri-a-whare Point to Wairakei Creek on the South-east by a line from the mouth of the Wairakei Creek to Otara from thence to Otanewainuku from thence to Poutiki on the South-west by a line from Poutiki to the summit of the watershed of the dividing range of hills between the East Coast and the Thames Valley and thence following the said watershed northward to the summit of the Aroha Mountain and on the North-west by a straight line from the summit of the Aroha Mountain to Ngakuri-a-whare Point.

Together with the Island of Tuhua or Mayor Island and such portions of Motiti or Flat Island as shall be adjudged to belong to the Ngaiterangi Tribe or to individual members thereof."

This Act is administered in the Department of Maori Affairs.

Tauranga District Lands.

and to be absolutely valid and none of them shall be called in question by reason of any uncertainty in the said Order in Council or of any omission or defect or departure of or from any of the forms matters or things provided by "The New Zealand Settlements Act 1863" "The New Zealand Settlements Amendment and Continuance Act 1865" and "The New Zealand Settlements Acts Amendment Act 1866" or either of the said Acts and it is hereby declared that notwithstanding anything in the said Order in Council to the contrary the whole of the lands specified in the Schedule to the said Order in Council or in the Schedule hereto were by the said Order in Council duly and effectually declared to be a District within the provisions of "The New Zealand Settlements Act 1863" and that the whole of the said land was duly and effectually set apart reserved and taken under the said Act as sites for settlements for colonization and was duly and effectually declared to be required for the purposes of the said Act and to be subject to the provisions thereof.

Construction of Order in Council.

3. For the purposes of this Act the words "due inquiry" in the said Order in Council shall be deemed and taken to extend to inquiries made and carried through by persons thereunto appointed by the Governor.

Land comprised in Order in Council.

4. The lands described in the Schedule to this Act shall be taken to be the lands comprised in or defined by the said Order in Council.

SCHEDULE.

TAURANGA DISTRICT.

ALL that land estimated to contain two hundred and fourteen thousand acres known as the Tauranga Block Bounded on the north-east by the sea from the mouth of Wairakei Creek to Ngakuri-a-whare Point on the south-east by a line bearing south forty-five degrees west (true) sixteen miles thence on the south-west by a line bearing north forty-five degrees west (true) to the summit or watershed of the dividing range of hills between the East Coast and the Thames Valley and thence following the said watershed northward to the summit of the Aroha Mountain and on the north-west by a straight line from the summit of the Aroha Mountain to Ngakuri-a-whare Point.

Together with the Island of Tuhua or Mayor Island and such portions of Motiti or Flat Island as shall be adjudged to belong to the Ngaiterangi tribe or to individual members thereof.

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NEW ZEALAND.



ANNO TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

No. XXXV.

ANALYSIS.

Title.
Preamble.
Short Title.

2. Schedule to "The Tauranga District Lands Act 1867" amended.
Schedule.

AN ACT to amend "The Tauranga District Lands Act 1867." [16th October 1868.]

WHEREAS by an Order in Council made the eighteenth day of May one thousand eight hundred and sixty-five and therein referred to as a Proclamation it was intended to bring under the provisions of "The New Zealand Settlements Act" a certain district supposed to include all the lands of the Ngaiterangi Tribe and stated in the said Order to contain two hundred and fourteen thousand acres of land And whereas it was intended under the authority of the said Order to carry into effect a promise and arrangement as to the whole of the said lands of the said Tribe of Ngaiterangi and to the said area of two hundred and fourteen thousand acres made by Sir George Grey Knight Commander of the Most Honorable Order of the Bath then being the Governor of New Zealand at Tauranga on the sixth day of August one thousand eight hundred and sixty-four and accepted by the said Ngaiterangi Tribe And whereas by "The Tauranga District Lands Act 1867" doubts as to the validity of the said Order were removed And whereas on a survey of the land described in the Schedules to the said Order and Act it appears that the description of the land set forth in the Schedules to the said Order and Act does not include the whole of the lands of the Ngaiterangi Tribe intended to be taken by the said Order in Council nor the said area of two hundred and fourteen thousand acres And whereas the said Tribe are desirous that the promise and arrangement aforesaid should be carried out according to its full intent and it is expedient for that purpose to amend the said Schedule so as to include the whole lands of the said Tribe

BE IT THEREFORE ENACTED by the General Assembly of New

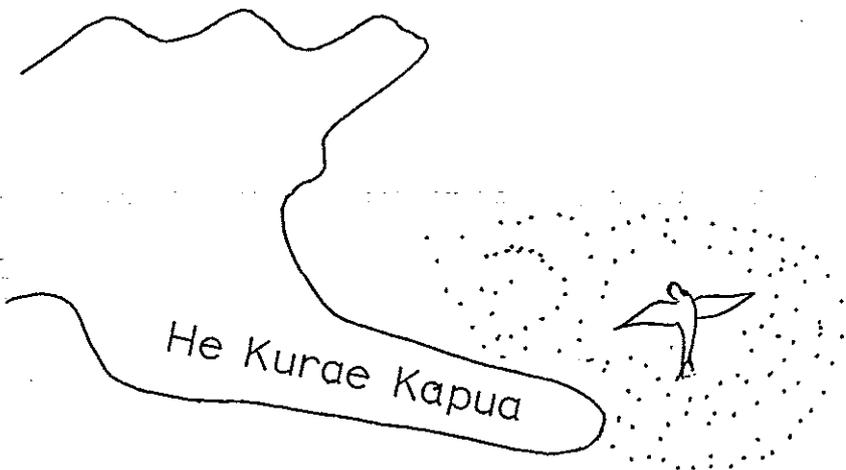
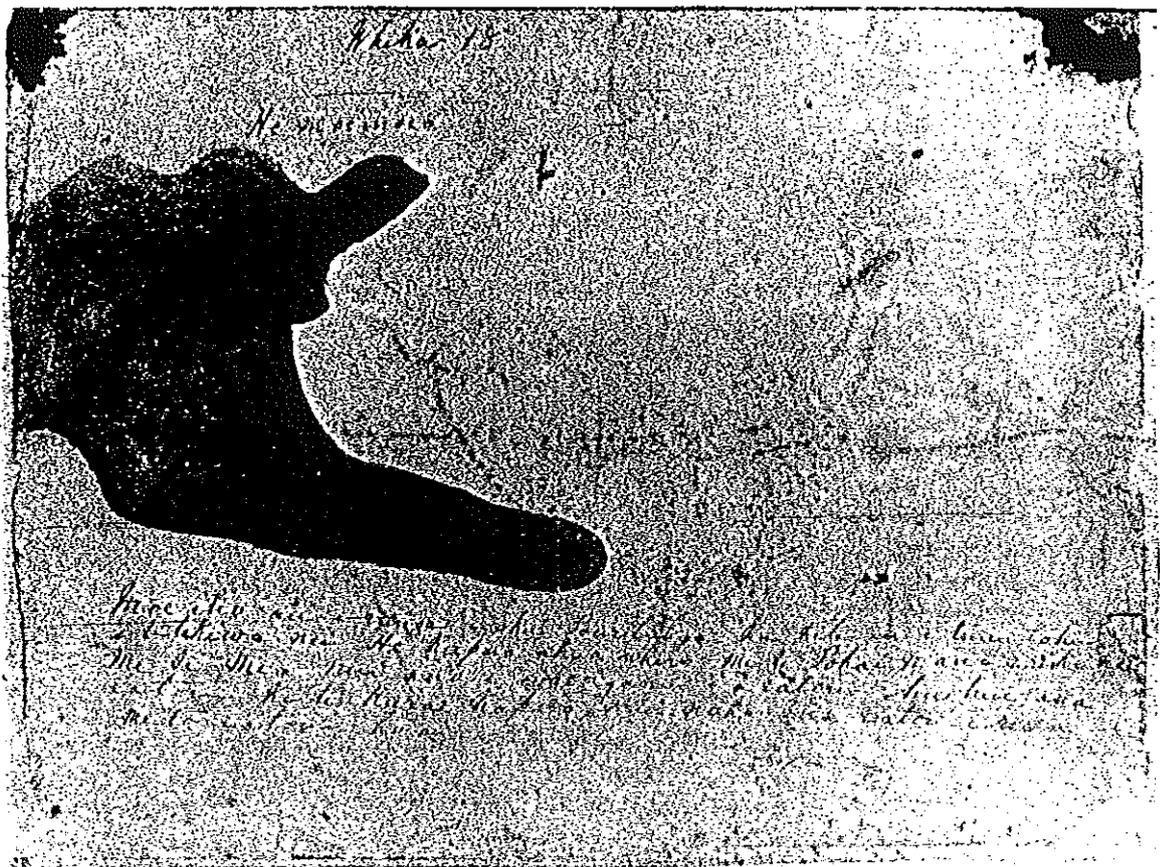
The sketches are presented in three groups (1) He Moemoea (Dreams), (2) Political cartoons and (3) Pai Marire images.

1. He Moemoea

This group of four drawings (1A, 1B, 1C and 1D) are all in pencil and coloured in reddish-brown tones. The originals are not clear and have not reproduced well, so a line drawing has been provided as a key. The full significance of these drawings can not be worked out as they appear to be part of an incomplete sequence. From the style of drawing and handwriting they are by the one artist. They are also specifically related to the Tauranga district. There was an established ship building industry in Tauranga and a good deal of coastal trading so the drawings of a ship (Kaipuke) would have a basis in local reality. In 1B, the ship on Tauranga Moana appears to be a rough sketch map of Tauranga Harbour and a suggested identification of land areas is provided in the key diagram. Poutihi in 1D is Puwhenua a prominent hill in the ranges south of Tauranga. The name has survived in the Opoutihi Survey District in this area.

One prevalent theme is the use of red - the red cloud (He Kurae Kapua) in 1A and the red sails reflected in Tauranga Moana in 1B. This red is probably symbolic of the Pakeha, of blood, of evil. The red cloud of 1A and the flock of birds may also be related to Pai Marire images of the miraculous cloud which will descend from heaven to observe the faithful and help them disperse the Pakeha troops sent against them. Or perhaps it may be interpreted as the red cloud of the Pakeha, threatening to envelope the Maori people and their leader. It is tempting to view the dream of the canoe resting on Poutihi in 1D as another millennial image, but there is no conclusive evidence provided in the drawing. Below the hull of the canoe, what appears to be trees and tree ferns are lightly drawn in pencil. The hull of the canoe is painted brown, and spiral patterns on the prow and stern post are drawn in pencil to indicate a traditional style of canoe (waka). The dark smudges at the top appear to be red ink and not part of the original work.

The significance of 1C remains obscure as the identity of Te Tuhi is not clear. A prominent Kingite chief of the time was Patara Te Tuhi, who edited the newspaper Te Hokioi but he belonged to the lower Waikato. A Tauranga tradition has it that Te Tuhi was a chief of Okauia. In the investigation of the Okauia Block by the Land Court in 1879 no one of this name is mentioned either in evidence of tribal history or the list of names of people in this and adjacent blocks. However, there was an area in the block called Te Tuhi. In the evidence, (Waikato MB 4/23) it was said that Ngati Hinerangi went to live at Matamata with Ngati Haua and they "got food from Okauia, they cultivated at Te Tuhi". Following the judgement on Okauia which was awarded to Ngati Hinerangi, Ngati Haua occupied part of the block, and built a pa called Te Tuhi (Bay of Plenty Times 8 July 1879). Following the 1864 battles, a track from Te Puna to Okauia was cut and called Te Tuhi Track and used by Pirirakau and Ngati Haua and others in preference to the old Wairere Track further west. Following the Tauranga Bush Campaign many Pirirakau and some other Tauranga people retreated to Okauia, but returned later to their settlements at Whakamarama and Te Puna.



Whika 18
 He Moemoea
 Moe iho au i runga i oku Pouritanga Ka Kite au i tenei tohu i te takiwa
 nei He Kapua ahua whero Me te Pokai Manu ririki nei Me te Mea nui ano
 i waenganui i a ratou huihui ana ratou Ki te Kurae Kapua nei noho ana
 ratou i reira me to ratou hoa. Ka oho ake au.
 A Dream
 In my darkness and distress I slept and I dreamed I saw this sign,
 the form of a red cloud in the sky, a flock of small birds and a large
 one in their midst, all gathering toward the great cloud where they
 settled with their large friend. Then I awoke.



ANALYSIS

Title 1. Short Title and commencement	2. Number of initial members
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1988, No. 232

An Act to amend the Tauranga-Moana Maori Trust Board Act 1981 [21 December 1988]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Tauranga-Moana Maori Trust Board Amendment Act 1988, and shall be read together with and deemed part of the Tauranga-Moana Maori Trust Board Act 1981 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 28th day after the date on which it receives the Royal assent.

2. Number of initial members—Notwithstanding anything in section 5 (1) of the principal Act, as soon as practicable after the commencement of this Act, the Governor-General shall, on the recommendation of the Minister of Maori Affairs, appoint such number of persons not exceeding 5 as the Minister thinks fit to be further initial members of the Board and to act with those already appointed in accordance with that provision of the principal Act.

This Act is administered in the Department of Maori Affairs.

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Appendix 15:

Maori Images of Politics and Religion

A Maori interpretation of the events of the 1860s described here can be found in the "Sketches" of Aporo, which are now in the Alexander Turnbull Library in Wellington. The only information about them is the accompanying note written by Gilbert Mair, who commanded the Arawa troops during the Tauranga Bush Campaign in 1867:

Maori Sketches illustrating Dreams by Aporo. Shot by me at Poripori Jan'y 23 1867 under a waterfall. I took the sketches, wet with his blood from his body.

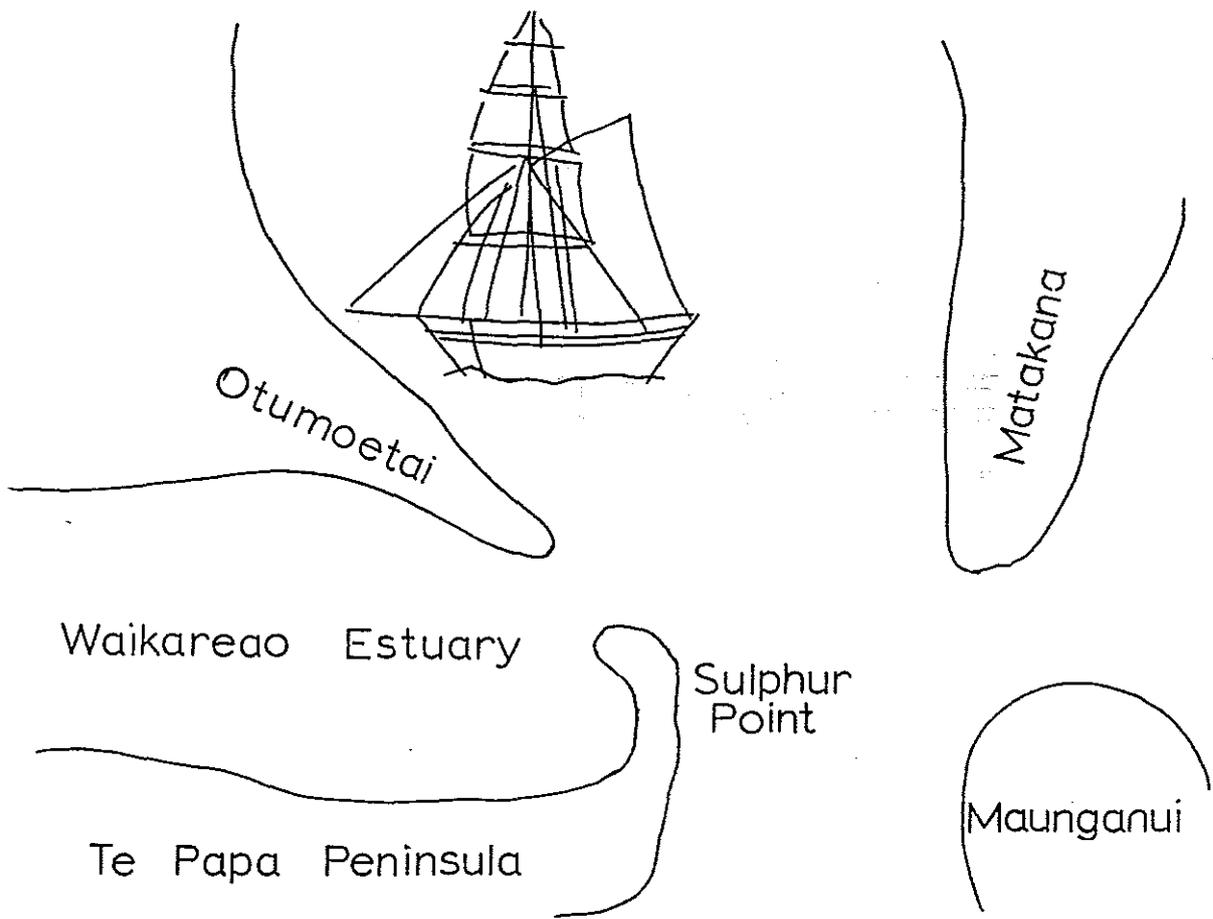
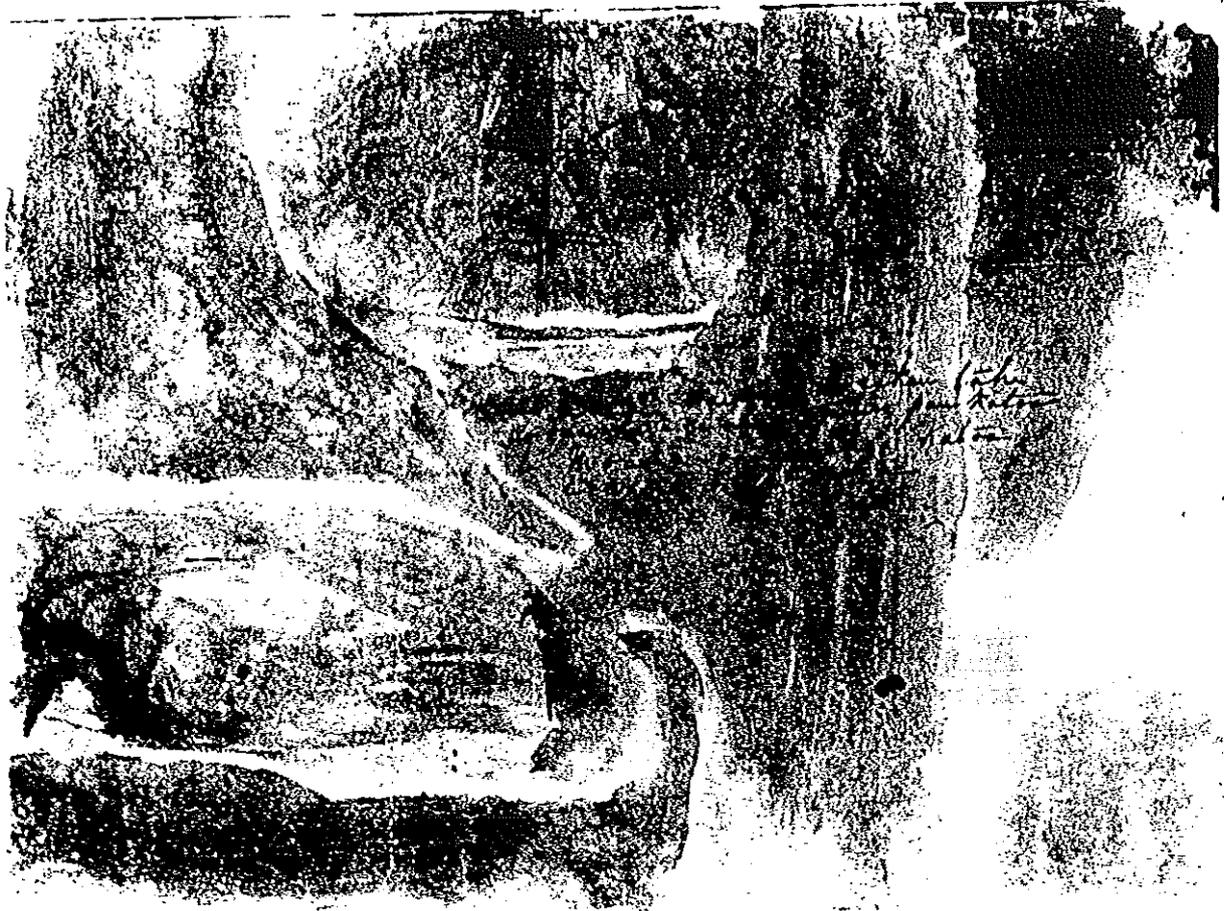
G. Mair

Elsewhere Mair referred to this Aporo as Rota who belonged to Pirirakau of the Whakamarama area (Andersen and Petersen 1956, p.324). Cowan (1923, Vol.2, pp.152-153) provided a more detailed account of the incident which he obtained in interviews with Mair. Immediately after the skirmish near Whakamarama, Mair

noticed a trail of blood leading down to a deep gorge on the left, or east in the direction of Poripori. There was a faint track here through the forest to Poripori, which the Piri-Rakau had marked by breaking and doubling over the fronds of the fern called tu-taumata (*Lomaria discolor*), which are silvery white underneath. When doubled over, the white under surface of the fern showed conspicuously against the dark green of the ferns, moss and tree trunks around it. Mair observed that these white fronds were splashed with blood; and diverging from the route followed by the others, he scouted along down to the creek in the gorge. Hot on the trail, he followed the blood marks to a cave, over the mouth of which a little waterfall came down. A shot rang out from the cave, narrowly missing him. Mair rushed in and encountered a wounded Maori kneeling behind the rocks in the gloom, and shot the man dead just as he was levelling his long single-barrel gun for another shot. Taking the dead warrior's gun and whakakai pendant of tangiwai greenstone as trophies, Mair hurried back to the scene of the fight. He found by inquiry afterwards that the man he had shot, a big tattooed warrior, was a Piri-Rakau named Rota, one of the leading men of the turbulent tribe.

Andersen and Petersen (1956, p.324) noted that Mair was in error in the date of the incident at Poripori as this engagement occurred on 15 February 1867 (see also Cowan 1923, Vol.2, p.151).

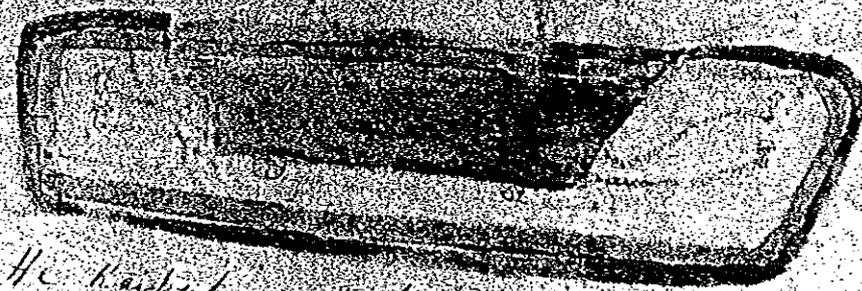
There seems to be no other information about the origin of the sketches, which appear to be an incomplete collection of drawings by more than one artist. Some are in pencil and/or water colour, some in black ink and/or blue pencil, on different sorts of paper, and there is different handwriting in the inscriptions on some of the drawings. Three carry the inscriptions "Whika 11," "Whika 16" and "Whika 18" which indicate they may have been part of a series. Some refer specifically to the Tauranga district but others have no particular identification and could have come from elsewhere. How this collection came to be assembled together and carried by Aporo (or Rota) in battle may never be known. Nevertheless these sketches (reproduced here at threequarters of the original size) provide a Maori view of the Pakeha government, politics and religion, and some of the symbolism of Pai Marire.



Ko tenei Kaipuke he rakau tahi Ko ona heera i ahua puhero pau katoa te Moana o Tauranga i te whero o nga Hera.

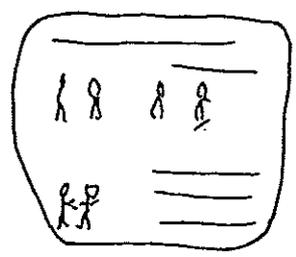
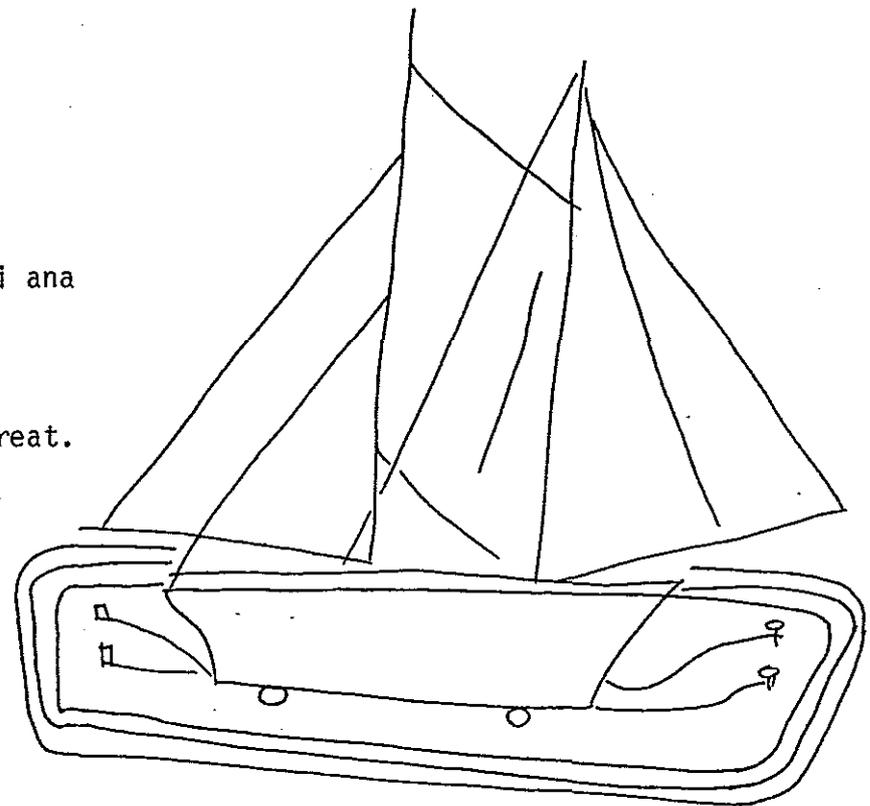
This is a ship with one mast. All her sails were red and were reflected in all the sea of Tauranga.

Whika 11
 He Moemoea

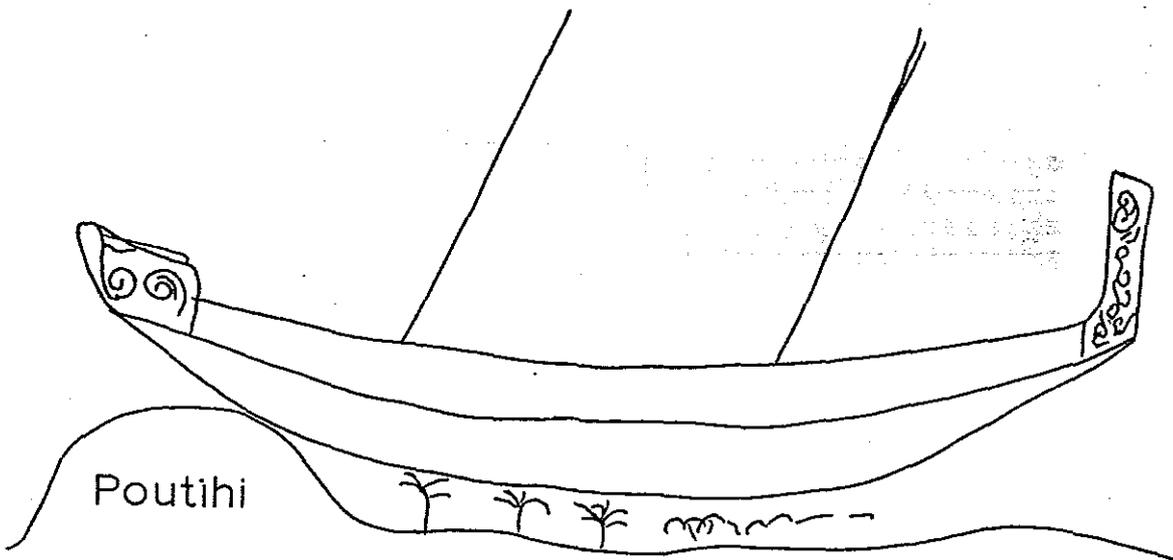
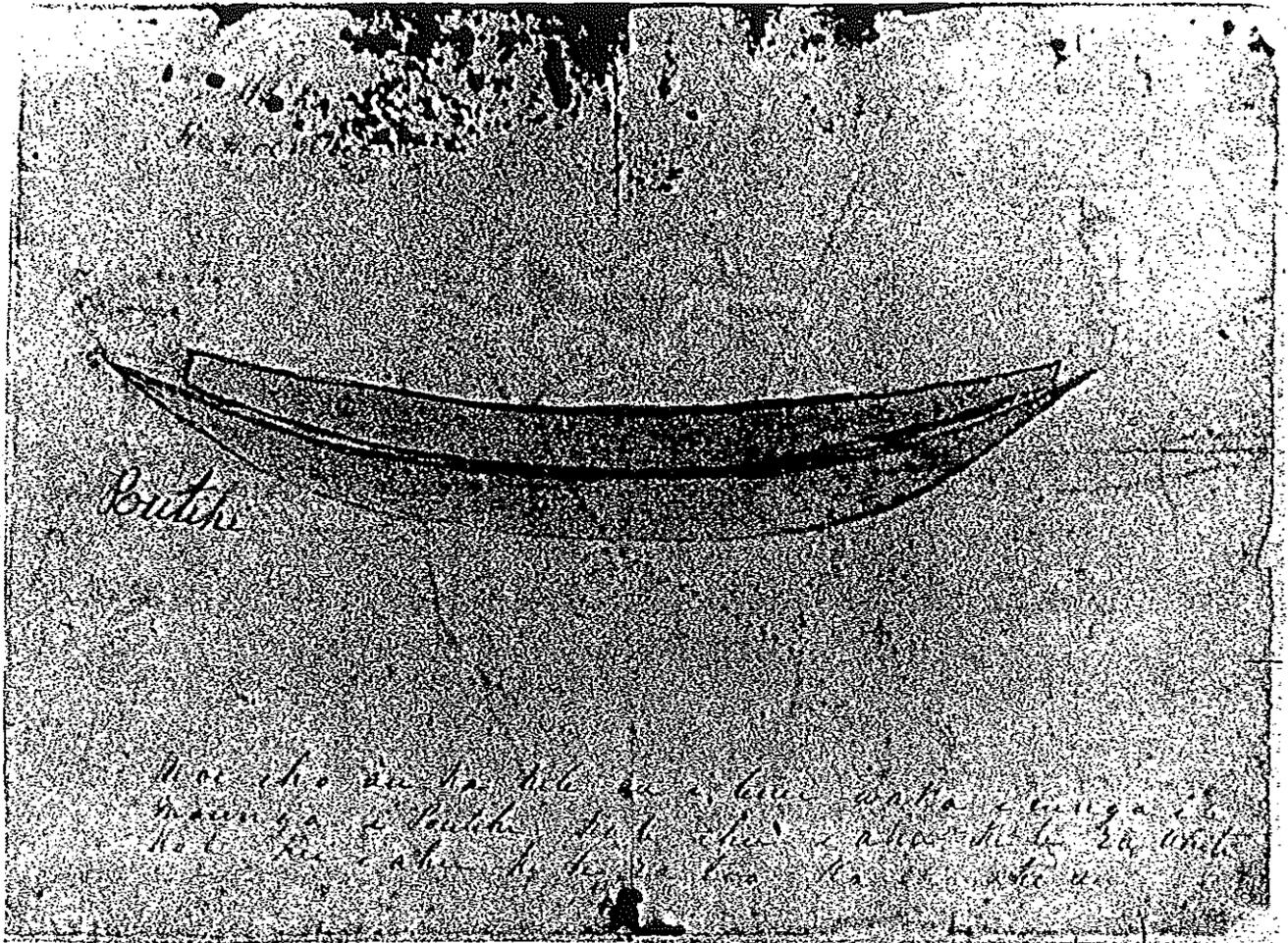


He Kaipuke Ko te tangata i tata atu. Ki tenei taha o tenei Kaipuke ko te Tuhi anakei Ko te wahi i tu ai. Kei runga i te Papa Kaipuke ano Ko te tino wahi i tu ai kei te whenua.

He tangata e whawhai ana
 kia kia te Tuhi.
 Ka nui tona kaha.
 Men are fighting on
 against Te Tuhi.
 Their strength is great.



Whika 11
 He Moemoea
 He Kaipuke Ko te tangata i tata atu. Ki tenei taha o tenei Kaipuke ko te Tuhi anakei Ko te wahi i tu ai. Kei runga i te Papa Kaipuke ano Ko te tino wahi i tu ai kei te whenua.
 A Dream
 A ship with a man nearby. To one side of this ship Te Tuhi stands alone in that place. On the ground around the ship stands the building platform on the landward side.



Whika 16

He Moemoea

Moe iho au ka kite i tenei waka i runga i te Maunga i Poutihi.

Ko te ihu i ahu ki te ra whiti ko te Kei i ahu ki te rato.

Ka oho ake au.

A Dream

In my sleep I saw this canoe on the mountain of Poutihi.

The bow was facing toward the east, the stern toward the setting sun. Then I awoke.

2. Political Cartoons

The drawings in this group (2A, 2B, 2C, 2D, 2E) offer a Maori commentary on people and events of the 1860s. The three drawings, 2A, 2B and 2C, are by a different artist from the foregoing dream sequence. All are drawn in black ink and pencil. The figure of Governor Grey is shown as a devil and the accompanying commentary indicates clearly the Maori view that the real intention of the Governor was the destruction of the Maori King and Maori people. This attitude to Grey can be found in a letter by Wiremu Tamihana (AJHR F3, 1860) when he indicated that he saw little point in appearing before the Governor's Runanga. "The Governor's thoughts are as sheep's wool, but inwardly, a ravening wolf at heart." (he huru hipi nga whakaaro o te Kawana, ko roto he wuruhi kai kino te ngakau). Similar sentiments concerning the Governor's two-faced statements were expressed by Tamihana following the outbreak of hostilities in Taranaki. He commented on "those who are double-hearted; whose lips are given to this side and their heart to the other side" (AJHR E11, 1865, p.5).

The language of the commentaries has not been analysed but it is of interest to note that in 2B the word kapura has been used to indicate a fire. This is a Ngapuhi word, whereas the local word would be ahi. The Ngapuhi dialect was used for the Maori Bible and this may only indicate that the artist had a missionary education, perhaps at the CMS school in Tauranga. The context of the cartoons is clearly Waikato and the Kingitanga.

The missionaries, and Bishop Selwyn in particular, were also targets for the Maori cartoonist. The drawing 2C shows the Bishop ("Pihopa") in a somewhat ambivalent situation. The collection of sketches also included a portrait which appears to be a likeness of Bishop Selwyn (2D, reproduced at half the original size). This pencil and water colour drawing in red-brown and grey tones, is executed in a style which differs from the three earlier cartoons. Written in pencil across the centre panel of the bishop's vestments is the word "Mangu", black. Bishop Selwyn and other CMS missionaries had been closely involved with events leading up to the invasion of Waikato. Selwyn had gone to Tamihana's meeting at Peria in 1862 which was attended by King Matutaera and chiefs of Waikato, Maniapoto, Tauranga and Rotorua. The theme for discussion was the current situation and the prospects for the King Movement. Selwyn set out his position in a speech to the assembled gathering (AJHR E12, 1862, pp.5-6):

Here am I the mediator of New Zealand. This is my work, mediation, I am not a Pakeha, neither am I a Maori; I am a half-caste. I have eaten your food and I have slept in your houses: we have eaten together, talked together, travelled together, prayed together, and partaken of the Lord's Supper together; and therefore I tell you that I am a half-caste. My being a half-caste cannot be altered (or uprooted). It is in my body, in my flesh, in my sinews, in my bones, and in my marrow. We are all half-castes; your clothes are half-caste - one portion of your garments is Pakeha, the other Maori. Your strength is half-caste; in your hearts you have the Maori courage, and in your hands the Pakeha weapons. Your soldiers are half-caste; the men are Maori, but their clothes are Pakeha and the word of command is given in the Pakeha language. Your "mana" (power or authority), is half-caste; the "mana" is Maori "mana" but the name [of the King] is Pakeha.

Your religion is half-caste; the Pakeha is the father and your hearts the mother, and the son that is born is religion. Hence I say to you, we are all half-castes, and therefore let us live together in one religion (or faith), one love and one law; let us be united. I have not yet forgotten the words of our parent, "Religion, Love and Law." He never told us to have many religions, many loves, and many laws; but to have one.

In his sermon at Peria (AJHR E12, 1862, pp.8-9), Bishop Selwyn had also pushed the theme of unity, taking as his text Psalm 133, first verse: "Behold how good and how pleasant it is for Brethren to dwell together in unity." He likened this to the peaceful gathering of people of different tribes at Peria; "There is one thing wanting, and that is that the Pakeha should sit together with you." He explained Pakeha presence in the land: "The coming of the Pakeha to this land was not an authorised act; they were led here by God, the Pakeha Ministers" and he quoted Mark 16:15 "Go ye into all the world and preach the Gospel to every creature."

By the mid 1860s, following the invasion of Waikato, battles at Gate Pa and Te Ranga, and confiscation of land in Waikato and Tauranga, Maori suspicions that the missionaries were not the neutral mediators they professed to be seemed to be confirmed. Many had acted as agents in supplying information on Maori movements and resources to the government and military. Bishop Selwyn had acted as chaplain to the military during the Waikato campaign. Although he also ministered to his Maori flock, this military connection put him in an ambivalent situation. From the Maori point of view, he appeared much too propitiatory toward the two-faced Pakeha, Governor Grey. Perhaps it is appropriate then to include as the last of this section the drawing (2E) in dark blue pencil on light blue paper of a man who is unhappy. He pakira can mean bald-headed, symbolic of a man devoid of ideas, at a loss, bewildered. There is no indication who this represents but perhaps he symbolises all the unhappy, bewildered people in the 1860s who did not know which way to turn.

Ko Kawanua Kerei
i haere mai ki konei ki te maminga
i nga tangata Maori. A riro ana
ia ia te Peke.



Ko Kawanua Kerei i haere mai ki konei ki te maminga i
nga tangata Maori. A riro ana ia ia te Peke.

Governor Grey has come here to deceive Maori people.
He is carrying them off in his bag.



Kawana Kerei
te Kingi Maori
he kapura

(right)
(centre)
(left)

Governor Grey
the Maori King
a fire

O Ko Kawana Kerei ara ko Pukuriri
 E hia hia ana kia rapua te tahi take kino
 mo Niu Tireni kia ahei ai ia te whaka ngaro i
 nga Maori

Ko Kawana



Ko Kawana Kerei ara ko Pukuriri
 E hia hia ana kia rapua te tahi take kino mo Niu
 Tireni kia ahei ai ia te whaka ngaro i nga Maori

Governor Grey, old Grouchy!
 He wants to find a reason in New Zealand serious
 enough to enable him to destroy the Maori

Ko Kawana
 E korero whaka tu-ana ki tona iwi ki te toa o te
 Maori

The Governor is talking and explaining to his people
 just how brave are the Maori





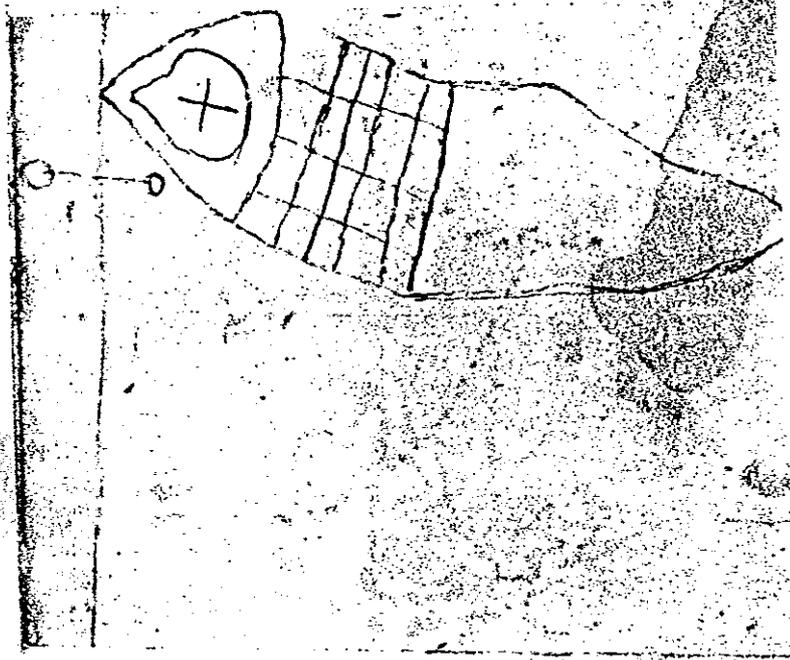
Ka tenei tangata he pakira.
This man is at a loss, bewildered.

3. Pai Marire

This third group of drawings is concerned more specifically with aspects of Pai Marire ritual and teachings. The black ink drawing in 3A shows a Pai Marire flag with cross and checkerboard design flying from a niu. There are knobs at each end of the crosstree of the niu, perhaps representing Riki and Rura as some accounts have suggested. In 3B, a pencil drawing depicts several figures standing one behind the other with one arm upraised, participating in Pai Marire ritual around the niu. There follows a group of black ink sketches (3C, 3D, 3E, 3F, 3G), all apparently by the same artist, depicting a winged figure, the Angel Gabriel, in various forms. Some of these drawings have been damaged and sections are missing. However, the artist seems to have been "experimenting" with different images of the Angel. In 3C and 3D he is holding a staff (a niu?); in 3D this staff has crosstrees showing the four points of the compass, the four winds or four quarters. The vestments of Gabriel vary from a traditional korowai cloak (3C) to a Pai Marire flag (3G) similar to the one depicted in 3A. The headdress varies too, including feathers in 3F. A horse is also depicted in 3G, perhaps to provide transport when the Angel Gabriel arrives on earth. The meaning of the sketch of an animal, perhaps a horse on its hind legs, with a plume or cloud alongside, in 3H is obscure, but from the style is by the same artist and would probably have some connection with the preceding sketches of the Angel Gabriel.

The final group of sketches is concerned more specifically with the symbolism of Pai Marire. The drawings 3I and 3J are drawn in black ink on a piece of blue paper folded in half. On the cover of the folder (3I) is a design showing the four points of the compass, a human figure beside a serpent on a pole and elements of a checkerboard pattern around the border. Inside the folder (3J) is a complex design, a stylised niu surmounted by a bird form, rupe or dove. Another design on similar blue paper executed in black ink and dark blue pencil (3K) shows the niu with crosstrees and flags flying, and a serpent-like figure perhaps representing evil, or the devil. On the left a human figure is enveloped in a dark serpent-like shape. The significance of the design at the top and the numbers and letters is not clear.

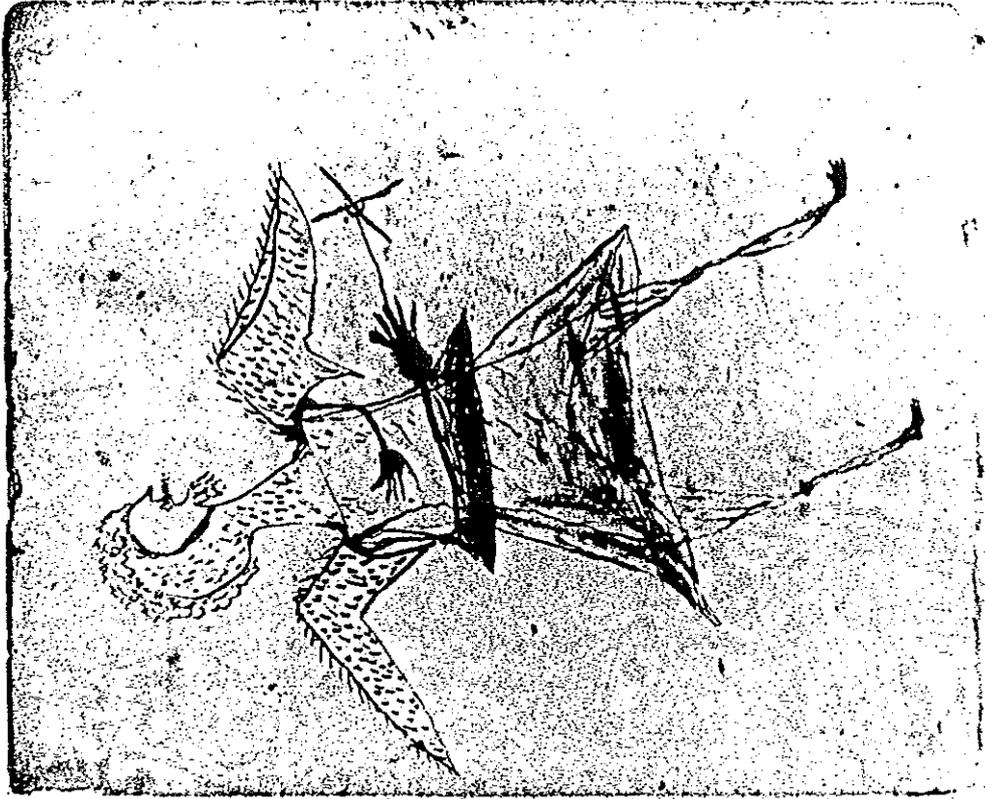
The two designs on the final sketch (3L) epitomise much of the millennial teaching of Pai Marire. On the day of glory - He ra ko te kororia - the miraculous cloud will appear, the key - He ki - to the salvation of the people whose upraised hands appear in Pai Marire ritual, reaching out for the guidance and strength of the holy spirit. The serpent-like figure in the design at the bottom of the page is dwarfed by the niu, replete with the whetu marama symbols. The niu is He pou Kororia, the pole of glory, through which the holy spirit, in the form of the dove, rupe, descends to the people.



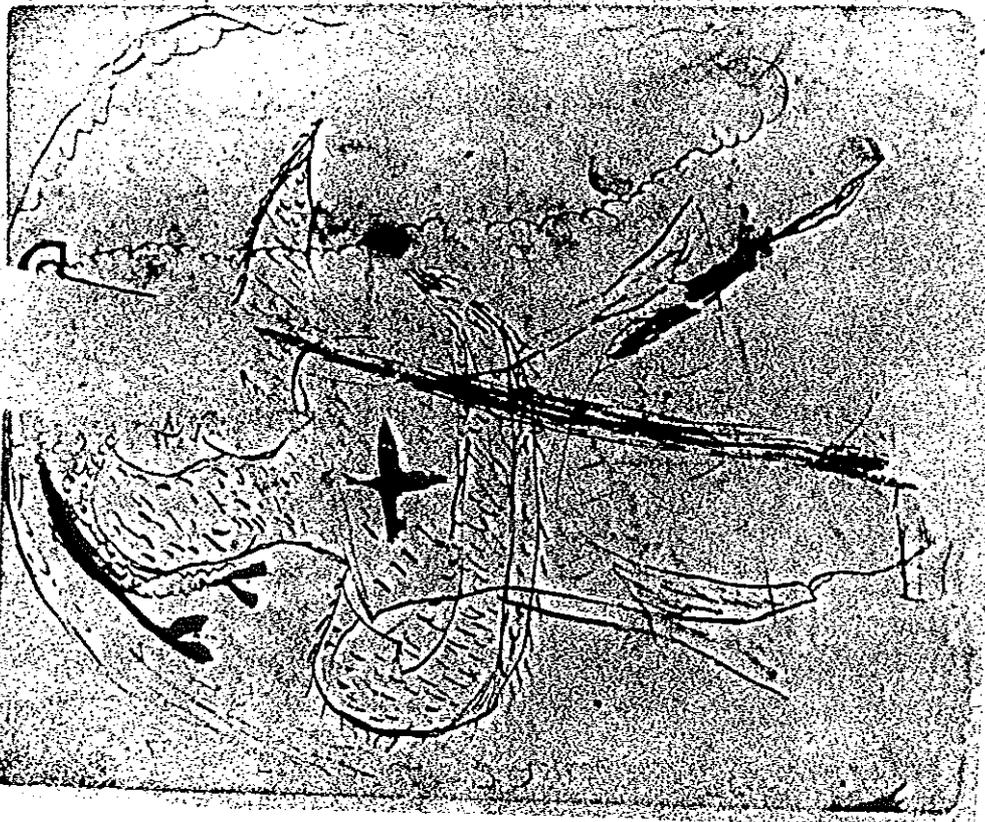
3A



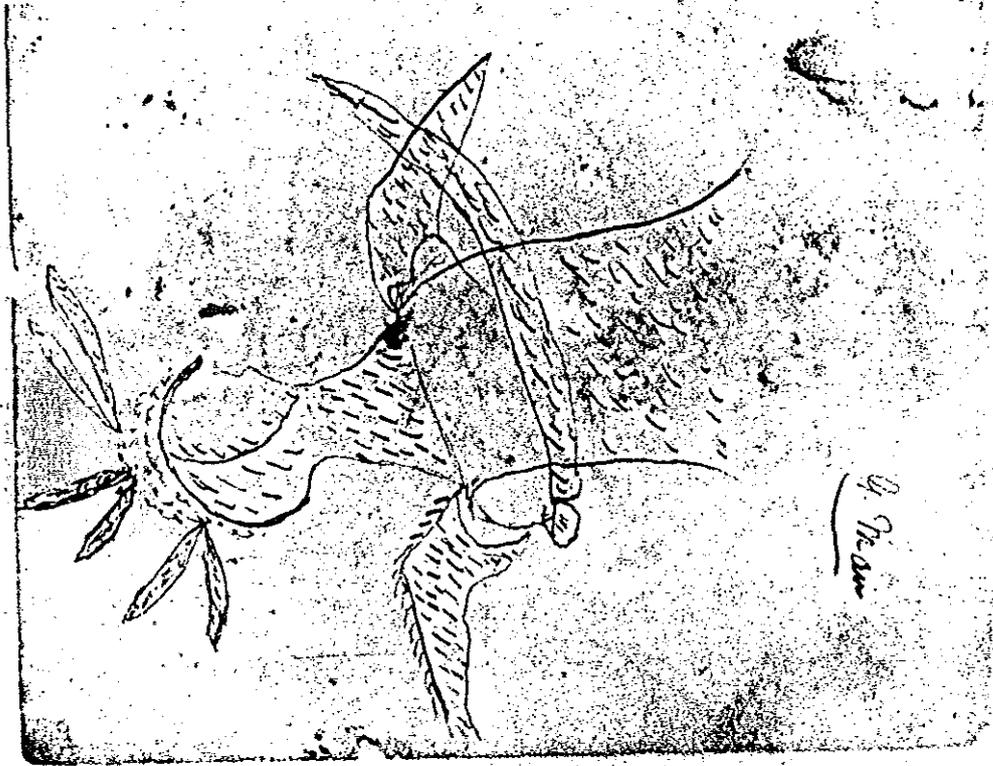
3B



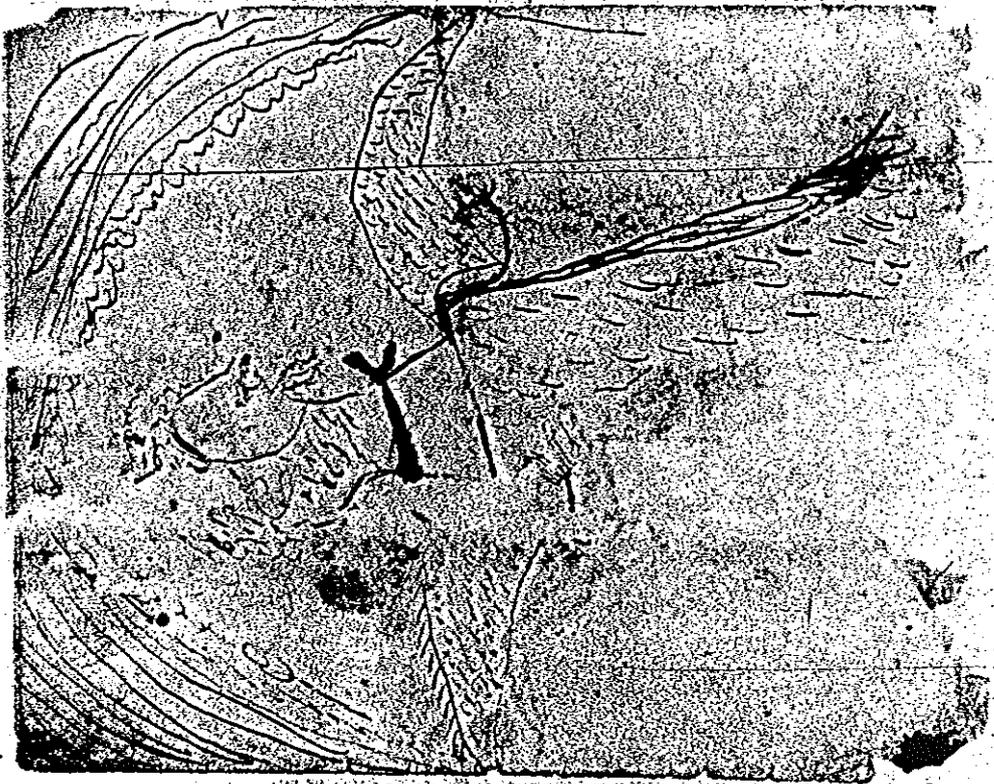
3D



3C



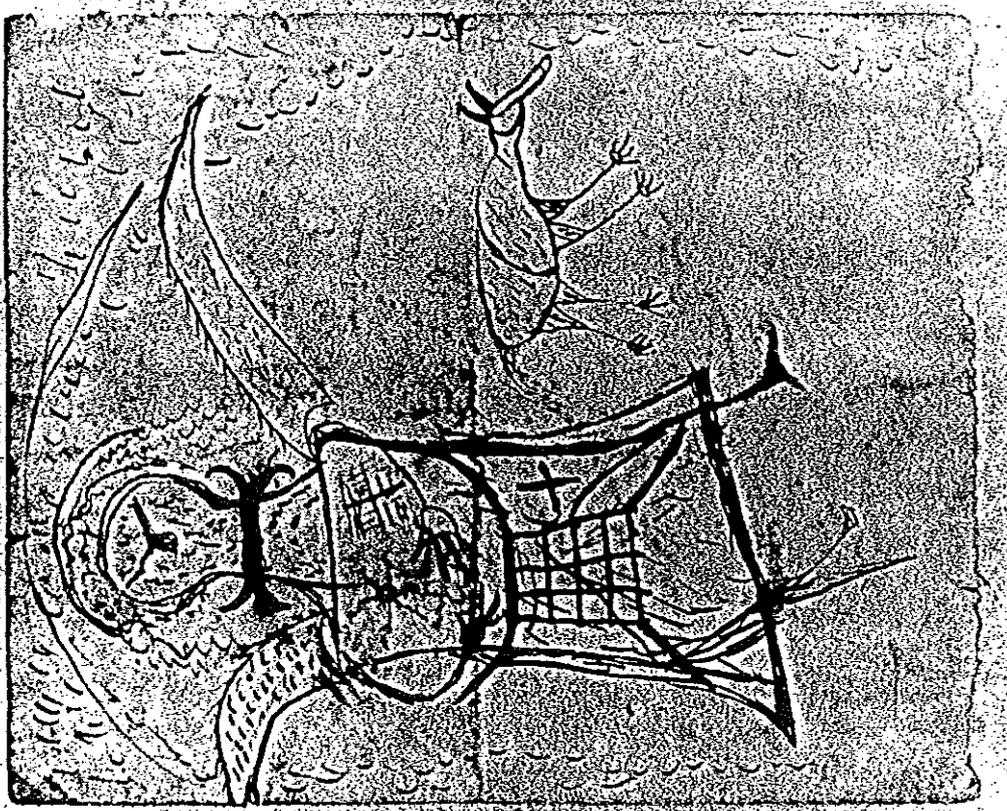
3F



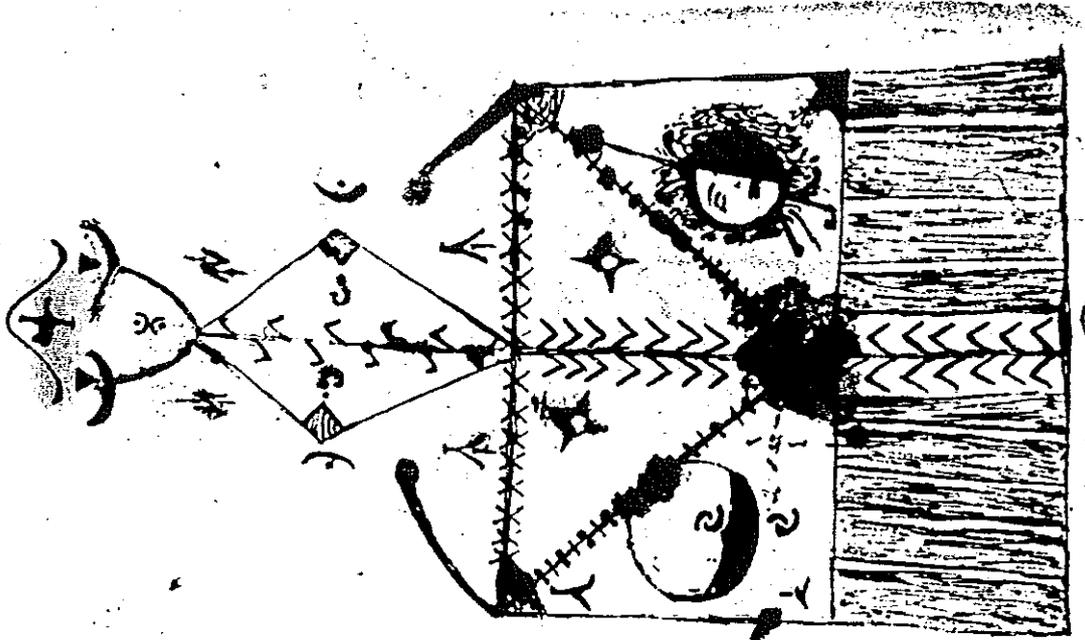
3E



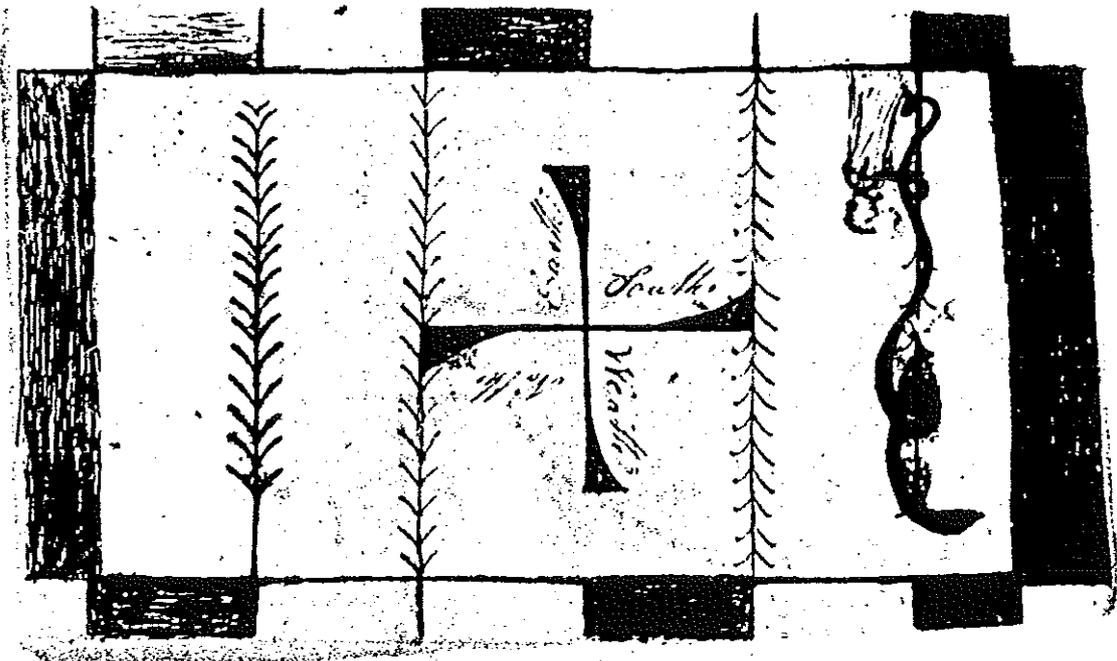
3H



3G



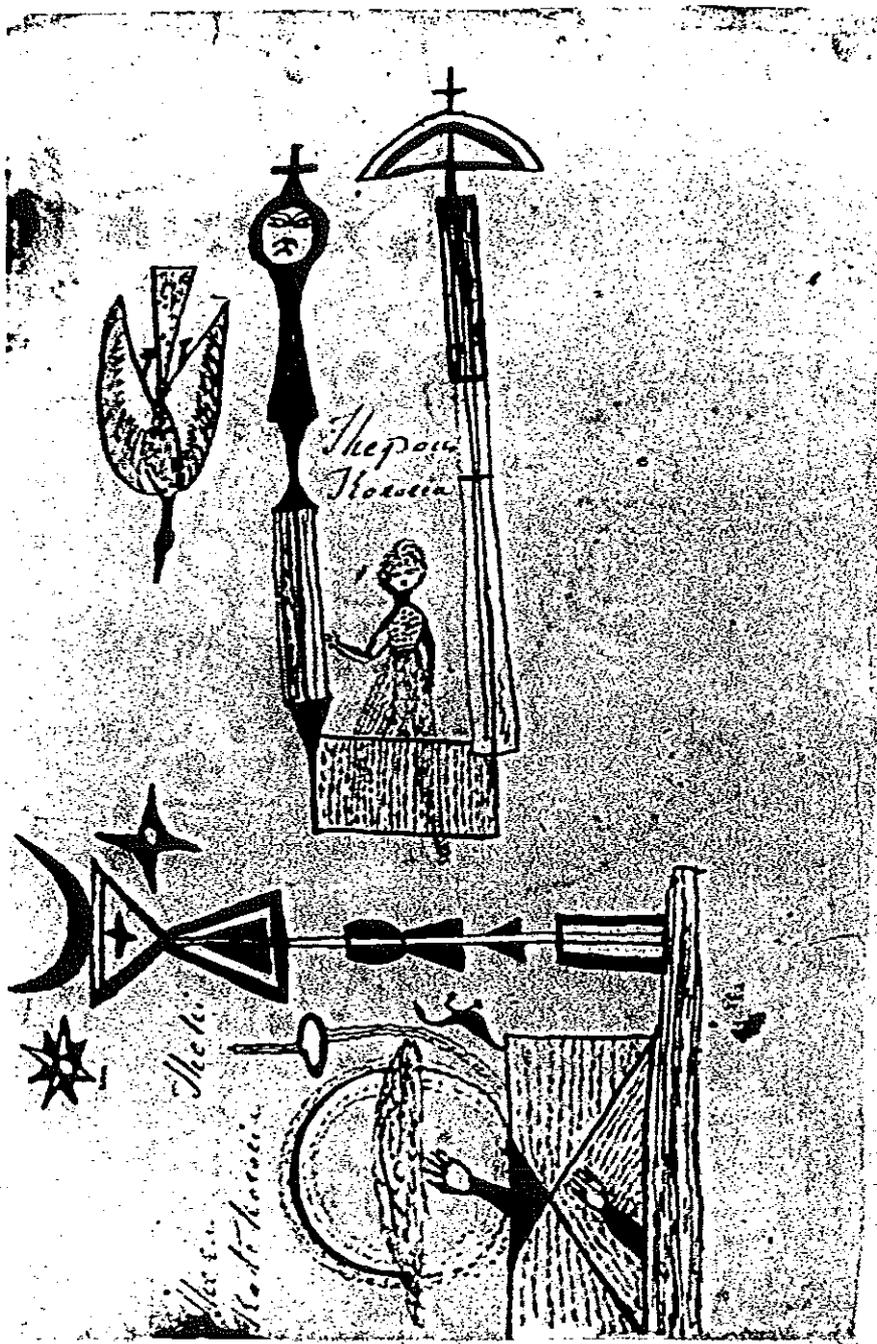
3J



3I



3K



APPENDIX 16: CHRONOLOGY OF EVENTS

- 1820: Maunganui Pa taken by Ngapuhi, peace made by Te Waru at Otumoetai
- 1826: Visit of mission schooner Herald
- 1828: Te Papa Pa destroyed by Te Rohu of Ngati Maru
- 1830: Tapsell established trading station at Maketu
- 1831: Ngapuhi expedition led by Te Haramiti defeated at Motiti
- 1835: CMS mission station established at Te Papa
December - murder of Hunga of Ngati Haua by Haerehuka of Te Arawa
- 1836: 29 March - attack on Te Arawa at Maketu Pa by Ngati Haua and Tauranga people, led by Te Waharoa
7 May - Te Arawa attack Ngaiterangi in Te Tumu Pa in retaliation
- 1837: Archdeacon A.N. Brown took up permanent post at Te Papa mission station
Te Arawa reoccupied Maketu
- 1838: 30 September - Archdeacon Brown completed purchase of Te Papa No. 1 Block
- 1839: 30 March - Archdeacon Brown completed purchase of Te Papa No. 2 Block
- 1840: January - Visit of Bishop Pompallier followed by establishment of Roman Catholic mission in Tauranga district
10-13 May - Major Bunbury visited Tauranga to collect signatures for Treaty of Waitangi
- 1842: May - Taraia of Ngati Maru killed Ngaiterangi people at Ongare Pa
- 1845: Peacemaking between Te Arawa, Ngati Haua and Tauranga people
- 1858: Potatau Te Wherowhero installed as first Maori King
- 1860: Death of Potatau, succession of his son Matutaera
War in Taranaki over Waitara Purchase
- 1862: September - Wreck of Lord Worsley on south Taranaki coast, beginning of visions of Te Ua Haumene
- 1863: 10 July - Governor Grey issued proclamation to Waikato
12 July - Imperial Troops led by General Cameron crossed Mangatawhiri River into territory of Maori King
17 July - fight on Koheroa Ridge
August - September - various fights in area between Auckland, Pokeno and Hauraki Gulf
30 October - fight at Meremere
21 November - Rangiriri taken
December - Ngaruawahia occupied by Imperial Troops; more fighting in Wairoa Ranges, Hauraki
3 December - New Zealand Settlements Act passed
- 1864: 21 January - 600 Imperial Troops landed at Te Papa
February - March - Imperial Troops in Waikato pushed up the Waipa Valley, fighting at Rangiaowhia (21 February) and Hairini (22 February) in Te Awamutu district
Early March - 200 Imperial Troops sent from Te Papa to Maketu; redoubt built at Pukemaire Pa
Late March - Tauranga people challenged Imperial Troops to fight at Waoku; rules for fighting drawn up.
31 March - 2 April - siege of Orakau in Waikato
Early April - fortification of Pukehinahina (Gate Pa) begun
6 April - Captain Lloyd and others killed near New Plymouth by "Hauhau"
7-9 April - fighting near Rotoiti in Rotorua district; Te Arawa repulsed Tai Rawhiti force en route to assist Waikato; retreat to Otamarakau and additional Tai Rawhiti join
21 April - General Cameron moved Headquarters to Te Papa Camp;

- more troops landed.
- 21-26 April - skirmishing east of Maketu between Imperial Troops and Tai Rawhiti
- 27 April - fight at Kaokaoroa; Imperial Troops, assisted by Te Arawa push Tai Rawhiti back east of Matata
- 29 April - battle at Gate Pa
- 24 May - 300 men of First Regiment of Waikato Militia landed at Te Papa, followed by another 280 in early June
- 21 June - battle at Te Ranga
- July - many Tauranga people surrender their arms
- 5-6 August - Governor Grey, accompanied by Whitaker and Fox, accepted surrender at meeting at Te Papa; Grey promised return of three quarters of land to be confiscated and Katikati Te Puna Purchase 'arranged'
- 16 August - proclamation by Grey giving a deadline 21 days hence to surrender arms and qualify for return of lands as promised on 6 August.
- August - Waikato Maniapoto party visit Taranaki; Matutaera given the name Tawhiao by Te Ua at Taiporohenui
- 26 August - payment of deposit (£1000) to several "Ngaiterangi chiefs" in Auckland for Katikati Te Puna Purchase
- Early September - surveys begin in Te Papa - Otumoetai area
- September - October - Pai Marire letters and emissaries sent from Taranaki to Waikato, Bay of Plenty and East Coast districts.
- November - December - further reports of spread of Pai Marire
- Early December - H. T. Clarke and James Mackay Jr. hear claims on Katikati Te Puna Purchase in Auckland; decision given on Hauraki claims
- 25 December - Tauranga people make sudden departure for villages in Kaimai district
- 1865: January - most of Tauranga people who left on 25 December 1864 return home to coastal villages; rumours of conspiracy to attack Te Papa
- Early February - Hori Tupaea and party captured near Rotoiti, suspected of conspiracy with Pai Marire adherents: Tupaea pardoned in March
- 2 March - murder of CMS missionary, Rev. Carl Volkner, at Opotiki
- April - Te Puna township surveyed; further surveys on Katikati Te Puna Purchase halted; District Surveyor Heale complains of Government delay in settling land questions and activities of speculators; continuing rumours of Pai Marire conspiracies.
- 18 May - Order in Council proclaimed Tauranga district under the New Zealand Settlements Act 1863
- June - Heale complained again about delay in settling Katikati Te Puna Purchase
- July - November - no progress on surveys or settlement of land claims in Tauranga; military campaigns in Opotiki district, East Coast and Taranaki
- December - correspondence between Chief Judge Fenton and Frederick Whitaker, Agent of the General Government, Auckland, over the jurisdiction of the Native Land Court at Tauranga; military campaigns continue in Opotiki, Hawkes Bay and Taranaki
- 1866: January - Attorney General Prendergast's opinion that Native Land Court has no jurisdiction over Tauranga lands
- January - February - military campaigns continued in Opotiki and Taranaki districts

- 26 February - Defence Minister Colonel Haultain at meeting at Tauranga; Maori dissatisfaction expressed over confused state of land matters
- 26 March - Governor Grey and F. Whitaker heard Maori grievances at Tauranga, including complaints that suggested boundary of Confiscated Block be moved west of Wairoa River
- May - Surveys in Township of Tauranga; H. J. Utting appointed District Surveyor
- 29 May - Utting reported that insufficient "good agricultural land" can be surveyed between Wairoa and Waimapu Rivers
- 6 June - Farm sections allotted to remaining military settlers
- 26 June - 19 July - Clarke and Mackay investigate remaining tribal claims in Katikati Te Puna Purchase
- 10 August - Ngati Paoa claims paid off (Turton Deed No. 458)
- 14 August - Tawera (Ngati Pukenga) claims paid off (Turton Deed No. 459)
- 22 August - Wiremu Tamihana of Ngati Haua offers to mediate in dispute with Pirirakau over boundary of Confiscated Block and sale of Katikati Te Puna Blocks
- 3 September - Hauraki claims paid off (Turton Deed No 460)
- September - Township of Greerton surveyed
- October - some military settlers struck off pay; Pirirakau continue to challenge right of "Ngaiterangi chiefs" to sell in Katikati Te Puna Purchase; Tamihana's offer to mediate rejected by Government; H. J. Utting, District Surveyor removed, H. N. Warner takes charge of survey
- 31 October - hui at Motuhoa; Pirirakau refused to attend
- 3 November - Final payment to "Ngaiterangi chiefs" for Katikati Te Puna Purchase (Turton Deed No. 461)
- 8 November - meeting at Te Irihanga with Pirirakau who still oppose Ngaiterangi actions (described subsequently as "Pirirakau Expedition")
- 9-13 November - survey of western boundary of Confiscated Block completed under military escort
- November to December - reports of threats by Ngati Porou of Mataora on survey parties, rumours of continuing Pirirakau opposition and "disaffected Arawa" in the Te Puke district; military protection of surveyors withdrawn but troops stationed at Omanawa Redoubt
- Late December - H. L. Skeet takes over as new District Surveyor; surveyors withdrawn from Oropi-Omanawa area; death of Wiremu Tamihana
- 1867: January - Pirirakau disputed boundary of Confiscated Block and ordered military settlers off their farms; troops burned a whare at Oropi; Pirirakau seized survey equipment and burned a European hut; troops ordered out to action in "Tauranga Bush Campaign"
- 18 January - engagements at Te Irihanga and Whakamarama
- 4 February - engagements at Te Akeake and Taumata
- 15 February - engagements at Te Irihanga and Whakamarama
- 3 March - engagement at Te Kaki; further action in ranges between Oropi and Rotorua
- June-July - rumours of Pai Marire conspiracy continue but no further military action
- September - Government and Church Missionary Society made a deal on Te Papa lands purchased by CMS in 1838-39 that every 5th section is allocated to CMS; surveys of Te Puna and Aongatete districts for military settlement begun
- 10 October - Tauranga District Lands Act 1867 passed

- 1868: H. T. Clarke appointed Commissioner of Tauranga Lands
10 October - Tauranga District Lands Act 1868 passed
- 1870: January - Te Kooti in Kaimai-Mamaku area; skirmishes at Tapapa, 24
January, and in Rotorua district
- 1871: A. Follett Halcombe reported on failure of military settlement
scheme
17 May - payment to Pirirakau, Ngati Hinerangi and Ngati Tokotoko
for claims in Katikati Te Puna Purchase (Turton Deed No. 462)
- 1875: Katikati Special Settlement established, led by George Vesey
Stewart
- 1877: Dispute over Ngati Rangiwewehi occupation of land at Omokoroa,
settled by H. T. Clarke arranging sale of Ngati Haua reserves
there.
- 1878: J. A. Wilson appointed Commissioner of Tauranga Lands
- 1879: Wilson's report on Tauranga lands
- 1880: H. W. Brabant appointed Commissioner of Tauranga Lands
Te Puke Special Settlement established
- 1886: H. W. Brabant submitted report on "Lands Returned"; end of
jurisdiction of Commissioners of Tauranga Lands under Tauranga
District Lands Acts 1867 and 1868