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NGATI TOA IN THE WELLINGTON REGION

A REPORT TO THE WAITANGI TRIBUNAL

**Vol 1:
Text**

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Preface

My full name is Richard Boast, I reside at Pukerua Bay, Porirua, and I am a Senior Lecturer in Law at Victoria University of Wellington. I have a Master's Degree in Law from Victoria University (Second-Class Honours, 1st division) and a Master's degree in History from the University of Waikato (First-Class Honours). I was admitted to the Bar in 1979, and since that time I have been engaged either in legal practice or in university law teaching. My specialist teaching interests are Legal History, Property Law, Public Law, Maori Land Law and Natural Resources Law.

I have published widely on aspects of New Zealand legal history, Maori land law, Natural Resources Law and the Treaty of Waitangi and Law. I am a co-author (with J. Finn and P. Spiller) of *A New Zealand Legal History* (Brooker's, Wellington, 1996) and (with D.A. Edmunds) of *The Treaty of Waitangi and Maori Resource Management Issues*, a section of Brooker's *Resource Management*. In addition I have published numerous articles in New Zealand and Australian scholarly journals and have given various papers at national and international conferences, including a paper on 'Tenurial Revolution in New Zealand' presented at the 1996 Conference of the American Society for Legal History. I have supervised at LLM level numerous research essays and theses.

I have given evidence before the Waitangi Tribunal on numerous occasions for a variety of claimant groups, including three reports for the Muriwhenua Lands (Wai-45) claim, four for the Geothermal Claim, four for the Mohaka-Waikare Raupatu claim, and one for the Chatham Islands claim (on behalf of Ngati Mutunga). I have also given evidence on legal-historical issues in the Maori Land Court and Maori Appellate Court. From 1981-1987 I practised law as a barrister and solicitor and this included a number of appearances as counsel on behalf of Maori groups in the Planning Tribunal, Maori Land Court, and Waitangi Tribunal.

This report has been prepared on behalf of Ngati Toa. The precise objectives of the report and its particular approach are explained fully in the text.

R.P. Boast
30 April 1997.

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1. INTRODUCTION

1.1. **General theoretical orientation:** The essential premise of this report is that it is impossible to meaningfully analyse 'tribal' relations without a clearly developed and fully-explicated theoretical model of Maori social organisation. Too often in the literature 'tribes' or 'iwi' become reified into autonomous actors in the historical drama, so that 'Ngati Toa' is said to have done, fought, or experienced x and 'Te Ati Awa' done, fought, or felt y . These terms however, are merely a kind of shorthand to avoid having to always use clumsy (but more accurate) terms as "the descent group for which most of the time most of the members of which were willing to regard their primary identity, or one of their primary identities, as being encapsulated in the term Ngati X". At the very least it is surely self-evident that the concepts of 'tribe' or 'iwi' be thought about very carefully so that when considering, as part of a highly contestable historical and legal debate, such matters as *tribal* 'mana' or 'authority' we have a clear understanding of what precisely it is that we are trying to say or explain.

1.2. **Primacy of descent:** The author is not an anthropologist or any kind of expert on 'Maori studies', and so the following remarks are made with all due deference. Few, I suspect, however, would disagree with the proposition that to Maori themselves the principal model of social organisation was that of descent. What we call an 'iwi' or a 'tribe' was a *descent group*. It was a social group whose members shared the sense of being descended from a particular ancestor or ancestors. But of course descent is limitless, and no individual member of a 'tribe' will be descended from just one person; or, in other words, descent is as much a matter of subjective personal self-identification as it is a matter of objective social ordering. Many individuals within an 'iwi' will be descended partly from individuals *outside* the iwi; so that an individual such as the chief Wi Naera Pomare (usually said to be "of" Ngati Mutunga) turns out to have illustrious Ngati Toa ancestry through his mother - a relationship perpetuated in his own children, his wife being Ngati Toa too. On home marae at the Chatham Islands or in Taranaki Wi Naera Pomare would of course be recognised as, and recognise himself as having, unquestioned turangawaewae as Ngati Mutunga; but at Porirua he would also be on home ground as well. *Who* one is to a large degree turns on *where* one is. Visiting Porirua Wi Naera Pomare could unquestionably point to his illustrious Ngati Toa descent and would have status not merely as an illustrious related visitor

but *as Ngati Toa*. This simple illustration shows that by regarding Wi Naera Pomare as "Ngati Mutunga" one is grossly simplifying and coarsening a very complex set of social relationships. Another example is Waitaoro of Ngati Tama, born in the Chatham Islands. Her mother was Rongorongo of Ngati Toa and Raniera of Ngati Tama; after spending much of her early life in the Chathams she later returned to Taranaki, to Ngati Tama's traditional lands at Poutama, and is buried at Pukearuhe. She was regarded as an elder of Ngati Tama, Ngati Mutunga, Ngati Toa and Ngati Maniapoto.¹ Today, to take another example, people who have turangawaewae at Porirua as "Ngati Toa" can, when on the other side of Cook Strait at Rangitoto, regard themselves as "Ngati Koata" and vice versa.

1.3. Tribal relations: I am not of course advocating that 'tribes' and 'iwi' are non-existent. While it is important to stress that individuals might see themselves as belonging to a number of iwi, it is also important not to fall into the opposite error and conclude that questions of tribal status and tribal relationships are essentially meaningless. This is not my stance; but I do wish to emphasise that it is very important to not reify the concept of the tribe and to assume that they operated as mini-polities akin to European states. Members of tribes, and especially the leadership, would have connections by descent or marriage to other descent groups. Tribes have to be grasped according to concepts meaningful to Maori society itself, these being, I believe, those of whakapapa and turangawaewae; and this could very easily mean that particular individuals could, without any challenge or self-consciousness, belong to a number of 'tribes'. Thus Jane Luiten, in her report on the Whanganui-ki-Porirua claims, refers to Matene Te Whiwhi's role in negotiating the Rangitikei-Turakina purchase with McLean in 1849 as one of the 'dignatories' of Ngati Raukawa,² which indeed he was, but this self-same Matene Te Whiwhi was also Ngati Toa, being one of the three signatories to the Wairau Deed, 18 March 1847 (Ngati Toa deed),³ one of nine signatories to the Porirua Deed, 1 April 1847 (Ngati Toa deed),⁴ and one of twelve signatories to the Waikanae Deed, 20 April 1858 (a joint Ngati Toa and Te Atiawa deed).⁵ (Matene Te Whiwhi was Te Ati Awa as well.) This triple

¹ See Angela Ballara, "Waitaoro", *Dictionary of New Zealand Biography*, vol. 2, 261.

² Luiten, *Whanganui ki Porirua: an exploratory report*, (Wai 52 Doc#A1), 13.

³ Alexander Mackay, *Compendium*, vol. 1, 204.

⁴ *Turton's Land Deeds of the North Island*, No 22, p.127.

⁵ *Turton's Land Deeds of the North Island*, No 23A, p 129 (this transaction was not completed).

identity was something he readily acknowledged; in his evidence in the Kukutauaki case in the Native Land Court in 1872 Matene said:⁶

I belong to the Ngati Toa, Ngati Awa and Ngati Raukawa.

However, when giving evidence regarding Ngati Raukawa's ancestral blocks in the South Waikato. Matene Te Whiwhi stated simply that he belonged to Ngati Raukawa ("I am a chief of Ngati Raukawa"⁷), once again showing that identity is variable to a degree and depends on place and context. And these complex identities were the norm, rather than the exception:

I belong to Ngati Toa and Ngati Raukawa (Tamihana Te Rauparaha, Paremata case, 1866⁸)...I am partly Ngati Raukawa and partly Ngati Toa (Tamihana Te Rauparaha, Otaki Townships case, 1866.⁹

I am a Ngati Raukawa and Ngati Toa and Ngati Awa and live at Manawatu. (Henere Te Herekau, Himatangi case, 1868¹⁰).

[I am] Ngati Toa and Ngati Raukawa (Ropata Hurumutu, Himatangi case, 1868.¹¹

[I am] Ngati Toa and Ngati Raukawa (Rakapa Te Hoki, Himatangi case, 1868¹²).

[I belong to] Ngati Koata and partly to the original tribes, Rangitane, Ngati Apa etc. (Hihaka Te Kaheka, Rangitoto case, 1883¹³).

My father belonged to Ngati Rarua and my mother to Ngati Tama (Paka Herewine Ngapiko, Nelson Tenths case, 1892¹⁴).

6 Kukutauaki case, (1872) 1 Otaki MB 1, at 135. Unless stated, all Minute Book extracts in the text come from the transcriptions in the Appendix.

7 Puahue case, (1868) 2 Waikato MB 76.

8 Paremata case, (1866) 1 B Otaki MB 57.

9 Otaki Townships case, (1866) 1 B Otaki MB 24.

10 Himatangi case, (1868) 1 C Otaki MB 154.

11 (1868) 1 C Otaki MB 404.

12 At (1868) 1 C Otaki MB 412.

13 Rangitoto (D'Urville Island) case, (1883) 1 Nelson MB 12.

14 New Zealand Company Tenths case, (1892) 2 Nelson MB 172.

My father's name was Tekateka Wharehia. He belonged to Ngati Koata. My mother's name was [Nukuhata?] She belonged to three hapus, viz. Ngati Kuia, Rangitaane, Ngati Apa. (Ihaka Tekateka, Nelson Tenth's case¹⁵).

In the Ngarara (Waikanae) rehearing case in 1890 Wi Parata explained that he was Ngati Toa, Te Ati Awa and Ngati Ruanui and, for the edification of the court, carefully listed his distinguished ancestors from all three.¹⁶ The same point can be documented by literary evidence of another kind, the headstones of the little cemetery at St Luke's Anglican Church at Waikanae:

Hei tohu aroha he whakamaharatanga ki WI PARATA TE KAKAKURA WAIPUNAAHU, rangatira nui o roto i ona iwi [] rua - i a Ngatitōa me Ngatiawa...

NATANAHIRA UMUTAPU TE KAKAKURA WI PARATA...Ngati Toa, Ngati Raukawa me Ngati Awa...

ONAU TE KAKAKURA. He wahine rangatira no nga iwi e toru [no?] Ngati Toa, Ngati Raukawa me Ngati Awa....

Te Rauparaha is usually thought of as being quintessentially 'Ngati Toa', so much so that it comes as a surprise to learn that there were those who thought of him as a rangatira of Ngati Raukawa. In 1868 Rawiri Te Whanui (Ngati Raukawa) stated in the Native Land Court:¹⁷

Ngati Raukawa only [were] at that meeting. No chiefs of other tribes. Te Rauparaha was there - he is Ngati Raukawa. Don't know if he was of Ngati Toa and Ngati Raukawa. He was a chief of both tribes. He had equal mana over Ngati Toa and Ngati Raukawa.

In the Waiorongomai case (1869), Rota Te Tahiwī of Ngatimāiotaki (a descent group of Ngati Raukawa) stated that Te Rauparaha sent to Taupo "to fetch over his people the Ngati Raukawa to occupy the land."¹⁸ Te Rauparaha's mother, Parekohatu, was Ngati Raukawa, and his father, Werawera, was Ngati Toa. To Wi Parata, Te Rauparaha was "Ngati Toa and Ngati

15 (1892) 2 Nelson MB 253.

16 Ngarara case, (1890) 10 Otaki MB 153-4.

17 In the Himatangi case, at (1868) 1C Otaki MB 231:

18 Evidence of Rota Te Tahiwī (Ngati Raukawa), (1869) 1 G Otaki MB 99.

Raukawa".¹⁹ The Ngati Raukawa connexion was a critically important one to Te Rauparaha, and, as things turned out, to Ngati Toa in general (the alliance, although reasonably durable, did not always hold, however). Through his father, Werawera, there was also a connection to Ngati Mutunga,²⁰ and Te Rauparaha could also claim descent from Arawa ancestors. When Te Rauparaha first sought aid from the tribes when Ngati Toa were about to migrate south, it was to Ngati Raukawa and Ngati Whakaue (Rotorua) that he first turned (his overtures were rejected, although the chiefs of Raukawa later changed their minds).²¹

The linkages between the immigrant descent groups classified today as Ngati Toa, Ngati Koata, Ngati Rarua, Ngati Raukawa, Te Ati Awa, Ngati Mutunga and Ngati Tama were complex and criss-crossing, an important reality which can easily be lost sight of with an over-emphasis on the divisions, fights and squabbles of various kinds which certainly also took place. Some of these links are discussed more fully in later sections of this report, such as the close links between Ngati Mutunga and Ngati Toa. Or, to take another example, in 1842 Taringa Kuri (more properly Te Kaeaea) of the Ngati Tama was asked at Spain's enquiry into the Wellington purchase whether "the Ngati Tama is a branch of any other tribe". He replied:²²

They and the Ngatimutunga form one tribe.

Ngati Mutunga shade into Te Atiawa and Ngati Tama and Ngati Toa. Ngati Toa shade into Ngati Tama, Ngati Mutunga, and Ngati Raukawa. Although, however, Taringa Kuri saw Mutunga and Tama as one tribe, he did not feel the same way about Mutunga's shadings in other directions, for he clearly saw the 'Ngatiawa' (Te Ati Awa) as distinct.²³

Another dimension to the complexity is that some of the descent groups shared a common sense of belonging to larger collectivities. For all their differences, and for all their allegiances with other groups, Ngati Toa and Ngati Raukawa, for example, shared a common bond of belonging to

19 Ngarara case, (1890) 10 Otaki MB 165.

20 See the whakapapa in Pe Te Hurinui Jones, *Potatau*, 39.

21 See the evidence of Nopera Te Ngiha, Himatangi case, (1868) 1D Otaki MB 352.

22 Evidence of Taringa Kuri, OLC 1/906, 28 May 1842.

23 Ibid.:

Q: What tribe do Puni and Warepouri belong to?

A: The Ngatiawa.

'Waikato'; speaking in the Himatangi case in 1863 Parakaia Te Pouepa (Ngati Raukawa) insisted that the 'mana remained with Waikato'.²⁴

1.4. Contestability: I also wish to raise as a general proposition whether an objective and detached history of 'tribal relationships' is in fact possible. It may well be that all that can be done is to accept that Te Ati Awa, say, and Ngati Toa, have competing and contestable readings of the tribal history of the Wellington region. Is one view or another the 'right' one? Such views can be very tenaciously held, and certainly if the Waitangi Tribunal prefers a historical reading which is at variance from Ngati Toa's understanding of their own history, for example, that understanding will in no way be called in question by anything the Waitangi Tribunal might say. Tribal history cannot in any case be set in stone and the case, as it were, closed: it will always remain contestable. One of the difficulties with the Native Land Court was that it had to act on the premise that there was an objectively correct reading of traditional history, which led it to impose tidy and schematic interpretations on debatable material. I am far from certain that anyone actually could construct a synthetic account based on all of the various narratives, ancient and modern, which irons out all the differences and produces an objective treatment that all the tribes will feel happy with. The inherent contestability of the subject was pointed out to the Maori Land Court in the course of the Ngati Toarangatira s. 30 case in 1994 by Maui Pomare (Ngati Mutunga and Ngati Toa):²⁵

I think the history is colourful. We know that. I think also the fact that Ngati Toa as a tribe had its beginnings in the Tainui area, the landing of the canoes and is seen to have moved down the North Island to Porirua and into the South Island indicates one of two things: that they had the strength to move, and when moving there is always a downside to that. Apart from themselves the tribe has remained constant and strong. For those that they have encountered they have had to displace and take by conquest. And so I say there is a downside that somebody, some people have always had to feel Sir, the pinch of the tribe. And so I say that having been the history, one where by conquest and by movement they have displaced others, I think there will always be a contestable history and a contestable amount of discussion about it. But there is no contestable debate I believe, about the fact that Ngati Toa did occupy some and part of, if not all of the northern part of the South Island or their

24 (1868) 1 C Otaki MB 204.

25 (1994) 20 Nelson MB 180.

influence did just that. Now they didn't do it only by themselves. They did it with allies and some of those tribal allies have been represented here today. Indeed Ngati Rarua and Ngati Koata are seen to be part and one and the same people, and I believe that. That's why I believe implicitly that the future is better than bleak because of those connections. And if one understands the whakapapa and that is the important part about it, we have opportunities, I believe, to develop further than we have in the past 150 years.

Despite the contestability of the material, the historian is obliged to piece together a plausible narrative, which is what I have tried to do in this report. Maui Pomare himself believed that despite the difficulty and contestability of the evidence, one could all the same make at least some plausible statements about the past which few would deny. By sifting the various accounts, by placing them side by side so that what is agreed on and what is disputed becomes clear, it is possible, I believe to indeed make meaningful and persuasive statements about the past. Definitiveness can never be achieved; but, of course, that is true of all history.

1.5. Modes of recognition: Given that to Maori themselves matters of title and tenure were highly contestable and complicated by the fact that many individuals had standing in more than one 'tribe', the question then becomes one as to what extent were the institutions of the colonial state able to accommodate and recognise this reality. The answer varies according to the superimposed method of tenurial recognition and land alienation. In some ways the deeds of the pre-emption era could cope with the complexity more effectively than the Native Land Court system introduced after 1865. Quite often a number of iwi were paid out in separate deeds for the same land. The most important examples are McLean's Te Waipounamu transactions of the 1850s, by which many descent groups were paid for their interests in the Upper South Island without the actual parcels being defined and described. (These transactions, in which Ngati Toa played an important role, are described below.) McLean saw that it was simply not possible to authoritatively define the boundaries between Te Ati Awa, Ngati Toa, Ngati Rarua, Ngati Tama and so on: instead, there were complex and overlapping interests best dealt with by loosely-defined deeds extinguishing the interests of everyone and establishing reserves. However, with the advent of the Land Court, the situation changed; the Court developed a highly schematic and fairly rigid set of requirements which, by an ironic twist, was applied to the reserves within McLean's Te Waipounamu deeds. Ngati Toa thus found

themselves excluded from interests in reserves and in such interests as the Nelson Tenth even though they had been original "vendors" of the lands in question.

1.6. **Alienation of Ngati Toa Lands:** Ngati Toa's principal location is now around Porirua, centred on the marae at Takupuwahia (Porirua) and at Hongoeka (Karehana Bay). The current structuring of the claims and hearings processes by the Waitangi Tribunal has caused some difficulties for Ngati Toa, who so far have found themselves responding to the claims of others rather than having the opportunity to hear their own concerns aired in an appropriate manner. Ngati Toa's claims and concerns extend to the South Island, to Wellington and the Hutt Valley, and north and south from Porirua to Makara and the coast beyond, and north to Waikanae and Horowhenua. In regard to this latter area Ngati Toa have been grouped together in a general claim styled Whanganui ki Porirua, (which, even so, does not cover the whole of Ngati Toa's concerns, as Wellington and the South Island are not included) for which a number of researchers have written a number of valuable introductory research reports, but which otherwise has not apparently progressed very far.²⁶ Ngati Toa-related issues in the South Island have been discussed in G.A. Phillipson's *Northern South Island* report, part of the Rangahaua Whanui series. But there has no report so far which looks at events in the North and South Islands from a specifically Ngati Toa viewpoint. Once again, this present report is not dictated by a framework particularly meaningful to Ngati Toa, but is instead required to be focused on Wellington and the Wellington Tenth, this being but one, and by no means the most important, of Ngati Toa's concerns. It has accordingly been decided to interpret the Tribunal's research commission fairly liberally and to write a report which, while paying due attention to the matter of the Wellington Tenth, deals with Ngati Toa history reasonably comprehensively. It may well

²⁶ Most notably, Jane Luiten, *Whanganui ki Porirua: An exploratory report commissioned by the Waitangi Tribunal on early Crown purchases*. 5 March 1992 (Wai 52Doc#A1). This report relates to eight distinct claims, these being (i) Wai 52 - Tamihana Tukapua on behalf of Muaupoko; (ii) Wai 88 - Pehi Parata on behalf of Ati Awa ki Waikanae; (iii) Wai 108 - Tama-iuia Ruru on behalf of Muaupoko; (iv) Whata Karaka Davis, Ngarongo Iwikatea Nicholson and Te Maharanui Jacob on behalf of Ngati Raukawa ki te Tonga; (v) Ruth Jacqueline Hera Harris on behalf of Rangitane ki Manawatu; (vi) Wai 207 - Akuhata Wineera, Pirihiha Hammond, Ariana Rene, Ruta Rene, Matuawaiwi Solomon, Ramari Wineera, Hautonga Te Hiko Love, Wikitoria Whatu, Ringi Horomona, Harata Solomon, Rangi Wereta, Tutira Williams, Ruihi Horomona, Manu Katene on behalf of Ngati Toa Rangatira; (vii) Wai 237 - Ron and William Taueki on behalf of Muaupoko ki Horowhenua; and (viii) Wai 265 - George Mathews on behalf of Ngati Apa. As Luiten rightly observes (*ibid.*, 4): "the number of overlapping claims is not surprising given the history of the area."

be that this report is used in a somewhat wider context than the Wellington Tenths claim, and it has been researched and written accordingly.

Ngati Toa, formerly the owners of an extensive, if no doubt contestable, demesne in central New Zealand, have lost their lands almost entirely. Ngati Toa rights at Wellington and in the Hutt Valley were of course erased by a process of pre-Treaty purchase and subsequent investigation and grant, the same as affected the other tribes of the area. The New Zealand Company's attempt to acquire land at Porirua itself and to extinguish Ngati Toa title more generally was overruled by Commissioner Spain. In 1846, however, Te Rauparaha was kidnapped and detained by Governor Grey, and this achieved what the New Zealand Company could not; during his detention Ngati Toa chiefs sold the Wairau and Porirua blocks to the government. Ngati Toa along with the other Upper South Island tribes sold their remaining interests to the government in the course of McLean's complex Te Waipounamu transactions of 1853-55. That left the reserve areas within the Wairau and Porirua blocks and uninvestigated land north of Porirua. These blocks, such as the Pukerua, Hongoeka, and Kapiti blocks were all investigated by the Native Land Court after 1865; and have since mostly been sold.

1.7. Historiographical issues: Beginning in about 1820 a number of Waikato coast and North Taranaki tribal groups left their traditional territories and migrated south. These displacements have proved to be a significant event in New Zealand history. This movement reached its farthest-flung extent with Ngati Mutunga's invasion and settlement of the Chatham Islands in 1835 (although for the most part Ngati Mutunga returned to Taranaki in 1868, but re-established themselves in the Chathams with a peaceful influx of younger people in the 1880s who returned to their parents' lands and cultivations).²⁷ The boldest and most reckless of all the invasions was undoubtedly was the unsuccessful attempt by the Ngati Tama chief Te Puoho to attack Ngai Tahu in Southland after an epic journey the length of Westland and across the Southern Alps; he did this, according to Ngati Rarua/Ngati Tama chief who knew him "so that his name should be in the ascendant".²⁸ By the time the migrations were over, not only was Ngati Mutunga (and sections of Ngati Tama and Ngati Haumia) established on the

²⁷ See generally R.P. Boast, *Ngati Mutunga and the Chatham Islands: a report to the Waitangi Tribunal*, March 1995.

²⁸ (1892) 2 Nelson MB 179 (evidence of Taka Herewine Ngapiko).

Chathams, but Ngati Toa, formerly of Kawhia, at Porirua, Kapiti, Pelorus Sound and the Wairau Valley, Ngati Raukawa at Otaki and Horowhenua, Ngati Koata - originally a sub-tribe of Ngati Toa - at Rangitoto (D'Urville Island), Ngati Rarua (also a Ngati Toa sub-tribe) in Nelson, Te Ati Awa at Waikanae, Arapawa, and Wellington, and other fragments of Ngati Tama just about everywhere (Wellington Harbour, the Hutt Valley, Nelson and Golden Bay). This expansion, or displacement, came at the expense of the existing settled populations of central New Zealand and the Chatham Islands.

It is certainly the case that the legacy of these long-ago displacements has caused troubling problems for courts and tribunals in recent years. These include the hearings in the Maori Appellate Court in 1990 dealing with tribal boundaries between Ngati Toa, Ngai Tahu and Rangitane and other groups; the s. 30 Maori Land Court case in 1994 involving competing groups within Ngati Toa, and the Chatham Islands Waitangi Tribunal hearings in 1995-6. This claim is yet another example of the intractable legal and historical problems that can eventuate from these long-ago events. These difficulties result, however, from a central legal and historical problem which has long troubled inquiries and courts in this country, this being the weight that should be given after 1840 to claims to title to land based on *take raupatu*. The Treaty of Waitangi protected Maori title to land, and that title could be founded only on the basis of Maori customary law. The sensibilities of colonial officials and missionaries were, however, offended by notions of 'slave' tribes and claims to ownership based on conquest. And, as this report will show, many missionary-influenced Maori rangatira themselves came to reject *take raupatu* and to accept that tribes that had been defeated before the Treaty could now sell land to the government. These events have also led to a number of historiographical problems which have the cause of some debate amongst historians.

The most important of these is the nature of Te Rauparaha's 'polity'.²⁹ One of the most important themes in Pacific history in the nineteenth century is the emergence of Polynesian kingdoms in Tahiti, Tonga and Hawaii, and ultimately in New Zealand, with the establishment of the Kingitanga in 1858. Historians, observing all of this, and noting the historical development of this country in the 1820s and 1830s, have wondered whether there was any possibility of an independent Polynesian monarchy evolving in this country on the Hawaiian or Tongan model (before, that it is, its natural evolution was

²⁹ For a full discussion of this and related questions see Susan and Graham Butterworth, "Te Rauparaha and his legacy", 1 September 1994 (unpublished paper presented in evidence at the Ngati Toa

stymied by the onset of colonization). Was Te Rauparaha a kind of proto-Maori king, and was he in the process of establishment of some kind of new political structure which was different from that known to earlier and more traditional varieties of Maori politics? This report can hardly resolve questions of this kind, although even asking the question does at least raise the possibility that thinking of Te Rauparaha's polity as "Ngati Toa", or trying to compare the "mana whenua" of Ngati Toa as opposed to, say, that of Te Ati Awa or Ngati Raukawa could be quite misleading. Perhaps Te Rauparaha was trying to do something more than simply entrench the power of Ngati Toa.

As it happens, most historians who have thought about this tend to see Te Rauparaha as a died-in-the-wool Maori traditionalist rather than an innovative politician. This is how Patricia Burns essentially sees him - as an especially able and successful traditionalist.³⁰ Kerry Howe, one of the few scholars with the expertise in Pacific and in New Zealand history to make such a judgment, also stresses that Te Rauparaha, like Hongi Hika, was essentially one of the old school, albeit commanding warriors armed with guns. "Hongi and Te Rauparaha", Howe believes, "were different from their counterparts in Hawaii, Tonga and Tahiti."³¹

It is possible to interpret the careers of Hongi, Te Rauparaha and others as nothing more than an endless quest to avenge some insult. Every campaign had specific and stated objectives which invariably were to redress a particular 'outrage'. And as every expedition produced further insult and injury so the process continued.

To which it might be said that it is certainly *possible* to interpret Te Rauparaha's career in this way, but that this may not be the truest or most useful way of thinking about it. Part of the difficulty is that Maori contemporaries who wrote about Te Rauparaha, or who gave testimony about him in court or to ethnographers tended to construct their narratives in a very traditional idiom. Matene Te Whiwhi or Nopera te Ngaha simply did not analyse Te Rauparaha using the categories and classifications of modern historians. Te Rauparaha, we are told, for example, invaded the South Island because of ritual insults: that his head would be crushed with a fern-root pounder, or that his stomach would be ripped open with a shark's jaw. Such grave insults, as everyone knew, could not go unnoticed and amounted to a

³⁰ See Burns, *Te Rauparaha*, 296-299.

³¹ K.R. Howe, *Where the Waves Fall*, George Allen and Unwin, Sydney, 1984, 220.

causus belli. But still, was this all there was to it? Can it really be believed that the complex invasion of the Upper South Island, the years of hard campaigning, following by careful redistribution of the land, were brought about *only* because of ritual insults? Or did Te Rauparaha have larger and more ambitious plans in mind? And if so what were they?

The obvious difficulty with stressing that a Maori monarchy failed to emerge in New Zealand as contrasted with Hawai'i or Tonga is that, of course, a Maori monarchy in fact *did* emerge and is still an important institution at the present day. Matene Te Whiwhi and Tamihana Te Rauparaha were important figures in the Kingitanga's establishment. In Keith Sinclair's view the King movement was "started at Otaki" by these two "remarkable young chiefs".³² Sinclair derives Tamihana's interest in monarchy from his presentation to Queen Victoria in 1851, but it is possible that the memory of his father may have had something to do with it.

1.8. Maori customary law and conquest: Much of the material in the Otaki, Te Waipounamu, Wairarapa, Wellington and Chatham Islands Minute Books of the Native Land Court is concerned with proving claims to land based on *take raupatu*, conquest, a significant factor being that the 'conquests' in question did not take place in ancient times but were in fact participated in by most of the witnesses to the proceedings. The evidence seems to follow a fairly schematised pattern, and in my opinion probably does reflect a fairly well-recognised body of Maori custom as to the constituent elements of a valid conquest. It seems, for example, that the emphasis placed on keeping 'fires burning' was not at all metaphorical but was on the contrary highly specific and concrete. A fire, burning visibly by day, is a highly objective and verifiable statement of a right of ownership. A tribe that confidently burns its fires in the day-time is asserting its mana and control; if the putative conqueror is unsuccessful in extinguishing the fires then the conquest is not established. If a tribe is able only to light its fires in invisible places or at night then its claim to territory is for that reason questionable. This emphasis on fires is quite frequent in the minute books. An example is the following passage from Matene Te Whiwhi's evidence (in cross-examination by Hoani Meihana of Ngati Apa) in the Kukutauaki case:³³

³² Sinclair, *Origins of the Maori wars*, 68-9.

³³ At (1873) 1 Otaki MB 148.

The fires we saw were at the first. All the fires we saw we put them out. We saw none afterwards. There are only ashes of those fires left. The place of residence at this time of the Muaupokos was in the mountains. Whenever they came out into the open I was there and caught them and put their fires out. I saw a fire on the coast. I went there and killed Takare. Where they were when their fires were not seen on the coast I don't know.

There are other traditional frames of reference: the importance of catching the people, of fighting by day (sneak surprise attacks at night do not prove anything), of killing but also of sparing lives and releasing captives, of formal peace-makings.

2. SOURCE MATERIALS

2.1. **Introduction:** There is a very substantial secondary literature dealing with Ngati Toa's journey to Kapiti under the leadership of Te Rauparaha. All these accounts, however, derive in the end from five main groups of sources, these being (i) Ngati Toa written accounts; (ii) accounts given in evidence at Court hearings³⁴; (iii) letters, journals, diaries and other accounts left by European visitors and settlers in the Cook Strait region; (iv) and the files and memoranda of the New South Wales, New Zealand and British Governments, of the New Zealand Company, and (v) of the various missionary societies and religious denominations. As this report is written with the express objective of interpreting the events of the colonisation of the country through Ngati Toa eyes, priority will be given to Ngati Toa written and oral commentary where possible. Some of the evidence that has been given in the Wellington Tenths case appears to be a reworking of secondary sources, most notably Gillmore's first report, a good part of which consists of a verbatim reproduction of an essay by Angela Ballara, and for which a substantial section of the document bank appears to be simply reproductions of pages from the Minute Books and other material cited in Ballara's footnotes, with no attempt being made to independently evaluate this material. This report, I should add, is not constructed as a critique of Gillmore, Ballara or any one else, but has attempted to be fairly rigorous in relying only on primary sources.

2.2. **Testimony in the Native Land Court:** The fullest accounts of Ngati Toa's pre-1840 history are to be found in the Minute Books of the Native Land Court. This report draws to a substantial degree from material in the Otaki, Wellington, Nelson, Waikato, Otorohanga and Chatham Islands Minute Books. The Minute Books are, as far as one can judge, a reliable record of what was actually said.³⁵ That aside, the reliability of Minute Book testimony is a matter of some debate. In the present case, the evidence has the particular

³⁴ Including (i) Lands Claims Court and Commission hearings; (ii) Native Land Court hearings; and (iii) hearings of the Compensation Court (Ngati Toa were claimants in the Compensation Court hearings dealing with the Waikato raupatu for their lands at Kawhia).

³⁵ Occasionally, especially with important cases such as the Himatangi case, the evidence and legal argument was printed in full in newspapers such as the *Evening Post* and the *Daily Southern Cross*, which allows the Minute Books to be cross-checked; and in that case at least, the material in the newspapers and in the Minute Books is not materially different, although it tends to be somewhat fuller, and gives comments on the behaviour of the witness, how he or she was coping with the cross-examination and so on, details which are never found in the Minute Books.

value of being often given by eyewitnesses who were personally involved in the events of the 1820s and 1830s. The evidence we are concerned with related, in other words, not to the ancient past but to events within living memory. The evidence is often substantial. Matene te Whiwhi, for example, gave in 1872³⁶ evidence describing Ngati Toa's travels from Kawhia and the history of the tribe's settlement at Kapiti and Porirua and of its relations with the Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu, Te Ati Awa, Ngati Tama, and Ngati Raukawa. The evidence took three days to present in the Court and covers many pages of the Court minutes. There are many other similar examples. To neglect such sources due to some generalised mistrust of the Native Land Court process would be, quite frankly, bizarre. Of course it is well-known that proper caution has to be exercised when dealing with evidence given in the Native Land Court, but whether the Court's minute books are inherently less reliable than manuscripts, diaries and books is debatable.³⁷ A strong case could be made that evidence given in the Court, in contentious circumstances before a packed courtroom of local Maori people all of whom were keenly interested in the outcome of the case, is in fact to be preferred to the evidence given to Pakeha ethnologists and ethnohistorians (such as Alexander Shand, Edward Tregear, John White, S.Percy Smith, and Elsdon Best) by Maori informants. The latter process has, needless to say, well-known risks of its own. M.P. K. Sorrenson has called White's *Ancient History of the Maori* a "scissors and paste compilation from note books that White paid literate Maoris to fill up with traditions gathered from elders".³⁸ S.Percy Smith's account of Ngati Toa's departure from Kawhia was largely based on notes taken by John Ormsby from Major Te Wheoro's and Hone Kaora's evidence in the Native Land Court in 1886.³⁹ (I have read and

³⁶ In the Kukutauaki case, (1872) 1 Otaki MB, pp 135 et seq.

³⁷ On this problem see Brent Layton, "Alienation Rights in Traditional Maori Society: A Reconsideration", *Journal of the Polynesian Society*, vol. 94, 1984, 423; Alan Ward, "Alienation Rights in Traditional Maori Society: a comment", *Journal of the Polynesian Society*, vol. 95, 1986, 259; P. Spiller, J. Finn and R. Boast, *A New Zealand Legal History*, Brooker's, 1995, 126-7. The fullest and most comprehensive discussion may be found in H.A. Ballara, *The Origins of Ngaati Kahungunu*, Ph.D. Thesis, Victoria University of Wellington, 1991, Appendix 1.

³⁸ Sorrenson, *Maori Origins and Migrations*, Auckland University Press/Oxford University Press, 1979, 43. Sorrenson says that White's volumes were in turn "mined" by Smith for his *Peopling of the North and History and Traditions of the Taranaki Coast*.

³⁹ S.P. Smith, "History and Traditions of the Taranaki Coast", *Journal of the Polynesian Society*, vol. 18, 1909, p.50: "I have been favoured by Mr James Cowan with the loan of a copy of the notes taken by Mr John Ormsby at the Native Land Court, Otorohanga, in 1886, detailing the evidence given by Major W. Te Wheoro (sometime M.H.R.) and Hone Kaora, in the case of the title to Kawhia, from which is taken the following information as to events in that place in the early times of Te Rau-paraha." Why Smith did not read the original Minutes

transcribed the original evidence myself, which is included in the Appendix.) Smith tells us nothing about the objective of Te Wheoro's evidence, which was in fact to demonstrate a claim to Kawhia by Ngati Mahuta on the basis of *take raupatu*. In fact Te Wheoro's claim was *rejected* by Judge Mair, who concluded that "we are of opinion that there was no conquest of Kawhia according to the strict meaning of the term, but that Te Rauparaha and his people went away quietly at a time when there was no fighting".⁴⁰

This, I believe, shows only too clearly the risks involved of assuming that nineteenth-century ethnographers are presenting a reasonably objective analysis of the traditional accounts, and if anything indicates that a comprehensive presentation of the original Minute Book material is vastly to be preferred. In the Land Court, at least, the evidence was given in open court, often in highly contentious circumstances (perhaps the most contentious of all being the seemingly endless hearings regarding the rights of the non-sellers in the Rangitikei-Manawatu blocks⁴¹), and was subject to questioning and cross-examination, more than can be said for personal accounts such as letters and diaries or the efforts of nineteenth-century ethnographers.

As might be expected, the Land Court evidence is given in a highly traditional idiom, employing categories of thought and ordering very typically Maori, and thus not readily translatable into the concerns of modern historiography. Historians might be interested in such matters as structural changes to Maori society brought about by the coming of the musket and the musket wars, or the rise of small hapu-based personal followings as the main means of Maori social and military organisation in the early nineteenth century, but the history found in the minute books is of a static, unchanging kind. Historical events are explained in terms of killings and revenge-killings, *utu* and retaliation for *utu*, putting out one's enemies fires, fights and battles, withdrawals and invasions, peace-makings and diplomatic marriages. One exception to this is the discussion of the effects of the coming of Christianity, some witnesses claiming that the missionaries had induced formerly subject

for himself I am not certain. Perhaps the Land Court material was not readily accessible to scholars in those years

⁴⁰ Judge Mair, Rohe Potae judgment, (1886) 2 Otorohanga MB 55, 66. Of course I do not mean to suggest that factual conclusions by Judges of the Native Land Court must always be accepted as authoritative. The fact is that Judge Mair's reading of the evidence tallies closely with the evidence given by Ngati Toa themselves in other cases (Ngati Toa did not give evidence in the Rohe Potae case).

⁴¹ For an excellent overview of these complex hearings see R. Anderson and K. Pickens, *Wellington District: Port Nicholson, Hutt Valley, Porirua, Rangitikei and Manawatu*, Rangahaua Whanui District 12, chapter 6.

tribes to become 'whakahi' (cheeky) and to pursue unwarrantable claims in the Native Land Court. This is an important point and is discussed fully below. Often the history will be presented as a straightforward linear narrative with not much commentary, but a comparison of a number of descriptions of the same events by different witnesses makes very plain that this apparent simplicity is deceptive. In fact the material presented is often highly selective, carefully chosen to back up a particular reading of history which gains its force from an abundance of circumstantial detail. Although sometimes the evidence-in-chief is somewhat disjointed and is obviously only a set of responses to questions, in other cases (such as Matene Te Whiwhi's evidence in the Kukutauaki case or Te Wheoro's in the Rohe Potae case) the evidence is quite obviously a carefully prepared self-referring narrative, carefully structured, with quotations chosen to underscore important points and for dramatic effect. In short, such narratives are (to use an over-worked term these days) 'texts' and can be analysed as such. It is likely that to someone such as Matene Te Whiwhi, presenting a compelling, clear and dramatic narrative in the Native Land Court was very important in itself, a demonstration of leadership, knowledge and oratorical skill. One gets only a poor reflection of the original with the line by line, often unparaphrased, English translation in the Minute Books of the Court.

It might be thought that at the very least Ngati Toa evidence is unimpeachable evidence as to how *Ngati Toa* read their history. This, however, is to ignore the fact that on more than one occasion Ngati Toa witnesses are to be found on opposite sides in the same case.⁴² These instances, however, are always either (i) where Ngati Toa is not the main claimant group to the lands in issue, and have been called as witnesses to back up the claims of competing sides; or (ii) where the block is being fought over by individuals or descent groups within Ngati Toa. Even so, clearly even within Ngati Toa there could be different emphases placed on the same events; depending on their allegiances, inclinations, or by who they happened to be related to some within Ngati Toa preferred to support, say, the claims of Ngati Apa in the Manawatu while others were partisan towards Ngati Raukawa. It seems that because of the prestige and mana of Ngati Toa other claimants liked to back up their cases with Ngati Toa witnesses if they could.

When it comes to the main events of Ngati Toa history, however, the evidence of such witnesses is usually not in dispute: the main differences tend

⁴² For example in the Himatangi case, where Matene Te Whiwhi gave evidence for the claimants (certain individuals of Ngati Raukawa), while Tamihana te Rauparaha and other Ngati Toa rangatira gave evidence for the Crown.

to revolve around which other groups had mana, and whether this mana was independent of, subordinate to, or in partnership with that of Ngati Toa itself. Obviously the actual issues at stake in the various hearings must always be kept in mind when assessing the historical validity of a particular piece of testimony, and due attention will be paid to this insofar as considerations of time and space will allow. In this report, generally, Minute Book material will be relied on substantially, although naturally it must always be subject to the same critical scrutiny that would be applied to any source material. Much less weight will be placed on the ethnographic accounts of S.P. Smith, Alexander Shand, John White, and Elsdon Best, which have already been much-cited to this Tribunal, and in which in any event I have strong reservations about. Nonetheless the Minute Book material must be used with some care.

The following factors seem to me to be of particular relevance:

(a) Whether the witness is an eyewitness:

It seems obvious that the evidence of eyewitnesses should be preferred to non-eyewitnesses. Tamihana Te Rauparaha saw many of the events he described himself, and, as he says, discussed tribal matters all the time with his father. Matene Te Whiwhi took part in the second Ngati Toa heke and saw much of the conflicts with the other tribes that took place in the years 1820-40 himself. He was highly regarded for his skills in diplomacy and negotiation, and was often relied on by Te Rauparaha to personally conduct difficult and risky peace-negotiations. Ngati Toa witnesses as Nopera Te Ngiha, Hohepa Tamaihengia, Hurumutu and others were also eyewitnesses of the events they describe. Wi Parata, on the other hand, who gives lengthy evidence in the Ngarara case in 1890, was born at Waikanae and knew of the events of the period 1820-40 only at second-hand. This does not, of course, invalidate his testimony, but if there is a direct conflict with eyewitness testimony then the latter should ordinarily be preferred.

(b) Whether the witness is an interested party:

Of course witnesses are always interested parties to some extent in all forms of court proceedings, but in many cases in the Land Court the witness may well be a claimant whose evidence has been constructed to prove a particular case (as, once again, with Wi Parata in the Ngarara case, or Te Wheoro's evidence in his own claim to Kawhia in the Rohe Potae case). Of course much of the evidence of such a witness may not be 'tainted' in any way, especially with the less contentious and more general matters of tribal history given as a background.

However, it is with this 'general' history that precisely the most care has to be taken, as it can often be the case that matters are being emphasised and certain relationships given prominence in order to support the evidence given for the more obviously contentious part of the case.

In a number of cases Ngati Toa rangatira gave evidence not as personally interested parties but in support of the claims of others. Being less connected with the actual matters in contention, the evidence is probably more reliable (although, once again, due caution still has to be exercised).

(c) Whether the evidence is uncontested.

Most witnesses who gave evidence in the Native Land Court were cross-examined at length. Sometimes the cross-examination was by experienced lawyers, sometimes by the Native 'agents' or 'conductors', and sometimes by claimants and counter-claimants themselves.⁴³ This thorny problem aside, it seems reasonable to work on the assumption that statements given in evidence-in-chief which are not referred to in cross-examination can be accepted as more reliable.

(d) Comprehensiveness

This, it seems to me, is the most important factor of all. It is generally very unsafe to construct an elaborate historical theory based on the evidence of only one or two witnesses. The ideal is complete comprehensiveness, a weighing up of *all* the relevant testimony. It has not been possible to achieve this for this report; it would be the labour of years, rather than of months. Still, although it falls a long way short of the ideal, the objective with this report has been to base the discussion on original sources as much as possible. Rather than yet again re-work such standard secondary accounts as those of Ballara, Carkeek, Burns, or Wards, (or traverse yet again the earlier narratives of Travers, White, Shand, S.P. Smith and Best) the approach here has

⁴³ The cross-examination is not usually recorded in the Minute Books in question and answer form (there are exceptions, the Chatham Islands cases of 1870 being a notable one) but rather as a set of propositions or statements, in which the question is built into the sentence being written down as the evidence of the witness. The cross-examination is thus recorded (to give a typical example) as follows:

sale of Rangitikei - Ngati Apa sold and had the money - the mana was with Ngati Raukawa - Ngati Raukawa allowed the Ngati Apa to sell that land North of Rangitikei. Remembered the kindness of Whatanui.

It can be difficult to fathom from such a passage what is question and what answer.

been to go back to the original sources as far as time and the matter at issue would allow, and to present the material in a comprehensive way with abundant quotations from the original sources.

2.2. The Te Kanae manuscript: This manuscript was written in 1888 in the Maori language by Wiremu Neera Te Kanae of Ngati Toa. It was written for Hane Te Rau (Jane Brown), a daughter of Te Rau o te Rangi of Ngati Toa and Ngati Mutunga. Jane Brown lived at Porirua, in the Chatham Islands, and at Taranaki (she once served as an interpreter for Edward Chudleigh when he was negotiating land purchases in the Chathams from Ngati Mutunga chiefs who had returned to Taranaki in 1870), and was Sir Maui Pomare's aunt; she is also said to have been at one time Sir George Grey's mistress and owned land in the Chathams after her adoption by Apitea, a rangatira of Ngati Mutunga.⁴⁴ *Heni Te Rau* is a product of the intricate criss-crossed marriages between senior families of Ngati Mutunga and Ngati Toa. There is a typescript translation of this manuscript made by George Graham dated 20 April 1948 and a short introductory note by Mr Graham in which he tells us:

The manuscript was written for Hane-te-Rau, whom the pedigrees show to be a near kinswoman to the great chief whose doings form the central motif of the record. She herself lived with Te Rauparaha in her early girlhood, and personally remembers many of the persons mentioned in the narrative.

2.3. Tamihana Te Rauparaha's account: Tamihana Te Rauparaha wrote a biography of his illustrious father, and an illustrated, if incomplete edition, was published by Alister Taylor in 1975. Tamihana's narrative in this account is essentially a somewhat fuller account of the narratives he gave on various occasions in the Native Land Court, with more circumstantial detail.

⁴⁴ According to a whakapapa at (1907) 4 Chatham Islands MB 250, given by Inia Tuhata the younger, Te Matoha (Ngati Toa) married Te Hautonga (Ngati Mutunga). Their daughter was the famous Te Rau o te Rangi, who married "Scotch Jock" John Nichol (the central figure in Ray Grover's remarkable half-history, half-novel, *Cork of War: Ngati Toa and the British Mission*, John McIndoe, Dunedin, 1982). Her daughters were Heni Te Rau and Mere (Mary) Nichol; Mere married (i) Inia Tuhata (Ngati Mutunga) the elder; and (ii) Wi Naera Pomare, leading rangatira of Ngati Mutunga; Sir Maui Pomare was their son.

3 TRIBAL HISTORY 1820-1850

3.1. **Ngati Toarangatira of Kawhia:** The descent groups comprised within "Ngati Toa" were all, generally speaking, Tainui, and lived around Kawhia harbour. Ngati Toa sources state that the tribe was made up of three sub-tribes:⁴⁵

Listen to the names of our sub-tribes: Ngaati-Toa is the first, Ngaati-Koata is the second, Ngaati-Rarua is the third. In all they form Ngaati-Toa, whose motto is "Mangoo of the sharp ears".

But Ngati Toa, Ngati Koata and Ngati Rarua were themselves split into separate hapu. This becomes clear from Minute Book evidence (and can be testified to by anyone of Ngati Toa descent today). In the Nelson Tenth case in 1890 Paka Herewine Ngapiko (Ngati Rarua) said:⁴⁶

Ngati Pare Te Ata and Ngati Hurangapeke were the hapus of Ngati Rarua I referred to who settled at Motueka.

Te Rauparaha's own hapu within Ngati Toa was Ngati Kimihia, Kimihia being one of the descendants of Marangaiparao.⁴⁷ (Kimihiā was also the name of his celebrated taiaha). His Ngati Raukawa hapu was Ngati Huia.

In his claim in the Rohe Potae case to Kawhia on the basis of *take raupatu* Major Te Wheoro of Ngati Mahuta gives the following names for the tribes of the Kawhia region:⁴⁸

I claim this land by right of conquest over the former people of Kawhia, viz. over Ngatitōa and Ngatikoata and Ngatiariari and Ngatihuangaparōa. These latter are subdivisions of Ngatikoata.

⁴⁵ Bruce Biggs (ed.), 'Two Letters from Ngaati-Toa to Sir George Grey', *Journal of the Polynesian Society*, vol. 68, 262, at 276, citing letter of 11 December 1851. Today as a result of long residence on Rangitoto (D'Urville) Ngati Koata have developed a distinct and specifically South Island identity, as have Ngati Rarua.

⁴⁶ (1890) 2 Nelson MB 176.

⁴⁷ See the whakapapa reproduced in W.J. Phillips, *Carved Maori Houses of Western and Northern Areas*, Dominion Museum Monograph No.9, Government Printer, Wellington, 1955, p 27.

⁴⁸ Evidence of Major Te Wheoro, Rohe Potae case, (1886) 1 Otorohanga MB 191.

Pei Te Hirinui gives four hapu as belonging to Ngati Toa: Ngati Koata, Ngati Toa, Ngati Akamapuhia and Ngati Rarua. They occupied a narrow strip of coast stretching from the the Aotea harbour to Huikomako, about eighty miles south of Kawhia. The north side of Kawhia, site of the present town, was occupied by Ngati Koata; Ngati Toa proper were based on the south side, and Ngati Akamapuhia and Ngati Rarua further south. These descent groups were hemmed in by Ngati Maniapoto to the east and the Waikato groups Ngati Te Wehi and Ngati Mahanga to the north and north-east.⁴⁹ To the south were, once again, Ngati Maniapoto, and beyond them, in the region still known as Poutama, Ngati Tama, who were close allies of Ngati Toa.

The most comprehensive account of the various battles and skirmishes fought by Ngati Toa against Maniapoto and Waikato is in Pei Te Hurinui's *Potatau*. As one would expect of anything written by this remarkable scholar and aficionado of both Maori and English literature (he liked to spend his spare time translating Shakespeare's plays and Fitzgerald's *Rubaiyat of Omar Khayyam* into Maori⁵⁰) Pei Te Hurinui's narrative is a literary masterpiece. It may, however, be too dependent on Waikato and Ngati Mahanga sources which, for reasons of their own, sought to demonstrate the completeness of Ngati Toa's and Ngati Koata's defeat.⁵¹ He traces the immediate origins of the conflicts which led to Ngati Toa's eventual emigration to Ngati Koata and Ngati Toa expansion to lands around the Aotea Harbour, just north of Kawhia, an expansion which was opposed by Ngati Mahanga of Waikato.⁵² But some years before this had occurred the famous battle of Hingakaka (translated variously as the 'fall of parrots' or 'the fishing by nets') an epic clash between different Tainui tribes led Te Rau-angaanga on one side and Pikau-te-rangi on the other; Ngati Toa were on the losing side.⁵³ Pateriki Rei

⁴⁹ See Pei Te Hurinui's maps in *King Potatau*, Polynesian Society, Wellington, 1959, pp 69-70.

⁵⁰ One of his translations (of *The Merchant of Venice*) was published as *Te tangata whai-rawa o Weniti; he mea whakamaori na Pei Te Hurinui*, H.L.... Young, Palmerston North, 1946. For a full bibliography see Pei Te Hurinui Jones and Bruce Biggs, *Nga Iwi o Tainui*, Auckland University Press, Auckland, 1995, 385-7.

⁵¹ In the Rohe Potae case in 1886, Major Te Wheoro brought a claim to the Kawhia block on behalf of Ngati Mahanga. Te Wheoro's claim was on the basis of *take raupatu*, and went out of its way to emphasise not merely that Ngati Toa-Ngati Koata left Kawhia, but their complete and utter defeat at the hands of Ngati Mahanga and the other tribes. See generally Te Wheoro's evidence in (1886) 1 Otorohanga MB 190-207. Te Wheoro's argument was not, however, accepted by Judge Mair: see the Rohe Potae judgment, (1886) 2 Otorohanga MB 55-69.

⁵² Jones, *op.cit.*, 42.

⁵³ On Hingakaka the main authority is Pei Te Hurinui Jones: see *Nga Iwi o Tainui* 348-357; *King Potatau*, 1-19.

was of the view that Ngati Toa's defeat in this great battle was a severe loss of mana whenua for Ngati Toa, making it inevitable that sooner or later Ngati Toa would have to leave Kawhia:⁵⁴

For Ngati Toa there's one thousand fighting chiefs; Ngati Toa, Ngati Rarua and Ngati Koata. About a thousand chiefs...And Pikauterangi, a great warrior, fell. So through the smartness of Te Rauangaanga tripped him. Te Rauangaanga had a cord [sic - ko?] with a footrest on it. And down he went to his death, and there was a scattering. So one thousand of Ngati Toa laid like fallen pigeons. That's why they called it the Hingakaka. Because of the great defeat, Ngati Toa was not able to avenge on that defeat. They won little skirmishes by they didn't win the feat [sic], and consequently, I believe, the mana whenua left them....Ngati Koata and Ngati Rarua lost their mana whenua to Kawhia, to Taharoa and to Marakopa. And within twenty years they had to leave. And so they left.

The immediate cause of renewed conflict was the murder of Te Hurinui by Te Uira; Ngati Toa, angered by this murder, killed Te Uira in turn as well as a chief of Ngati Te Wehi named Te Aomarama. From these events, in Pei Te Hurinui's narrative, which reads something like an Icelandic saga, an unstoppable sequence of violence was unleashed, the culmination of which was a massive Waikato attack led by the great chief Te Rauangaanga. Ngati Toa managed to defeat Waikato in a savage battle near Lake Taharoa on the southern side of Kawhia harbour. Although peace was made, and Ngati Toa had the satisfaction of knowing they had beaten off a formidable attack, the tribe's position was now highly exposed and dangerous and they had lost their lands on the northern side of the harbour. Te Rauparaha unsuccessfully tried to get aid from Ngati Raukawa, Te Arawa and Tuwharetoa; failing in this he returned to Kawhia. It was while matters were in this uncertain state, but before the final main assault on Ngati Toa, that Te Rauparaha travelled south with a Ngapuhi war-party.

Pei Te Hurinui's narrative of these events places Te Rauparaha at centre stage, which gives a classical elegance and coherence to his account. The violence at Kawhia is explained simply in terms of attack and counterattack, murder and counter-murder and finally invasion. In his version the decision to move south is made by Te Rauparaha and arises from the difficulties of Ngati Toa's position at Kawhia. Why, however, the tribes

⁵⁴ Evidence of Pateriki Rei, Ngati Toa Rangatira s. 30 case, (1994) 20 Nelson MB 167.

decided to move specifically to Cook Strait, hundreds of miles to the south, is something that Pei Te Hirinui does not explain.

The displacement and emigration of Ngati Toa was the catalyst for a sequence of interconnected events as the violence spread from the Kawhia region to Taranaki. The most sophisticated model explaining the migrations southward of Ngati Toa, Ngati Mutunga and other groups is that advanced by Angela Ballara.⁵⁵ Ballara is guarded about the "musket wars" hypothesis, which explain the disruptions on the West Coast of the North Island as part of the disequilibrium caused by uneven tribal acquisition of the new firepower represented by the musket. Her argument is, rather, that there were changing practices of warfare in this period which were initially unconnected with the use of the musket, but which its subsequent arrival compounded. One was the "previously unusual practice of recruiting taua (war parties) of non-kin from great distances", an innovation that "negated the customary restraints which made war between kin more like ritual combat than total war".⁵⁶ (This may be true of the first Ngapuhi/Ngati Whatua/Ngati Toa taua of 1819, but not really of Ngati Toa's later wars, where close kin groups from within Ngati Toa or Ngati Raukawa seem to have been the main fighting units of Te Rangihaeata and Te Rauparaha.) In Ballara's view new ways of waging war still coexisted with the role of utu, the imperative necessity to take vengeance, still necessary "even when chiefs were killed by randomly-firing musket-wielding slaves".⁵⁷ Her thesis is, in essence, that Maori customary law failed to adapt quickly enough to the changed circumstances of warfare. The result could all too easily be an unstoppable circle of retaliation and violence, especially where, as on the Waikato coast, there was pressure on resources. Thus in the Waikato the initial conflict between Ngati Mahanga and Kawhia descent groups like Ngati Koata and Ngati Toa "resulted in the deaths of persons of such prominent and extensive kin linkages that the cycle of hostility gradually drew in ever widening circles of kinship until the conflict involved nearly every descent group from Manuka (Manukau) to Mokau."⁵⁸ Taranaki was drawn into the maelstrom when the Kawhia groups went there in 1821.⁵⁹

⁵⁵ See Angela Ballara, "Te Whanganui-a-Tara: phases of Maori occupation of Wellington Harbour c. 1800-1840", in David Hamer and Roberta Nicholls (eds), *The making of Wellington 1800-1914*, Victoria University Press, 1990 9-34. See also Penny Ehrhardt, *Te Whanganui-a-Tara customary tenure 1750-1850*, Waitangi Tribunal Division, Department of Justice, 1993.

⁵⁶ Ballara, *op.cit.*, 10.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*, 11.

⁵⁹ *Ibid.*

These wars were the catalyst that provoked the migration of the Kawhia tribes to Taranaki about 1821; they were followed there by Waikato people seeking utu and the Taranaki tribes were then drawn into the turmoil. These wars culminated in the battle of Motunui about 1822; Waikato were defeated, but this only ensured their return to redress the balance. Before they could do so the Kawhia tribes migrated to the Kapiti coast, accompanied by some of their Taranaki hosts.

3.2. The first taua: Ngati Toa manuscript sources pay very careful attention to the first foray to the south made in 1819. In Biggs' translation of one of the earliest sources, a letter of 1851:⁶⁰

Listen to the reason we hold ourselves superior to these people [Ngati Tama] and say that we have the authority. When Te Rauparaha heard that this place, Te Waipounamu, was the source of the Maori's most precious treasure, he considered how he might see it. Then he sent Te Ao-te-rangi to fetch Ngaapuhi to be his allies. Ngaapuhi set out with two hundred chiefs including Nene, Patu-one and Taoho. They reached Te Rau-paraha much to the delight of Ngaati-Toa and they came in this direction until they reached Taranaki. At Te Kerekeringa a fortress was stormed and three hundred were laid to rest. Te Ao-kehu, Te Kootiri-o-te-rangi and Rutea were the Rangi-tiikei chiefs who died. At Manawa-tuu Te Nawaki-o-te-rangi was taken prisoner and then released to remain living there. At Puke-rua another fort was stormed and a great number were laid low. At Te Ariuru another hundred were laid to rest when another fort was taken. At Oo-rongorongo ten of Ngaapuhi were killed at night by Ngaati-kahuhunu. Ngaapuhi lamented for their dead and wanted the war-party to turn back, but they were urged on by Te Rauparaha to Wai-rarapa, where Te Maawhitiwhiti was killed; a thousand died in the battle and the subsequent assault on Kainga-tahi. Five thousand were killed in all and the war-party returned to Port Nicholson, where a ship was seen sailing past. Fires were lit to attract it, but it did not land. Then Patu-one thought, and spoke to Te Rauparaha, "Sir, this is your place to live. You will be destroyed by Ngaapuhi. Friend, this is your home. You will become a chiefly tribe if you get in touch with those people. The *Paakeha* are generous people." Accordingly this thought remained with Te Rau-paraha and grew with him."

A later passage in this letter states that Rangihaeata was also present on this first expedition, and that he had spared some of the men he had defeated who

⁶⁰ Bruce Biggs (ed.), 'Two Letters from Ngaati-Toa to Sir George Grey', *Journal of the Polynesian Society*, vol. 68, 262, at 268, citing letter of 11 December 1851.

had been "left to guard Rangitiikei and all of Ngaati-Apa". The main points to note from this early source are (i) that the initiative for the first expedition came from Te Rauparaha himself, who wanted to see the far-away country from which greenstone came, and who accordingly sent to Ngapuhi; (ii) the mysterious ship seen in Cook Strait (Biggs' guess is that the ships were Russian, Bellinghausen's ships which is known to have passed through Cook Strait on 9 June 1820⁶¹); and (iii) Patuone's suggestion to Te Rauparaha that Ngati Toa would become a 'chiefly tribe' if they moved south to the Cook's Strait area. Why Ngati Toa might be at risk of being *destroyed by Ngaapuhi* is not made clear, and is indeed far from obvious. The 1851 letter says nothing at all about Te Ati Awa, and thus does not support Gillmore's intriguing (but in my view unpersuasive) argument that Te Ati Awa were major participants at the outset and that the later boundaries between the iwi were worked out by this first taua.

Later descriptions of this first taua can be found in the Minute Books. In the Himatangi case (1868-9) case⁶² Matene Te Whiwhi, who took place in the main migration (I am not certain whether he participated in the first expedition) said:

I recollect the coming of Te Rauparaha and Rangihaeata. There were thirty Ngati Toa 100 Ngapuhi - came to Waitara - Ngapuhi killed people there and at Taranaki - same at Ngati Ruanui - Waitotara same - Ihupuku, 'pa horo' - Whanganui - took Purua, came here [Otaki] doing the same - on to Pukerua, 'pa horo' - went on to Orongorongo and then stopped - attacked by Ngati Kahungunu - killed twenty of Ngapuhi and the chief Kauhata - went on to Wairarapa - battle with Kahungunu - 'parekura' - 'pa horo' - got canoes and returned by sea, landed outside Port Nicholson - saw a ship - signalled by a fire - Tamati Waka then said to Rauparaha - "take the land as a possession for yourself" - Rauparaha and Ngati Toa agreed - came on to Ohau and placed Taheke and Toherini of Muaupoko there - saying "this shall be our settlement" went to Rangitikei placed Arapata Hirea and [] of Ngati Apa there - others of Ngati Apa they took on with them.

And in the Kukutauaki case (1872) Matene stated:⁶³

61 Biggs op.cit., 268.

62 (1868) 1 C Otaki MB 195-6.

63 (1872) 1 Otaki MB 135.

A war party under Tamati Waka, Patuone and other chiefs came down to Taharoa near Kawhia. They were joined there by 30 of Ngati Toa. They came on to Waitara, Taranaki and came right on to Wairarapa to Wellington. As the wind was too high for them [] Cook Strait and they lit fires so as to attract the vessel into Wellington. She went on. When she had disappeared Tamati Waka turned towards Te Rauparaha and Ngati Toa and he said to them, you must come and occupy this place. The Pakeha are a great people and you are an unimportant tribe. If you continue to live at your place at Kawhia you will all be killed.

They came up again as far as Ohau and they caught two Muaupoko chiefs named Tuhaki and Toherere. They then came on to Manawatu and sent those chiefs home. They went on to Rangitikei and they left [Rauranga?], Inia, a chief and chieftainess of Ngati Apa whom they had previously caught. Rangihaeata took Pekinga a chieftainess of Ngati Apa as his wife and then they went on to Kawhia.

In this account, a small group of Ngati Toa, which included Te Rauparaha and Te Rangihaeata, joined a Nga Puhi expedition. It is Tamati Waka, rather than Patuone, who suggests that Ngati Toa move south. Again there is in both versions the account of the ship in Cook Strait and of the release of the captives. We are also now informed of Rangihaeata's marriage to Pekinga, a woman of Ngati Apa, which was to have important consequences for Ngati Toa policy. Although the taua is said to have "come on to Waitara" there is, apart from that, no suggestion that Te Ati Awa/Ngati Mutunga played any role in the affair. In fact in the version given in the Himatangi case, Matene says that the taua *attacked* Waitara and Taranaki.

Te Rauparaha's son, Tamihana te Rauparaha, gave evidence of Ngati Toa history on numerous occasions in the Native Land Court. He would have had the opportunity to have heard about what took place directly from his father. In giving evidence for the Crown in the Himatangi case in 1868 he said:⁶⁴

I live at Nga Whakangutu. I am of Ngati Toa. I am [the] son of Te Rauparaha who came here in 1830 - I was then young. I lived with my father and talked with him of the affairs of the tribe. I have heard my father speak of his doings. I lived constantly with him. I know of his exploits at first coming here. Tamati Waka was with him. Some of Ngati Apa and Ngati Kahungunu were 'mate i a ia' - saw a ship on the sea and Waka said to him, "Those are are a great people, the 'pakeha': leave your place and come down here to be near the 'Pakeha': this is a good place, plenty of 'pounamu'

64 (1868) 1C Otaki MB 372-3.

and eels" etc. Rauparaha thought of this. He had decided in his own mind. Returned peaceably along the coast. Ngati Apa, Rangitane and Muaupoko were then living quietly here. When he got to Rangitikei he bade Ngati Apa farewell, saying "Nohu marire i [to?] koutou wahi". Rauparaha went on to Taranaki and on to Kawhia. Then Tamati Waka left him and said "Go to Kapiti and Wairarapa".

Tamihana's narrative in the Himatangi case is substantially the same as Matene Te Whiwhi's in the Kukutauaki case.

A very full and detailed narrative was given by Wi Parata in the Ngarara rehearing (Ngarara is a block at Waikanae) in 1890. Wi Parata was, of course, Te Ati Awa and Ngati Toa. In his version:⁶⁵

We heard the Nga Puhi had obtained firearms from the Europeans, and the Ngati Awa said let us go and seek for land where we will be near Europeans. And Te Pehi and Rauparaha went to Nga Puhi and returned there with some of Nga Puhi with them. Tuwhare was the chief. When they got to Kawhia all Ngati Toa chiefs assembled to meet them. No other tribe, only Nga Puhis and they came along this road to Taranaki, Whanganui. And when they got to a pa belonging to Ngati Apa a woman of rank of Ngati Apa was made prisoner. Her name was Pikenga.

[154.] From that time they commenced to appropriate and name the blocks of land they passed through. This woman who was caught was not killed. When they came between Manawatu they allocated the land to certain chiefs of Ngati Toa. They went on the same system on this side to Otaki and on to Waikanae, and then they crossed to Kapiti. Taipiro was the name of the pa they took. Ngati Kahungunu and Muaupoko were the people there. When in the act of fighting they made peace, the men of the pa came out and presented Te Pahi with a greenstone mere, after that, taking Kapiti, they went to Waikanae and came here where Wellington is and went on to Wairarapa. They fought the Ngati Kahungunu there, a great battle. Mawhiwhiti was the name of the pa they took. Kaingatate name of the battle. They called this march the Aomowhenua on account of the great length of it.

They returned from Wairarapa and when they came to [Mukumukuoui?] - near Wainuiomata - the Ngati Kahungunu came in pursuit. There was no one killed but a sister of Te Pehi who was insane. That was the only one the Ngati Kahungunu killed. The Ngati Kahungunu retreated to their place and our people to here.⁶⁶ When they came here they divided. Nga Puhi went by sea and were upset and drowned. Tuhi, the chief, was not killed, and at that time they saw a vessel out at sea. Tuwhare

⁶⁵ (1890) 10 Otaki MB 144-55.

⁶⁶ Meaning, Wellington (the case was heard at Wellington).

[wished?] to return and [to?] Ngati Toa said, this is a good place for your ships. Ngati Toa and Nga Puhi then returned to Kawhia.

There is more circumstantial detail than in the earlier accounts, but the essential narrative is the same.

None of these versions, it must be noted, gives any credence to the argument that Te Ati Awa/Ngati Mutunga played an important, or indeed, any, role in the expedition. The 1851 letter sees the invasion as a joint Nga Puhi-Ngati Toa project, going so far as to claim that Te Rauparaha himself made the initial contact with Nga Puhi. Matene Te Whiwhi, in his two versions, again presents the expedition as a Nga Puhi-Ngati Toa enterprise (Ngati Toa being the junior partner), and in one version states that the taua in fact attacked Waitara and Taranaki. Tamihana Te Rauparaha gives no hint that Te Ati Awa or Ngati Mutunga were involved. Wi Parata, who was himself Te Ati Awa, while he does state that Te Ati Awa had decided to look for land to the south, insists that the war party was made up only of Nga Puhi and Ngati Toa, and that "when they came between Manawatu they allocated the land to certain chiefs of Ngati Toa". Most of the evidence indicates that the dominant role in the expedition was played by Nga Puhi, and all the accounts take care to mention the vessel seen in Cook Strait in 1820 and the suggestion made to Te Rauparaha by a Nga Puhi chief (said variously to be Patuone, Tamati Waka, or Tuwhare) that the Cook Strait region would be an ideal place for Ngati Toa to emigrate to. Such a suggestion makes sense only the context of Ngati Toa's embattled state vis-a-vis Waikato/Ngati Maniapoto. A number of the narratives also stress the capture of Pikinga of Ngati Apa and Rangihaeata's decision to marry her, thus creating an association with Ngati Apa.

One wonders what went through Te Rauparaha's mind when he saw Porirua and Kapiti. To a nineteenth-century visitor like Dieffenbach, who could easily see what is perhaps not so clear to us, the advantages of Kapiti were obvious:⁶⁷

The whole coast from Taranaki to Port Nicholson is a weather-beaten lee shore, and the only place where large ships can with safety anchor is the roadstead of Kapiti.

⁶⁷ Ernst Dieffenbach, *Travels in New Zealand*, 1, 104.

E.J. Wakefield noted that the small islands lying off the 'south-eastern extremity' of Kapiti "form a very excellent anchorage for a limited number of ships".⁶⁸

For a final narrative there is Judge Mackay's version given in his judgment in the Wellington Tenths case:⁶⁹

It has been ascertained from other sources that the first body of the Northern natives who came south was a marauding party of the Ngapuhi and Ngati Toa under Waka Nene, Patuone, Te Rauparaha and other leaders. The first conflict that took place on the way south was with the Ngati Ruanui and after fighting their way down the coast they ultimately reached Otaki where they rested for a while.

The hostile party then continued its course destroying numbers of residents on the way and ultimately reached Wanganui a Tera then occupied by the Ngati Kahungunu who, alarmed at the approach of the invaders, had fled to Wairarapa where they were pursued and slaughtered in large numbers, the fugitives escaping to Ahuriri from whence they finally took refuge at Nukutaurua on the Mahia Peninsula.

After the raid was over the war party returned North but Rauparaha, who had perceived the value of the country, had conceived an idea of leaving the ancient possessions of his people at Kawhia for the purpose of settling at Kapiti.

Again, in this version, (in a judgement concerned, after all, with the fixing of lists of beneficial owners in the Wellington Tenths blocks) there is no indication whatever that Te Ati Awa played any role in the first taua of 1819-1820.

3.3. Te Rauparaha's search for allies: A number of the oral narratives give details of Te Rauparaha's attempts to find allied tribes to accompany Ngati Toa on the journey south. Tamihana Te Rauparaha said in 1868 that on his return from the first expedition Te Rauparaha went to see a chief of Waikato named Te Korehu, and proposed to him that he should join in Ngati Toa's expedition; Te Korehu declined.⁷⁰ According to Matene Te Whiwhi (speaking in 1872):⁷¹

⁶⁸ E.J. Wakefield, *Adventure in New Zealand*, 1845, 1, 110.

⁶⁹ (1888) 2 Wellington MB 130, at 132.

⁷⁰ Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1C Otaki MB 373.

⁷¹ Evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 135.

And Rauparaha went to Tukorehu, Potatau and all the chiefs of Waikato and he went to Raglan, Manukau and on to Hauraki to inform all the Tribes he was coming down here. He then returned to Kawhia and then came down this way with Ngati Toa to Waitara and from thence to Taupo, Rotorua and Tauranga and he asked Te Wharo Tupaea's father to come with him. He said he would not come. He said he did not want to leave the islands Motiti and Tuhua.

In 1994 Pateriki Rei also described Te Rauparaha's search for allies:⁷²

And Te Rauparaha tried everything. He went to his people at Maungatautari for help but they chickened out and they went to Tauranga moana, he had relations there. They would not come and help. They went to Ngati Whakaaue, Te Arawa to help, no, they were turned away, couldn't help him.

Te Rauparaha particularly sought the aid of Ngati Raukawa. A number of witnesses state that this, however, was after the main migration had already begun. (Putting the various accounts together, he seems to have made two visits, one from Kawhia whilst Ngati Raukawa were still at Maungatautari, and another from Taranaki when Ngati Raukawa were en route to Hawke's Bay.) Nopera Te Ngiha said in 1868 that he was present when Te Rauparaha unsuccessfully went to seek aid from his Ngati Raukawa relatives, but that they, intent on their own expedition to Heretaunga (Hawke's Bay) declined to join him. Nopera then went back to the main group in North Taranaki but Te Rauparaha travelled south by a different route and rejoined the main party at Wanganui:⁷³

I came with Rauparaha from Kawhia in the second 'heke'. I went with Rauparaha to Waikato when he went to fetch his tribe Ngati Raukawa. Rauparaha said, "I am going to Kapiti: do you join me, and let us take Kapiti." Ngati Raukawa did not consent. [We] went on with Whatanui as far as Taupo. At Rotorua and Tauranga Rauparaha had asked Ngati Whakaaue and Te Waru to join him and they had refused. Horohau heard []. Rauparaha left Ngati Raukawa on their way to Heretaunga and came on after us, Rangihaeata and others. Rauparaha came on to Rotoaira and to Whanganui. We went to Te Kaweka, after a short time left with Ngati Awa.

⁷² Ngati Toa s 30 case, 20 Nelson MB 168.

⁷³ Evidence of Nopera Te Ngiha, Himatangi case, (1868) 1 C Otaki MB 392.

Some further details may be found in in the evidence of Tatana Whautaupiko in the Ngakaroro 3B case (although he has Te Rauparaha going back to Taranaki rather than on to Wanganui):⁷⁴

When he [Te Rauparaha] got to Taranaki with the great migration news reached him that the Ngati Raukawa were going to Napier. He said to his people, Ngati Toa, he would go after them. He took twenty men with him. He overtook them at Opepe. He told them, the Ngati Raukawa, that they had best come with him to this land [i.e. Kapiti]. They would not. Te Au was the one who said no. He said, who will follow the lead of a common person? Rauparaha and his companions felt very dark at that saying and they returned to Taranaki. Te Au was of Ngati Tuwhakahewa hapu. Each party went their own way.

The speaker may have been stressing Ngati Tuwhakahewa's repudiation of Te Rauparaha in order to make it clear that it was not Ngati Huia, Te Rauparaha's hapu within Ngati Raukawa, which rejected his proposal. It was Ngati Raukawa which was Te Rauparaha's preferred ally, but it was not to be some years before the chiefs of Ngati Raukawa admitted their mistake and came south to Kapiti.

3.4. Reasons for the main migration: These can be thought of as a combination of 'push-pull' factors. The main 'push' factor, not given much emphasis in the Minute Books, but heavily emphasised by such writers as Pei Te Hurinui, was Ngati Toa's beleaguered location at Kawhia. And in evidence given at the Ngati Toa s 30 case in 1994 Pateriki Rei was in no doubt that Ngati Toa were, in fact, driven out:⁷⁵

We were driven out, but not only were we driven out, but we lost the mana whenua of Kawhia.

According to Pei Te Hurinui, Te Rauparaha returned from his adventures to find that his first wife had been killed by a Waikato chief named Te Rangimoewaka. To get even, Te Rauparaha arranged for the killing of a Ngati Maniapoto chief named Te Moerua. This, of course, served only to escalate matters (conceivably, this may have been Te Rauparaha's intention). After various other incidents, Ngati Maniapoto and a number of Waikato descent

⁷⁴ Evidence of Tatana Whautaupiko, Ngakaroro 3B case, (1891) 16 Otaki MB 346-7.

⁷⁵ (1994) 20 Nelson MB 168.

groups then invaded Ngati Toa's lands in force, and a major battle was fought at Te Karaka, which Pei Te Huriniui describes at length with an abundance of picturesque detail.⁷⁶ Ngati Toa received assistance from Ngati Tama, old enemies of Ngati Maniapoto, but the invasion force was overwhelming and Ngati Toa had little choice but to leave. In Pei te Huriniui's narrative Te Rauparaha, besieged with one section of Ngati Toa in a fortress known as Te Arawi, was given an opportunity to escape by Te Rangituatea, a rangatira of Ngati Maniapoto, which Te Rauparaha gratefully took.⁷⁷ According to Jones, Te Rauparaha suggested the alternative of escaping to the southeast to Maungatautari and Ngati Raukawa, but Te Rangituatea told him the way was blocked. Te Rauparaha left and joined up with the other contingents of the escaping sub-tribes:

The remnants of the Ngati Toa, Ngati Koata, Ngati Akamapuhia and Ngati Rarua tribes were gathered by their leaders Te Rangihaeata, Te Peehi Kupe, Tungia, Te Rangihiroa and others. In all they numbered about 1,500 women and children. Before leaving Moeatoa on their southward trek Te Rauparaha was brought from Tirua and plans were discussed. It was decided they should proceed in separate parties and travel as rapidly as possible before any attempt was made to intercept them at the Mokau river.

Pei Te Huriniui's portrait of Ngati Toa migrating en masse as part of the aftermath of a dramatic and massive battle does not always tally, however, with Minute Book evidence, which give, rather, the impression of a negotiated withdrawal. In 1868 Matene Te Whiwhi stated:⁷⁸

On return to Kawhia we went to see Waikato chiefs - Potatau - Tukorehu - Te Hiakai and others - said to them "Remain here, I go to Urungatapu" - then came one hundred

⁷⁶ See generally Pei Te Huriniui, *King Potatau*, 60-79.

⁷⁷ Ibid, 82-3: "The siege of Te Arawi lasted for some weeks, different sections of the invading army taking it in turns to maintain it. Finally it came the turn of Ngati Maniapoto under their chief Te Rangituatea who was related to Te Rauparaha. Te Rangituatea had no wish to see things carried on to the bitter end so far as Te Rauparaha personally was concerned....When the opportunity offered, and the Waikato tribes were away foraging for food, Te Rangituatea approached the entrance to the *pa* and addressing the sentries from high ground overlooking the spot, asked them to fetch Te Rauparaha as he wished to speak to him. Te Rauparaha came and Te Rangituatea said, "Withdraw from here and go before it is too late. Go all that can and leave those who are unable to travel as cinders for your dying fires. Go to Taranaki, to Ati Awa and to safety?" The Ati Awa tribe lived to the south of Ngati Tama and Te Rauparaha - and Te Rangituatea too - could claim relationship to these people."

⁷⁸ Matene Te Whiwhi, Himatangi hearing, (1868) 1C Otaki MB 192.

Ngati Toa - unaccompanied by Ngapuhi - on reaching Taranaki they were joined by Ngati Awa - making up number to 500 or 600 - came to Waitotara.

In Tamihana Te Rauparaha's evidence in the same case we have this:⁷⁹

Ngati Toa assembled to meet Rauparaha at Kawhia. They assented, except Ngati Koata. They objected to leave Kawhia. Rauparaha went to see Te Korehu, a Waikato chief, proposed to him to join him in [the] expedition. Te Korehu declined. Rauparaha returned to Kapiti. Bade farewell to Waikato chiefs - to Te Kanawa and others. Near Kawhia - said "Puoho i to tatou kainga i Kawhia; kei whai mai koutou i [mua?] i a au." Ngati Toa then left, about 340 men, besides women. They left Kawhia - burnt homes - wept - reached Taranaki, Ngati Awa country.

The picture Tamihana paints does not at all sound like a flight in the midst of a battle. And in the Kukutauaki case (1872) Matene says simply:⁸⁰

Rauparaha told all the people there he was coming down and he went then to Waitara. He then came on accompanied by Ngati Awa and Ngati Toa.

And according to Wi Parata (unlike Matene, he was not an eyewitness):⁸¹

When they got to Kawhia Nga Puhi went back to their own country, to the North. Ngati Toa began to get afraid because Waikato had a number of guns, and they were near to us. Then Ngati Toa thought, we will go back to the land we have seen.

That Ngati Toa and the other tribes were in a perilous position in 1820 can be readily granted. As Taka Herewine Ngapiko of Ngati Rarua put in the Nelson Tenth case in 1892:⁸²

Ngati Koata, Ngati Toa, Ngati Awa dwelt formerly in the North Island at Aotea, Poutama and Taranaki. Ngati Rarua dwelt at Waikawau. These hapu migrated from the north in consequence of the attack made on them by Waikato.

Assigning a balance between the relative importance of 'push' and 'pull' factors is probably no longer possible, although it is worth noting that the

79 (1868) 1C Otaki MB 372.

80 (1872) 1 Otaki MB 136.

81 Wi Parata, Ngarara hearing, (1890) 10 Otaki MB 154.

82 (1892) 2 Nelson MB 181.

Minute Books are all structured in terms of a *decision* to leave once Te Rauparaha, Rangihaeata and the others had seen for themselves the promising lands around Cook Strait.

What was the particular advantage of Kapiti and Cook Strait? The wording of the suggestions of the chiefs of Nga Puhi point to some factors:

Kaatahi ka whakaaro a Patu-one, ka kii atu, ki a Te Rau-paraha, "E koro, too kainga. Nohoa. Ka ngaro koe i a Ngaapuhi. E mara, too kaainga. He iwi rangatira koe mehemea ka paa koe ki te iwi ra. He iwi atawhai te Paakehaa." / Then Patu-one thought, and spoke to Te Rau-paraha, "Sir, this your place to live. You will be destroyed by Ngaaphui. Friend, this is your home. You will become a chiefly tribe if you get in touch with those people. The Paakehaa are generous people."⁸³

Tamati Waka then said to Rauparaha - "take the land as a possession for yourself".⁸⁴

[They] saw a ship on the sea and and Waka said to him, "Those are a great people, the Pakeha: leave your place and come down here to be near the Pakeha: this is a good place, plenty of pounamu and eels" etc.⁸⁵

They lit fires so as to attract the vessel into Wellington. She went on. When she had disappeared Tamati Waka turned towards Te Rauparaha and Ngati Toa and he said to them, you must come and occupy this place. The Pakeha are a great people and you are an unimportant tribe. *If you continue to live at your place at Kawhia you will all be killed.*⁸⁶

Tuwhare wished to return and to Ngati Toa said, this is a good place for your ships. Ngati Toa and Nga Puhi then returned to Kawhia.⁸⁷

Advantages that is, firstly, of being far away from Kawhia, and for opportunities for trade and commerce with the Pakeha - so that Ngati Toa might themselves achieve greatness. Ngati Toa was a tribe which was small and imperilled, but with an ambitious and very talented leadership. Then there the abundant food resources, eels and so on. And there is pounamu, too,

83 Bruce Biggs, "Two letters from Ngaati-Toa to Sir George Grey", *JPS*, vol 68, 262-276 (1959), 264-5.

84 Matene Te Whiwhi, Himatangi hearing, (1868) 1 C Otaki MB 196.

85 Tamihana Te Rauparaha, Himatangi hearing, (1868) 1C Otaki MB 373.

86 Matene Te Whiwhi, Kukutauaki hearing, (1872) 1 Otaki MB 135.

87 Wi Parata, Ngarara hearing, (1890) 10 Otaki MB 154.

greenstone: which is not, of course, found on Kapiti or anywhere near it, but only in the South Island. Kapiti was attractive because of its proximity to Raukawa, Cook Strait, and to Te Waipounamu.

3.5. The journey south: The next stage was the long and incident-packed journey from Kawhia, via Taranaki, Whanganui, the Rangitikei, Manawatu and Horowhenua to 'Kapiti' (meaning, not just Kapiti Island, but the adjacent lands on the mainland: Waikanae, Pukerua, Porirua.)

The first stage of the journey was from Kawhia to North Taranaki, where some North Taranaki people joined the heke. In 1866 Matene Te Whiwhi said:⁸⁸

then came one hundred Ngati Toa - unaccompanied by Ngapuhi - on reaching Taranaki they were joined by Ngati Awa - making up number to 500 or 600 - came to Waitotara.

Tamihana Te Rauparaha's evidence in the same case (a key passage of which is unfortunately illegible on the NA microfilm) is as follows:⁸⁹

Near Kawhia - said ["Puoho i to tatou kainga i Kawhia; kei whai mai koutou i [mua?] i a au."?] Ngati Toa then left, about 340 men, besides women. They left Kawhia - burnt homes - wept - reached Taranaki, Ngati Awa country. [next page illegible] [375] ...a canoe - he went and then there were the 'kohuru' - Ngati Apa then turned upon Muaupoko, - Ngati Apa were the chief [] and independent, we did not turn upon them. Ngati Toa went to Kapiti and Ngati Awa (*Ngati Awa had joined us at Waitara*). (emphasis added).

Matene Te Whiwhi gives the following account in the Kukutauaki case in 1872:⁹⁰

Rauparaha told all the people there he was coming down and he went then to Waitara. He then came on accompanied by Ngati Awa and Ngati Toa and came to [Waitotara?] where five of our Party were murdered. We remained until January when Turoa and Paetahi Mete Kingi's father came to us.

88 Himatangi case, (1868) 1C Otaki MB 192.

89 Himatangi case, (1868) 1 C Otaki MB 373-5.

90 Kukutauaki case, (1872) 1 Otaki MB 136.

It should be recalled, however, that Nopera Te Ngiha and others insist that Te Rauparaha left the main party and went to call on Ngati Raukawa at Maungatautari in a fruitless request for assistance, and later rejoined the main party led by Te Rangihaeata at Wanganui. Wi Parata's somewhat later (1890) narrative may next be cited:⁹¹

When they got to Kawhia Nga Puhi went back to their own country, to the North. Ngati Toa began to get afraid because Waikato had a number of guns, and they were near to us. Then Ngati Toa thought, we will go back to the land we have seen. They came to the [Kaiweka?]. The people who resided there were Hinetutu and Ngati Mutunga. They were the elder relatives of Waipurahou. They did not remain there long when a war party from Waikato came after them. That was Potatau and Kaukau, Te Heakou, [Mamou?] and they fought with Waikato and Ngati Awa did not wish to fight. The father of Wihau te Pauhau mentioned in the certificate killed the first man, it was not with a weapon, but he pulled up a stake and killed him. Waikato was beaten, these were the only hapus who were at this fight, Ngati Hinetutu with Ngati Toa, Ngati Mutunga and some of Ngati Tama, but not the principal number of Ngati Awa. After they defeated them, then Ngati Toa came on. I forgot to mention, before they went back they returned the woman Pikinga to Ngati Apa on making peace.

Lastly, we have the following from Ihaka Tekateka of Ngati Koata (1892):⁹²

There were two hapus Ngati Koata and Ngati Toa who came formerly from Kawhia to Kapiti. They stopped at Te Kaweka and were followed by the hapu called Kai Tangata of Ngati Awa.

All of these narratives indicate that Ngati Toa paused for a time in North Taranaki before and 'Ngati Awa' then joined in the heke. It is Wi Parata, whose evidence is given somewhat later, and who was not an eyewitness, and who, moreover was an interested witness in the case in issue (but who, on the other hand, was Ngati Awa himself) who gives the most detail about the hapu affiliations of those who joined with Te Rauparaha. At the battle with Waikato Ngati Toa fought alongside Ngati Mutunga, Ngati Tama, and one Te Ati Awa hapu (Ngati Hinetutu); and it is reasonable to assume that these were the groups who then joined with Ngati Toa on the journey south.

91 Ngarara rehearing case, (1890) 10 Otaki MB 155-56.

92 Nelson Tenths case, (1892) 2 Nelson MB 244.

Ihaka Tekateka (Ngati Koata) on the other hand states that the Ngati Awa hapu who followed Ngati Toa south was the Kai Tangata.

Te Rauparaha had prepared the way for the journey south by arranging for a group named Ngati Whakaterere (who seem to have been Ngati Raukawa but who for some reason were living in North Taranaki) to make sure that canoes were ready by the time the heke reached Waitotara.⁹³ As the heke moved south of Wanganui it received a friendly reception from Ngati Apa (Te Rangihaeata's wife Pikinga was, of course, Ngati Apa):⁹⁴

[I] remember the going of Ngati Apa to Waitotara. Rauparaha and Ngati Toa was glad to see them and I was glad to see that chiefs of Ngati Apa had come to fetch us. We came to Rangitikei and and lived with Ngati Apa as friends [for] two months.

Most of the narratives then pay very careful attention to Te Rauparaha and the Muaupoko (for the reason that the relationship between Ngati Raukawa, Ngati Toa's most loyal and important allies, and Muaupoko was a key issue in most of the cases). In these Ngati Toa accounts the blame for what happened is laid on Muaupoko themselves. A group of hungry Ngati Toa went up the Manawatu river to look for karaka berries, but were annoyed on their return to find that their canoes had been stolen. It was assumed that Rangitane had committed this theft, and to relieve their feelings a Rangitane woman was killed ("they killed her, being so angry about the canoes, and then went on to Ohau"⁹⁵). Muaupoko (allies, as everyone knew, of Rangitane) then, in an evident act of reconciliation, stated that they had the canoes and invited Te Rauparaha to come and stay with them at a Muaupoko pa named Te Wi. Te Rauparaha, his children, and some of his followers did so, but were then attacked "about the middle of the night"⁹⁶. Te Rauparaha's children and his followers were killed; and Te Rauparaha himself barely escaped with his life. Ngati Toa sources insist that this action by Muaupoko went beyond the limits of fair fighting or even stratagem; it was merely a murder: "there were thirty of the Ngati Toa killed at Te Wi: it was a murder".⁹⁷ Te Rauparaha then vowed vengeance against the Muaupoko, against whom he held a permanent grudge for the rest of his life.

93 See evidence of Arapeni Tukuwhere of Ngati Whakaterere, Kukuktauaki case, (1873) 1 Otaki MB 164.

94 Evidence of Hohepa Tamaihenga, Himatangi case, (1868) 1 C Otaki MB 399.

95 Evidence of Matene Te Whiwhi, Kukuktauaki case, (1872) 1 Otaki MB 137.

96 Ibid.

97 Ibid, 150.

The narratives sometimes give the impression that most of Ngati Toa were with Te Rauparaha in the Manawatu-Horowhenua, but Wi Parata makes it clear that the newcomers split, and that most went directly to Kapiti:⁹⁸

When they came back to Rangitikei the man to whom it had been allotted recognised it again and the new men said, this is the land for us. [156.] There were only three Ngati Awa who belonged to Ngati Mutunga and Ngati Hinetutu, and Ngatata, Pakaiaha, and I forget the name of the third. It was Tumoke Moke. They came on to Kapiti pointing out land as they came along (Kapiti on mainland) and they remained at Waikanae. After that we went across to Kapiti. Kapiti was then settled upon. After they had been settled at Waikanae the people who had not been killed began to consider about rising up and taking the land. The chiefs of Ngati Toa are separated, Rauparaha at Horowhenua and Ngati Toa at Waikanae, but principal heads of Ngati Toa were at Kapiti.

3.6. Establishment and settlement: Most of the narratives then focus mainly on the grim war of attrition between Muaupoko and Ngati Toa. Also involved in fighting the invaders was Ngati Kahungunu from the Wairarapa, at one point taking Wi Parata's mother prisoner. At this same engagement, at Waikanae, the Ngati Toa chief Te Pehi's children were killed in a night attack. Te Pehi then, evidently to ensure that the military balance would swing decisively in Ngati Toa's favour, got aboard a whaling vessel and travelled to England to acquire guns. Nopera Te Ngiha says that at this fight Te Rauparaha's own gun was taken, and that Te Pehi then "followed a vessel and overtook it - Pehi jumped on board and held on to the bulwarks - was taken away and was away four years."⁹⁹ This seems to indicate that until this time the invaders had few guns, and thus no particular technological advantage over their invaders. Dr Robyn Anderson and Keith Pickens state in their *Wellington District* report that at this time "matters appear to have been fairly evenly balanced" and that "small victories were scored by either side", and my impression is that this is correct.¹⁰⁰ This period is summarised by Matene Te Whiwhi:¹⁰¹

98 Ngarara case, (1890) 10 Otaki MB 156.

99 (1868) 1 C Otaki MB 393.

100 Anderson and Pickens, *Wellington District*, Rangahaua Whanui District 12, 1996, 10.

101 Matene Te Whiwhi, Himatangi case, (1868) 1C Otaki MB 192.

This was the beginning of the fighting - fighting for three years two 'pa horo' Muaupoko at Horowhenua. Went to Kapiti - Ngati Awa returned leaving ten.

In his version, then, although a sizeable contingent of 'Ngati Awa' (probably largely Ngati Mutunga) accompanied the expedition, most of them returned to Taranaki at some time between the occupation of Kapiti and the battle of Waiorua.

A more detailed picture of this period is given by Matene Te Whiwhi in 1872:¹⁰²

We lived at Pukerua and Porirua. Our reason was because we could get Pauas and mussels. It was in April when we went to Waikanae, I think about the year 1815 or 1816. We remained there three months living about Waikanae and Porirua. The Ngati Kahungunu heard about us, and their war party came from Wairarapa to Pukerua and attacked us in the night and killed 20. They went away and did not remain until daylight. There were many chiefs killed. We did nothing after this as there was no one about, either at Horowhenua or anywhere else.

In January we all collected together at Kapiti and came on shore to have a hunt for some people. We watched their fires. We saw a fire at [Pahiku?] and we went towards it, attacked them and captured Tanguru's brother and Tanguru ran away. His brother called to him to turn and fight, but he would [not?]. I was not there - Rangihaeata was. The people captured were not killed. There were ten of them. We then went back to Kapiti and part of us came on shore and caught Te Raku near Kukutauaki. Raku speared Pehi through the thigh. Pehi's people wanted to kill him, but he prevented them and the party returned to Kapiti.

We waited for the tribes of this place to collect together and come and fight us in the daytime. We frequently came on shore to hunt for these people, at Horowhenua and other places, and if we did not catch any returned to the Island. A war party of us went to Horowhenua and killed twenty and then returned (we surprised them). We were only hunting Muaupokos. There was no one at Porirua or anywhere else about. They had all gone to the Middle Island. I think they were afraid of us because the only attack they made upon us was at Waiorua. [139.]

Two years afterwards our war party came on shore to hunt for people and we went inland to Otuiti. Pekinga went to Rangitane and persuaded them peace was to be made and persuaded them to come out. Rangitane were in their pah at Otuiti. Thirty chiefs of Rangitane were killed. There were some Ngati Apa with them. They had been about an hour with the war party when they were killed or made prisoners.

¹⁰² Kukutauaki case, (1872) 1 Otaki MB 138-9.

Awe Awe was spared. All the people in the pah did not come out. The women and children were there. Tokipoto, Tamariki, Te Oio and [Pukawhuranui?] were killed. Ngati Apa, when they heard that these men had been killed, they were very angry. These men were killed in revenge for the murder of Rauparaha's friends at Te Wi. Ngati Apa sent a messenger over the Range to the Hamua tribe and a war party of 200 came. We were all on Kapiti, with the exception of a few at Waikanae. They attacked us secretly in the night and killed thirty of us at Waikanae.

A canoe was sent to us at Kapiti with the news. We came on shore but when the other party saw us, they bolted. When we got to Waikanae they were nearly at Otaki, running as hard as they could. Pehi was distressed on account of his children having been killed at Waikanae. Three of our great chiefs were killed there. Three years afterwards Pehi went to England.

There was rivalry between the Ngati Toa chiefs as to who would provide the best feasts. Rangihaeata and Rauparaha were vying with Nopera. Rauparaha and his hapu collected some food together. The feast was called [Tehoriraumate?] When Rangihaeata and Rauparaha heard that this name was given to the feast a party of them came to Ohau (Poroutawhao) where they killed twenty Muaupokos. These twenty were added to the feast. The rivals were annoyed at this because they [] [140] provide any men.

Wi Parata's account is as follows:¹⁰³

Muaupoko then came to Waikanae and killed the children of Te Pehi, and this was the the time my mother was taken prisoner (as related) by the Ngati Kahungunu. This was the reason why Te Pehi went to England, on account of the slaughter of his children. Before he determined to go to England, Ngati Toa had quarrelled with Muaupoko. They went and attacked Muaupoko and killed some of them, and those who escaped ran away into the bush. When they got to Kahikatea they found the chief of this land named Ratu. They pursued him and all the chiefs of Ngati Toa were standing on the shore. This man swam the lake. Te Pehi then jumped into the water and swam after him, the man who was in the water. The water was up to his chest, and he kept his spear under the water, and when he came up to him he struck Te Pehi on the hip with his spear. Te Pehi pulled the spear out, but the other man was still grabbing it and he led him on one side. When he got on shore Aratangata and other chiefs saw Te Pehi was wounded. The blood was flowing. Ngati Toa then came forward to kill the man, but he was saved. This took place on the land called Kukutauatu, first of all given to Te Pehi and Aratangata, but after Te Pehi was hit the

103 Ngarara case, (1890) 10 Otaki MB 156-8.

others gave it up to him, the section belonging to Arantangata. They captured the Muaupoko tribe and absorbed them in their own tribe. When Te Ahu's life was spared he went into the bush and collected his people. Muaupoko, the followers of this man, then came out of the bush. Muaupoko then knew they would not be killed.

After this the people who had been on the fort agreed to give the mana to Te Pehi and Rangihiroa and they showed them all the eel weirs on this land¹⁰⁴ at Waikanae. The Ngati Toa and other people did not give names to these eel weirs, they retained the names given by the people to whom [158] they belonged. Totara was an original name of an eel weir. Ngarara was another. Ngapera - another. Tawarua other, Te Maire another. These names were pointed out to Te Pehi, my ancestor, and they have retained their mana to this day, right on to the stream called Kukutauaki. The Ngati Toa did not name all these. The people to whom land belonged told Ngati Toa the names they were distinguished by. Putahi was an eel weir. Taurangamohoito, Poitimoana, all these were named by original owners.

Te Pehi sent this man Ratu, because he was a chief, to Arapawa. After this man went to make peace secure Te Pehi went home to England. After Te Pehi went to England the fight at Waiorua was fought. [After Waiorua] this man who Pehi had sent to make peace was caught. My ancestor was very dark about this. They killed him and cooked him, but did not eat him.

There is a difference in emphasis in these accounts. While in Matene Te Whiwhi's narrative the picture is one of continuous war and skirmish with Muaupoko, Wi Parata says that peace was made, not, admittedly, with Te Rauparaha and Te Rangihaeata, but with Te Pehi and Te Rangihiroa. Peace being made, the Muaupoko 'gave the mana' to Ngati Toa, pointing out where all the eel weirs (once again, it must be remembered that Wi Parata was a claimant to the block in issue, and was endeavouring to prove that he through his parents had a title to Ngarara deriving ultimately from this cession of mana by Muaupoko). While Matene Te Whiwhi and Tamihana Te Rauparaha identified strongly with Te Rauparaha and Te Rangihaeata and with that section of Ngati Toa who were most closely connected with Ngati Raukawa, there is a difference of emphasis in the case of Wi Parata, oriented to Te Pehi, Te Rangihiroa and other chiefs. And it may well be that Ngati Toa did not have a united or consistent policy towards Muaupoko.

104 That is, Ngarara (at Waikanae), the block being reinvestigated.

3.7. **Waiorua.** The key event marking the definitive establishment of Ngati Toa in the Cook Strait area is, in the eyes of most scholars at any rate,¹⁰⁵ the battle of Waiorua. There is a degree of controversy as to what extent Waiorua was in fact a Ngati Toa victory. Gillmore¹⁰⁶ claims that Waiorua was, in fact, a joint Te Ati Awa/Ngati Toa victory, although this does not take account of Matene Te Whiwhi's statement, noted above, that most of 'Ngati Awa' had returned home before the battle. It should be noted that S.P. Smith, in his "History and Traditions of the Taranaki Coast" - an account which seems to be based very strongly on Taranaki sources - also insists that the North Taranaki groups who had accompanied Ngati Toa mostly went home before the battle of Waiorua.¹⁰⁷

Matene Te Whiwhi states that after the departure of Ngati Awa "all the tribes of the South collected to attack *Ngati Toa* at Kapiti" (emphasis added) where they were, he says simply, "worsted".¹⁰⁸ Angela Ballara writes that "Waiorua was defended mainly by the Taranaki peoples Ngati Hinetuhi and

105 Jane Luiten, *Whanganui ki Porirua*, 1992 (Wai 52 Doc#A1), 5: "The ensuing battle, known as Waiorua, proved a disaster for the allied forces and reinforced Ngati Toa's supremacy on the coast". McEwen, *Rangitane*, 97, states that the battle "completely established the position of Te Rauparaha in the Horowhenua district". Carkeek (*Kapiti Coast*, 23) writes that "the battle of Waiorua clearly established Rauparaha's supremacy on the mainland and this was the deciding factor in causing many of his allies to leave their homes and join him in his campaigns further south". According to Burns (*Te Rauparaha*, 120):

The defeat by Te Rauparaha's small army of perhaps a couple of hundred, of the armada containing some 2000 warriors was a decisive event. His mana and that of Ngati Toa became very great, as that of the defeated tribes lessened; the migrants were now the rulers of the land.

106 *Myth of the Overlords*, Wai 145 Doc#G3, 11. Why Gillmore has gone out of his way seemingly inflate Te Ati Awa's role in the battle and diminish Ngati Toa's is uncertain, unless it is part of a general strategy of trying to demonstrate that Te Ati Awa were the principal conquerors of Wellington right from the beginning. Hippolite also finds Gillmore's analysis of Waiorua unconvincing.

107 See Smith, *JPS*, 1909, 157 (in Document Bank):

"The Ati-Awa people, who had up to this time been assisting Ngati-Toa in their war against Mua-upoko, now felt that their presence was not so necessary, seeing that Kapiti Island had been secured; they therefore decided to return to their homes. There were other reasons actuating them also; they felt the overbearing conduct of Te Rau-paraha, who merely used them as auxiliaries to secure his own ends, and, moreover, the news had come through that Waikato was preparing another formidable expedition against Taranaki in order to wreak vengeance on the Ati-Awa people, who had defeated them in the battle of Te Motu-nui. Accordingly, Te Puoho and his Ngati-Tama people, Rere-tawhangawhanga and the Manukorihi people, besides others, returned to their homes at Waitara and other places, leaving only a comparatively few of their tribesmen with Te Rau-paraha, who was thus very much reduced in fighting strength. So far as can be ascertained, they returned to Taranaki early in 1823.

108 Matene Te Whiwhi, Himatangi case, (1868) 1 C Otaki MB 197.

Ngati Rahiri with a few Ngati Toa and Ngati Koata",¹⁰⁹ citing for this Smith's article in the *Journal of the Polynesian Society* and the evidence of just one witness, Wi Hape Pakau in the Wellington Tenths case in the Native Land Court. Reluctant as I am to part company with Dr Ballara I must do so on this occasion, as the evidence is overwhelming that Waiorua was Ngati Toa's great victory, and principally Ngati Toa's alone. Ehrhardt notes in her discussion of Waiorua that "many argued that Te Peehi's mana was equal to Te Rauparaha's, and Te Ati Awa preferred to accept his authority",¹¹⁰ which may be true but which is simply irrelevant: it is far from clear whether Te Ati Awa were present at all, and it is quite clear that Te Peehi was not: he was away in England buying muskets.¹¹¹ The statement by Watene Taurangatira, relied on by Ehrhardt, that Te Peehi conquered Waiorua, is plainly wrong, which does not give much confidence for his other statements, notably the wildly implausible one that Wiremu Kingi was at the battle.¹¹²

In 1868 Tamihana Te Rauparaha stated:¹¹³

The Whanganui, Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu and Rangitane from the other [i.e. South] Island joined to attack Rauparaha and Ngati Toa. They were afraid Rauparaha would take the country. That is why we were called 'Pakeha' and 'Atua' for our prowess. There were about two thousand of this party - tried to take Kapiti. Attacked us in the night. Got to Waiorua about 2 a.m. Scouts found us asleep and scattered. At daybreak the attack. Have heard that there were not more than eighty. Sixty, I heard. This sixty attacked and routed the two thousand. Ngati Toa chased them. This was the end of the fighting.

109 Ballara, "Te Whanganui-a-Tara", 17. In fact Smith, as already noted, stressed that virtually all of the North Taranaki people had gone home and were not at the battle. At p. 161 he notes that *Shand* states that "it was some of the Taranaki hapus who were first attacked", which, thinks Smith is "probably correct", although he notes that Travers' account, based on such Ngati Toa sources as Matene Te Whiwhi, is very different. While accepting that it was a group of Taranaki people who were attacked first, in Smith's narrative it was the counter-attack by Ngati Toa which ultimately crushed the invaders (see *ibid*, 162). To infer from this that the battle was essentially a Te Ati Awa victory is clearly unpersuasive.

110 Penny Ehrhardt, *Te Whanganui-a-Tara customary tenure 1750-1850*, Waitangi Tribunal research series no 3, Waitangi Tribunal Division, 1993, 19.

111 Both Nopera Te Ngaha and Wi Parata say specifically that Te Peehi was away in England when Waiorua was fought: see (1868) 10 C Otaki 394; and (1890) 10 Otaki MB 158. The same point is made by Joy Hippolite, *Ngati Rangatahi*, Wai 366 Doc#A1, 11.

112 *Ibid*. The evidence referred to is at (1890) 10 Otaki MB 77 and 314. This is unlikely to have been eyewitness testimony.

113 (1868) 1 C Otaki MB 375.

Nopera Te Ngiha also gave evidence in this case. He stated that there were three pas on Kapiti, these being Te Rauparaha's pa at Wharekohu, 'ours' at Rangitira, and a third, Waiorua (he does not say who occupied it).¹¹⁴ His account is as follows:

Then a large body - Nga Rauru, Whanganui, Ngati Kahungunu, Ngati Apa, Rangitane, and people from Middle Island came to Waikanae. [They] landed about 7 pm. About 2 am [they] arrived at Kapiti. About 4 or 5 am, the attack made. We had been aroused by those who had heard the 'papa' of the 'wakas' - 70 'topu' of us turned upon them. Waiorua was the name of this battle. It was a 'pahi' because, 'ka mutu nga whawhai i reira'. After this affair Te Pehi returned.

Matene Te Whiwhi's evidence in the Himatangi case has already been discussed. In 1872, in the Kukutauaki case, he gives the following account:¹¹⁵

In the beginning of the fourth year the man who speared Pehi ran away. He went across to the Middle Island, to Kekerengu and all the chiefs there. They sent a man to Taitahu and Wairau to collect all the people. They sent one to Wairarapa, one to Manawatu, Rangitikei, Whanganui and Patea. The war party came to a point on the Middle Island called Omere.

We started and went to Ohariu where we saw people in a canoe fishing for hapuku. We concluded that was the war party coming to attack, and so returned at once to Kapiti. After this we went ashore at Paekakariki to get karakas - we were short of food. At night at low water we went to get some mussels. We were attacked. There were three killed. One however got away - a woman. We gave chase to the attacking party the same night. When they saw us they ran away. We remained near Waikanae for a week and then [*went?*] off to Kapiti, and while we were there the people arrived from the Middle Island at Waikanae secretly. They only lit their fires at night. When they had all collected from Whanganui, Wairarapa, Rangitikei, two of Rauparaha's children were up in a tree and saw the fires at Waikanae. This was the first time we knew of their being there. Rauparaha and Rangihaeata wanted to cross to the mainland in the morning. During the night those thousand of people who were at Waikanae came [] their canoes and came to the East side of the Island, Waiorua. They wanted to attack at night. Kekerengu said, Let us wait until morning. Some of our people heard them disputing and came and reported it at the Pah. At 4 am the Pah was attacked. Just after dawn the Pah was taken. The people who attacked were

114 Evidence of Nopera Te Ngiha, Himatangi case, (1868) 1 C Otaki MB 393.

115 (1872) 1 Otaki MB 140.

defeated. The canoes were close together and covered the space between Waikanae and Kapiti. Waiorua is the name of the battle. Five of them were spared.

So, according to Matene, it was Te Rauparaha's children who saw the fires of the enemy at Waikanae; and that Te Rauparaha's and Te Rangihaeata's strategy was to launch an attack on the mainland in the morning. Unknown to the defenders, the invasion fleet managed to cross over the strait, but the surprise was not complete as 'some of our people heard them disputing'. Although the pa, Waiorua, was taken, the invaders were comprehensively defeated.

Wi Parata, unlike Matene, was not an eyewitness. He states:

After Te Pehi went to England the fight at Waiorua was fought. By what history has told us there were 2000 men to fight against Ngati Toa, but they were defeated in the early part of the day by Ngati Toa. Ngati Haumea and Ngati Koata defeated them. When the rest of Ngati Toa heard of this, they came over.

Again, Wi Parata's evidence has a different flavour and emphasis. He says Ngati Haumea (Haumia) and Ngati Koata bore the brunt of the fighting. Ngati Koata are the hapu of Ngati Toa who originally lived on the north side of Kawhia and who later acquired Rangitoto (D'Urville Island). Ngati Haumia are said by Carkeek to be a hapu of Ngati Toa,¹¹⁶ although Ballara regards them as a section of the Taranaki iwi.¹¹⁷ Raiha Puaha told a royal commission investigation endowed lands for Church schools in 1905 that Ngati Haumia was a hapu of Ngati Toa, living at that time at Waikanae,¹¹⁸ and my understanding is that today Ngati Toa have no doubt that Ngati Haumia is regarded as a subdivision of Ngati Toa.¹¹⁹ They, like Ngati Koata, had an adventurous later history, as there are frequent references in the Chatham Islands Minute Books to Ngati Haumia, who seem to have been allies of Ngati Tama in the conflicts that developed in the Chathams between Ngati Tama and the Kekerewai hapu of Ngati Mutunga on the one hand and the other hapus of Ngati Mutunga on the other.¹²⁰

116 W.C. Carkeek, *Kapiti Coast*, 28.

117 Ballara, "Te Whanganui-a-Tara", 26.

118 See 1905 AJHR G-5, 11. On the other hand some witnesses in the Wellington Minute Books refer to Ngati Haumia as a hapu of the Taranaki iwi. Perhaps there were two hapu of this name, or perhaps it is a descent group of mixed Ngati Toa and Taranaki elements.

119 Information supplied by Mr. Matiu Rei.

120 Ngati Haumia is, for example, mentioned by Hirawanu Tapu, the well-known Moriori kaumatua, at the Kekerione reinvestigation hearing in 1900: he says that the chief Te

Ihaka Tekateka of Ngati Koata summarised events as follows (1892):

They settled at Waiorua at Kapiti. This place belonged to Ngati Apa. They opposed Rauparaha's occupation of this place and assembled the people of the Waipounamu to attack him.

They met Te Rauparaha and party at Waiorua and the attacking party of Ngati Kuia, Ngati Apa and Rangitaane were defeated.

The fight was called Wakaparitahi.

Waiorua seems to have been regarded as Ngati Toa's and Te Rauparaha's victory. In Matene Te Whiwhi's narrative:¹²¹

All the tribes of the South collected to attack Ngati Toa at Kapiti - were worsted - Rauparaha thought as there were no more enemies to conquer he would make peace. News reached Ngati Awa at Taranaki that Rauparaha had conquered the country and defeated the tribes occupying it.

In Matene's reading of the past, Ngati Awa heard of Waiorua 'at Taranaki' because most of those of Ngati Awa who had accompanied Ngati Toa had returned home before the battle.

It was the crushing victory at Waiorua which, according to Tamihana Te Rauparaha, led to the celebrated formal insults made by Rangitane and Ngai Tahu. After the battle, Tamihana says, Ngati Toa "chased" the attackers; this "was the end of the fighting". Then (the next sentence):¹²²

Rauparaha's fame reached the South Island. Te Ruaone, chief of (Rangitane) Wairau heard and said, "This man is very brave". He said, "he would like to crush his skull

Kuru was of Ngati Haumia and Ngati Tama. And in the same case Nekehia Paina of Ngati Mutunga (her first husband was Toenga) speaks of a boundary within the Kekerione or Maungatukarewa block between Ngati Haumia and "Toenga ma" (i.e. Toenga and his people): see (1900) 2 Chatham Islands MB 160. 167.

¹²¹ Evidence of Matene Te Whiwhi, Himatangi case, (1868) 1 C Otaki MB 197.

¹²² Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 372. Of course to *not* respond to an insult of such a grave kind in the world of Maori politics would be interpreted not as high-mindedness but merely as weakness, and would have political consequences. An example of the politics of insult is furnished by Nopera Te Ngiha in the Himatangi case. Trying to convey the impression that the relationship between Ngati Raukawa and Ngati Apa was one of equals, he drew attention to the behavior of the Raukawa chief Nepia: "I heard that Nepia treated the Ngati Apa as equals, for, when they compared his head to a pumpkin, he did not notice it." See (1868) 1 C Otaki MB 398.

with a 'tukituki aruhe'¹²³. Rauparaha heard and took a 'taua' and slated Rauone and his people. Rauparaha returned to Kapiti.

The fame of Rauparaha reached the chiefs [376.] of Kaikoura (Rerewaka) who said, if he came there he would "rip him up with a mango's jaw". Rauparaha took a 'taua' and attacked that party and thrashed them, [and] said, "These places, Wairau and Kaikoura, are mine". Rerewaka was taken by Rauparaha, and brought away. Rauparaha returned to Kapiti.

And in the Kukutauaki case (1872), speaking of the aftermath of Waiorua, Matene Te Whiwhi says:¹²⁴

The news of this went all over and the people knew that Rauparaha had defeated all these tribes.

In Wi Parata's narrative:¹²⁵

When all the tribes had heard of this and that Ngati Toa had not been beaten, the first heke came down because the coast was clear. When the first heke of Ngati Awa came down they did not kill any one to make their way. Ngati Mutunga came first. The road was all clear for them on account of this fight [Waiorua.]

In view of this material there seems little necessity to depart from the view that Waiorua was certainly Ngati Toa's victory, that Te Rauparaha and Te Rangihaeata played a part in the battle, and that the great victory was widely seen as Te Rauparaha's achievement. My view is that attempts to create a revisionist historiography with the objectives of denigrating the role of Ngati Toa and enhancing that of Te Ati Awa are misplaced. According to Wi Parata the 'Ngati Awa' - who were probably to a large extent Ngati Mutunga in any event - who had come south with the heke were not at the battle at all, but learned of it in Taranaki. None of the other main sources cited above makes any mention of 'Ngati Awa' playing any significant role. And it was not a chief of Te Ati Awa that Te Ruaone riskily insulted by threatening to crush his skull with a fern-root pounder.

After Waiorua Ngati Toa and Te Rauparaha were in the full flush of victory. According to Pateriki Rei:¹²⁶

123 A fern-root pounder.

124 (1872) 1 Otaki MB 141.

125 (1890) 10 Otaki MB, 158-59.

126 Ngati Toa s. 30 case, (1994) 20 Nelson MB 168.

After they settled in Kapiti, Whanganui-a-Tara. They set the people at different locations. Te Rauparaha had a nice trade. He introduced the potato to the Wellington province. Also introduced kamokamo, corn to the Wellington province. And he had maara at Kapiti, at Otaki, at Maana, at Pukerua and at Wairau. And he sold the produce in the ships.

One consequence of Waiorua, it has been plausibly argued, was that it led to a sharp deterioration in relations between Ngati Toa and Ngati Apa.¹²⁷ Another consequence was that that title to Wellington harbour seems to have passed to Ngati Toa.¹²⁸

3.8. Te Ati Awa/Ngati Tama/Ngati Mutunga: the Upper South Island and Wellington: Now that the 'coast was clear' a number of other descent groups made their way south. "In the fourth year", says Matene Te Whiwhi, "came Ngati Awa and Ngati Tama".¹²⁹ In his 1872 evidence Matene says that after Waiorua, Te Puoho (of Ngati Tama) "came from the North to see how we were getting on"; and about seventy men came south, Ngati Tama and Ngati Whakatere. Te Puoho came "and saw we were all right" and went back; the following summer a large group of Ngati Whakatere and Ngati Tama came south; "they were now commencing to migrate". Wi Parata, on the other hand, states that Ngati Mutunga came down first, and then Ngati Tama.¹³⁰ He dates the arrival of Ngati Tama to shortly after the return of Te Peehi from England. And in fact the various hekes at this time are quite difficult to disentangle. But it seems clear that northernmost Taranaki was drained of nearly all of its people. In 1840 Ernest Dieffenbach travelled from New Plymouth up the coast to the Mokau river. He found the land empty:¹³¹

The country near the sea-coast bears, in many places, the traces of former extensive native cultivation, and the ruins of several pas. Here formerly lived the Nga-te-toma

¹²⁷ Anderson and Pickens, *Wellington District*, Rangahaua Whanui District 12, 1996, 10.

¹²⁸ I am here following Heather Bauchop, *Ngati Ira and Rangitane in Te Whanganui a Tara to 1865*, A report commissioned by the Waitangi Tribunal, Jan. 1997, 10-11 [citing evidence of Enoka Hohepa, (1888) 2 Wellington MB 96-8; Hohaia Pokaitara, (1890) 10 Otaki MB 84; Karihana, (1890) 10 Otaki MB 111.

¹²⁹ (1868) 1 C Otaki MB 197.

¹³⁰ (1890) 10 Otaki MB 158-9.

¹³¹ E. Dieffenbach, *Travels in New Zealand*, John Murray, London, 1843 (repr. by Capper Press, Christchurch, 1974), vol 1, 168.

and Nga-te-Motunga tribes, the present inhabitants of the Chatham Islands, who migrated there many years ago. The whole district between Taranaki and Mokau has at present not a single inhabitant.

When the invading tribes began to move into the upper South Island, attacking Rangitane, Ngati Kuia and other South Island groups under Te Rauparaha's leadership, the invaders were made up of the three main groups of Ngati Toa (Ngati Toa proper, Ngati Rarua and Ngati Koata), Te Ati Awa, and other North Taranaki descent groups, and Ngati Tama. The invasion of the South Island predated the arrival of Ngati Raukawa and the much larger Taranaki groupings which followed them in turn. It also seems that Wellington harbour was invaded and settled by the northerners somewhat before the campaigns in Marlborough, Nelson, and Golden Bay, but at Wellington the main protagonists were Ngati Mutunga. Ngati Mutunga, as we know from the Chatham Islands Minute Books,¹³² were also involved in the conquest of the Upper South Island, which according to this source took place after the invasion of the Wellington district. But the details of the conquest and settlement of Wellington itself are very hazy. All that can be said with real certainty is that it was accomplished in the main by Ngati Mutunga and that it was probably effected in the interval between the battle of Waiorua and the later invasion of the Upper South Island.

For events in the South Island itself there is abundant material in the Nelson Minute Books. The main take justifying the invasion was the aforementioned threat to crush Te Rauparaha's head with a fern-root pounder, but whatever the importance of that matter, it seems clear that a fairly large-scale attack took place and the region was then parcelled out between the three sub-tribes of Ngati Toa, and Ngati Tama and Te Ati Awa.

¹³² See the Kekerione case, (1870) 1 Chatham Is. MB 1, at p. 6 (evidence of Toenga: Ngati Mutunga. Toenga says:

I took possession of Kapiti and then Wellington. Part of my tribe went across the Straits to inner Charlotte Sound and that land was taken, and we came to the Chatham Islands, and took possession of the Chatham Islands.

And Rakataau, in the same case (ib.) says:

We went to Wellington and from thence to Wairarapa and took possession of lands thence to Queen Charlotte Sound, thence to Banks Peninsula and Otago.

It is apparent, then, that Ngati Mutunga (i) were involved in the conquests in the South Island, and that (ii) the conquest of Wellington by Ngati Mutunga occurred before the effective conquest and subjugation of the Upper South Island. It is not clear why Ngati Mutunga is not mentioned as one of the hapu of 'Ngati Awa' who received land at Arapawa

In the Nelson Tenth case in 1892 Paka Herewine Ngapiko (Ngati Rarua/Ngati Tama) said that following a landing at Te Awaiti and the various campaigns the land was divided up by Te Rauparaha:¹³³

They landed at Te Awaiti [] [] Ngatiturangapeke and Ngati Pare te ata [] []. Ngati Rarua proceeded to Motueka from Te Awaiti. They found the land at Motueka in the possession of Ngatitumatakokiri who they then killed and enslaved. They then proceeded to West Whanganui and from there to Karamea. Te Iti, Pikiwhara, Pukekohatu and Te Arama were the leaders of the party. These people belonged to Ngati Rarua. They fought with the Ngatitumatakokiri at Karamea.

Niho and others afterwards settled at West Whanganui (Taitapu).

The war party returned to Te Awaiti, and the land was divided amongst the hapus by Te Rauparaha. Arapawa was given to Te Manutoheroa, Rere Tawhangawhanga, Hiwi Whenua, and Tamati Ngarewa. [174] Hiwi Whenua belonged to [Ngati Rahoi?], Rere Tawhangawhanga belonged to Ngati Awa, Tamati Ngarewa to Ngati Henetiu, Toheroa belonged to Puketapu. These people went with Te Rauparaha to Te Awaiti. Ngati Toa got the Wairau and the Pelorus District but I cannot describe the boundaries. Ngati Koata got Rangitoto (D'Urville Island.)

Te Rauparaha divided the land amongst the people. Ngati Rarua got the land from Hourirangi to Takaka, including Wakatu, Waimea, Motueka, Riwaka, Kaiteriteri, Marahau, Whenuakura, Potihitanga, Awaroa, Te Matau (Separation Point), Taupo, Tata, and Takaka. Taupo and Takapau belonged to Ngati Tama. Wharerangi was the principal man of that party. Te Pou Whero was the rangatira at Te Takapau. Te Iti owned the land at Takaka. I don't know who the land to the west of the Takaka river belonged to. That section belonged to another section of the Ngati Rarua. My father Ngapiko died at Motueka. The land at Motueka belonged to Ngati Rarua. Ngapiko lived at a pa called Hiu Te Rangiura near Riwaka. He was living there when Captain Wakefield arrived.

Thus the main allocations were: (a) Te Ati Awa hapu - Puketapu etc - received 'Arapawa' (which seems to mean the north and east of the Marlborough Sounds); (b) Ngati Toarangatira obtained Te Hoiere (Pelorus Sound) and the Wairau Valley; (c) Ngati Koata obtained D'Urville Island; (d) and (e) Ngati Rarua and Ngati Tama received Nelson, Motueka, and lands around West Whanganui and down towards Karamea. Ngati Rarua later took the stance that they, as subdivisions of Ngati Toa in their own right, did not have land

133 (1892) 2 Nelson MB 92-93.

allocated but took it for themselves; whereas "Ngati Awa's" lands were specifically allocated to them by Te Rauparaha.¹³⁴

Ngati Awa had land allotted to them in other localities by Te Rauparaha. He was the ariki o nga tangata. He did not allot land to Ngati Rarua.

There seems to have been a Ngati Awa tradition that they were allocated land in the Marlborough Sounds due to the actions of Topeora in saving Te Rauparaha in a subsequent Ngai Tahu counterattack after the fall of Kaiapoi, but Herewine Ngapiko of Ngati Rarua denied this:¹³⁵

I don't know whether it was owing to Toheroa having saved Rauparaha's life at Arapawa that Rauparaha allotted land to him. Kei a Te Rauparaha te Mana o Ngatiawa.

There is no mention in the Minute Books of any allocation to Ngati Mutunga, unless they are included with the "Ngati Awa" under the command of Rere Tawhangawhanga. As noted above, Ngati Mutunga sources state that Ngati Mutunga did participate in the invasions of the South Island, and that this took place after the subjugation of the Wellington district.

In cross-examination in this case by Hohepa Horomona (Ngati Toa) Paka Herewine Ngapiko was asked about the status of Te Rauparaha as leader. He stated that Te Rauparaha was the 'tino rangatira' who had 'led the people to Kapiti' and who had 'divided the land'; but he was not willing to accept that he was 'paramount' over the affairs of the hapus who conquered the district. His replies are as follows:¹³⁶

Ngati Rarua were with the first, second and third expeditions. Ngate Pare Te Ata and Ngati Hurangapeke were the hapus of Ngati Rarua who settled at Motueka. Ngati Toa, Puketapu (of Manutoheroa's party) and Ngati Rarua under Te Rauparaha went on a war expedition. I know of the expedition called Amaowhenua. Don't know of the fight called []. The raupatu that conquered the South Island was under Te Rauparaha assisted by: Ngati Toa, Ngati Koata, Ngati Rarua, Puketapu (these were the hapus who conquered the land on the South side of Cook Strait). Ngati Tama,

134 Herewine Ngapiko (Ngati Rarua), Nelson Tenth's case, at (1892) 2 Nelson MB 184.

135 Ibid, 185.

136 (1892) 2 Nelson MB 177.

Ngati Mutunga, Ngati Hinetiu, Ngati Rahiri, Takiawa, Puketapu, Ngamotu, were the hapus who came with Te Rauparaha and settled at Kapiti.

Rauparaha was the tino Rangatira who led the people to Kapiti, but I don't admit that he was the Rangatira who was paramount over the affairs of the hapus who conquered the district. The reason that Te Rauparaha divided the land amongst the hapus was as a reward for their bravery. He was the leader and that was why it devolved on him to divide the land amongst the people. The reason why Te Rauparaha was elected the leader was because he was the person who was instrumental in forming the expedition to Kapiti.

Ngati Koata have always maintained that D'Urville was ceded to them by a rangatira named Tutepourangi, a captive taken before Waiorua and later released, who belonged to the tangata whenua, Ngati Kuia, and it was on this basis that title to the island was awarded to Ngati Koata by the Native Land Court in 1883.¹³⁷ Very little evidence was taken by the Land Court on that occasion, the case being uncontested, but a full account of this gift was given by Ihaka Tekateka of Ngati Koata in the Nelson Tenths case in 1892.¹³⁸

3.9. The arrival of Ngati Raukawa (c. 1827-9): In 1825-26 the first Ngati Raukawa migration from Maungatautari arrived at Otaki led by Te Ahi Karamu.¹³⁹ Ngati Raukawa before this time had been having complex adventures of their own in Hawke's Bay. Tamihana Te Rauparaha stated that a group of Ngati Raukawa led by Te Whatanui had been staying at Heretaunga (Hawke's Bay) as guests of Karaitiana, but with an attack on Hawke's Bay by Te Waru of Tauranga Ngati Raukawa unwisely decided to turn on their Kahungunu hosts. They were quite severely defeated and withdrew to their traditional tribal lands at Maungatautari (between Putararu and Te Awamutu). While licking their wounds there Te Whatanui recalled Te Rauparaha's earlier offer to join the original main heke south. Te Whatanui and others made their way to Kapiti.¹⁴⁰

He then came to Rauparaha, came to Kapiti. That migration was called the "Whiri nui" - came to Rauparaha and bowed - acknowledging error. Rauparaha said, "It is

137 (1883) 1 Nelson MB 1.

138 (1892) 2 Nelson MB 254-5. [See Appendix] In this case, however, Ihaka Tekateka of Ngati Koata, who said that the gift was to Ngati Koata *and* Ngati Toa, attempted to persuade Judge Mackay that Ngati Kuia had made a gift not only of D'Urville Island, but of a huge swathe of the adjacent mainland as well.

139 Jane Luiten, *Whanganui ki Porirua*, 1992 (Wai 52 Doc# A1). p.5.

140 Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 376.

well, come." Whatanui said, "We will come here. The thought is with you, Rauparaha." Rauparaha said, "If you come, I must be above you." Whatanui said, "Yes, quite right." Waitohi, Rauparaha's sister [said] "Haere mai! oku were were."

And according to Hohepa Tamaihengia of Ngati Toa:¹⁴¹

Ngati Raukawa congratulated Rauparaha on his 'toa' and having Pakehas with him.

Matene Te Whiwhi, however, who was like Te Rauparaha a rangatira of both Ngati Raukawa and Ngati Toa, gave much more emphasis to Ngati Raukawa's sufferings at the hands of the musket-armed taua of Ngapuhi and Ngati Whatua, and its debilitating conflicts with the Hauraki tribes.¹⁴²

These boundaries were held until Hongi's time. During his time Hongi held the power (mana). Hongi's mana was powder and guns. I do not know the cause of the Ngapuhi invasion. They came to Waikato. Ngapuhi and Ngati Whatua had guns and they came and fought Ngati Raukawa. The chief of Ngapuhi was called Manaia. Waikato collected together, but the mana was with Ngapuhi. Ngati Raukawa's pa called Hangahanga was attacked and after two months' fighting they were starved out and the pa was taken. There were none of the able-bodied men killed. Only the old men and women were taken. The strong men went away by night. Some of those who were related to Waikato were saved. Ngati Raukawa fled to Patetere and other places. Ngapuhi and Ngati Whatua returned. This ended that war. It happened about the time of the Rev. Mr Marsden's visit to New Zealand.

Ngapuhi returned after this under [77] Hongi. Hauraki was the first place attacked and all the Hauraki tribes were defeated by Ngapuhi. Hongi attacked and took [Mauinaina?] Pa and Ngati Paoa were defeated. He attacked [] Te Karaka Pa and Ngati Maru were defeated. He afterwards returned to Waikato and Matakaitaki was taken and a thousand men were slain belonging to Waikato. All the tribes then retreated inland to Taupo. Ngati Raukawa were living there at this time and Waikato tribes retreated back on them.

The return of Ngati Raukawa and Waikato tribes was at the same time. Waikato went into their own country and Ngati Raukawa returned to Maungatautari. They made peace amongst themselves, their only thought was Ngapuhi. During this time the Hauraki tribes began to quarrel with Ngati Haua and Ngati Koroki. The cause was that the dominant (whakake) towards Ngati Haua and Ngati Koroki and

¹⁴¹ Evidence of Hohepa Tamaihengia, Himatangi case, (1868) 1 C Otaki MB 398.

¹⁴² Puahue case (Maungatautari), (1868) 2 Waikato MB 76-77.

Ngati Raukawa and Waikato [sic]. The quarrel against the Hauraki tribes increased and Tangiteruru was killed. Then the fighting began in earnest. A pitched battle was fought at Taumatawiwi and the Hauraki tribes were defeated. Waikato and Ngati Haua held the mana after this. Peace was made between the Ngati Haua and Waikato with the Hauraki tribes and Hauraki returned to Hauraki.

Ngati Raukawa I have heard were living at Maungatautari but not a great number.

The cause of Hauraki tribes attacking Ngati Raukawa was this (these tribes [78] have the same origin). Te Whatanui induced the Hauraki tribes to fight Ngati Raukawa and they attacked them at Te Kopua which was taken and they attacked Ngati Raukawa again at Piraunui. Ngati Raukawa were pouri from their former defeat. They turned upon Hauraki and the Whatakaraka of Ngati Raukawa was killed. Ngati Raukawa had commenced before this time going to Kapiti to get guns. Te Rauparaha invited Ngati Raukawa to come and take the land belonging to Ngati Awa on account of one of Ngati Raukawa's chiefs named Te Poa having been killed by Ngati Awa. Te Ahu Karamu came and found that Ngati Raukawa had been defeated at Piraunui. Ngati Raukawa were pouri at Taraia who was a relation of theirs attacking them. They said to him, "Waiho ki a koe te pakanga" and they left and went to Kapiti. There was no word said about the land. Some of Ngati Raukawa remained behind.

The presence of Ngati Raukawa in the Kapiti region was very welcome to Te Rauparaha, who was a rangatira of Ngati Raukawa in his own right. It is possible that he thought that the presence of this powerful tribe would help consolidate his own position within Ngati Toa. Their presence in the region would give Te Rauparaha valuable additional power base. After their arrival Te Rauparaha and Te Rangihaeata were chiefs of Ngati Raukawa as much as they were chiefs of Ngati Toa. In the Paremata case (1868) Tamihana Te Rauparaha said:¹⁴³

He [Te Rauparaha] took possession of this country by conquest from Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu. Many years after the Ngati Raukawa heard of Te Rauparaha's conquest and came to join them.

This was before 1840. Rauparaha agreed to their occupying the land with him. He gave a portion of the land to his tribe Ngati Raukawa from Rangitikei to Kukutauaki on the side of Waikanae - and he lived on as a chief of Ngati Raukawa, he and Rangihaeata - and Ngati Toa went to Waikanae - Wainui - Porirua - Pukerua -

143 Paremata case, (1866) 1 B Otaki MB 57.

Kapiti and Mana and Cloudy Bay to Taitapu. Ngati Toa gave a portion of the conquered land to Ngati Awa and they lived with Ngati Toa - and Ngati Raukawa remained with Te Rauparaha on this side to the north.

But not everyone of Ngati Toa was pleased by Te Rauparaha's generosity to his Ngati Raukawa kin. This emerges in the account of Tatana Whataupiko in the Ngakororo 3B hearing in 1891.¹⁴⁴

Rauparaha reached Kapiti and crossed to the other island. He obtained possession of the land and the Ngati Toa subdivided it. After they had been here some time an advance guard from Ngati Raukawa arrived (one cartridge). Rangiorehua among them, and Te Ahu Karamu. All were chiefs. They had an interview with Te Rauparaha. The latter and his sister, Waitohi, felt sorry for the Ngati Raukawa and told them they had better come and occupy this land. The Ngati Toa did not feel pleased at this. He [Te Rauparaha] was partly a Ngati Raukawa. This prevented Ngati Toa giving effect to their anger.

Matene Te Whiwhi gives a clear narrative of the circumstances of Ngati Raukawa's arrival in his evidence in the Himatangi case:¹⁴⁵

6th year, 200 of Ngati Raukawa came down from Maungatautari and Taupo and Taupo - Te Whatanui - Taratoa and others came to get powder and guns from the 'pakeha' - they returned.

7th year another party of Ngati Raukawa 60 in number - Te Ahu Karamu and Tuai Nuku, chiefs - went to Kapiti - Ngati Toa thought fit to give the land as far as Whangaehu because of the murder [198.] of Te Poa by Muaupoko at Ohau - Ngati Toa chiefs assented and gave Te Ahu Karamu the land "The land on which Te Poa was killed". Te Ahu Karamu returned - Te Rauparaha then told Ngati Awa to go to Waikanae and leave the land for Ngati Raukawa. At this time Ngati Apa, Rangitane and Muaupoko left the district and went to the Wairarapa. The Wairarapa people fought with them and besieged their settlements. After a year's absence they returned. Some of them went to Waitotara, some to Whanganui - some to Rangitikei and thence to their 'hunaonga'¹⁴⁶ (Te Rangihaeata) (at Kapiti) who had taken Pikinga a Ngati Apa woman as his wife.

144 (1891) 16 Otaki MB 346.

145 (1868) 1 C Otaki MB 376.

146 son-in-law.

8th year Ngati Raukawa came in a whole body brought by Te Ahu Karamu - went to Kapiti to be near the 'Pakehas', on obtaining guns and ammunition came to Otaki. A Ngati Apa chief had been killed at Waitotara and then commenced fighting between Whanganui and Ngati Apa - Ngati Raukawa were then living on the other side of Rangitikei. Ngati Raukawa and Ngati Apa's war party went to Whanganui, met enemy at Turakina - Whanganui were beaten. Takarangi, father of Mete Kingi's wife, was killed. Ngati Apa ran away. Ngati Raukawa retrieved the day and beat Whanganui. This was the end of the fighting between Ngati Apa and Whanganui. [199.] The 'mana' of Ngati Raukawa was then established at Turakina. The greater part of Ngati Apa were with Rangihaeata at Kapiti, as descendants of Rangihaeata.

There were, then, three separate Ngati Raukawa heke. The first group was led by Te Whatanui and Taratoa, who came down to Kapiti to visit their kinsman Te Rauparaha and to get guns. The next year a smaller group led by Te Ahu Karamu came down, and while they were at Kapiti Te Rauparaha, with the possibly rather reluctant assent of the other Ngati Toa rangatira, decided to give to Ngati Raukawa the land as far north as the mouth of the Whangaehu river. At that time some of Te Ati Awa were living at Otaki, who were evidently told to move further south to Waikanae in order to vacate the land for Ngati Raukawa, which they did. Matene Te Whiwhi gives particular emphasis to the killing of a Ngati Raukawa chief named Te Poa (although in one instance he says the killing was done by Ngati Awa, and in another by Muaupoko) as a principal reason for Te Rauparaha's decision to grant Ngati Raukawa a substantial amount of land. The following year the Ngati Raukawa main body came down, led by Te Ahu Karamu. For a time they stayed at Kapiti before moving north to consolidate their position in the Horowhenua (Ngati Raukawa's principal community today, of course, is at Otaki.)

In his evidence in the Kukutauaki case, one of the most detailed of all the narratives which has come down to us, Matene Te Whiwhi states that the arrival of Ngati Raukawa's first heke coincided with a bout of fighting between Ngati Tama and Ngati Toa, as a result of which "Ngati Tama after this left Kapiti and went to Wellington". This passage also contains more detail on the decision of the Ngati Toa chiefs to require Te Ati Awa to abandon the land at Otaki:¹⁴⁷

147 (1872) 1 Otaki MB 145-6.

Whatanui¹⁴⁸, Te Heu Heu and a party came down to see Te Rauparaha at this time and fetched Ngati Kahungunu who lived at Wellington Heads to Porirua and Kapiti. Afterwards one of our party named Karewa was murdered by Ngati Tama. They then commenced fighting. Rauparaha did not want to fight. We attacked and killed Ahetaka, a chief, and took the pah called Mainere. This was on Kapiti. There was another fight and we took the Pah, it was called Taipiro. Arare was the battle. Ngati Tama collected in two pahas, Kahikatea and Oteho were the names. We attacked the Kahikatea and it was nearly captured when Pehitaka's daughter came to us and saw Rangihaeata, Rauparaha, and Topeora. Rauparaha told me to go into the Pah to stop the fighting. I went in and the fighting ceased and the war party outside dispersed. Ngati Tama after this left Kapiti and went to Wellington.

After this another party of Raukawa arrived. There were thirty of them. The chiefs were Ahukaramu, Kuruko, Tuhaimuku and others. When they arrived at Kapiti, Waitohi, Te Rauparaha's sister, spoke to them. All the Ngati Toa agreed that the Raukawa should come and live there as Waitohi had said. They wanted them to come on account of the murders at Te Wi and Ohau. Then Rauparaha gave the land to Ahukaramu, Kuruho, and Tuhainuku. This land was between Otaki on one side and [146] Whangaehu on the other. Ngati Awa at this time had possession of land about Ohau, Horowhenua, and Otaki.

When Ahukaramu and his people had appointed a day to return to Maungatautari all the Ngati Toa came to Ohau to say goodbye to them. They were told not to stay away long but to come back as soon as possible.

After that we came down from there to Otaki where the Ngati Awas were living. Rauparaha, Hiko, Tumia addressed Ngati Awa and told them to go away as they wanted all the land between Manawatu [sic] to be kept for Ngati Raukawa. Ngati Awa¹⁴⁹ had cut up all the land. A chief of Ngati Awa Taingararu. There is a piece of land called after his belly. Ngati Awa agreed to leave all the land between Otaki and Whangaehu to the Ngati Raukawa. They agreed to abandon the land they occupied for the Ngati Raukawa. They then gave Rauparaha some food (porpoises). After this we returned to Kapiti. And in March we came to build a Pah for Ngati Raukawa at Otaki. In the following summer the Ngati Raukawa arrived and went straight off to Kapiti. They lived there for a year and a half.

A year after their arrival Rangihaeata and they went to Papaitonga and killed some of the Muapoko. They attacked Papaitonga and Horowhenua and killed Tukare and Paipai at Horowhenua. They killed Rautakitaki and others. There was a Ngati

148 Te Whatanui is the leading rangatira of Ngati Raukawa.

149 In the MB this is given as 'Ngati Apa', surely a transcription error. From the context it is clearly Ngati Awa who is under discussion.

Raukawa living with Muaupoko. Te Pukeroa was his name. He ran away to Otaki. We then fixed that boundary at Otaki as between Ngati Raukawa on the north side and Rauparaha on the south.

Nopera Te Ngiha summarises the years between the battles of Waiorua and Haowhena as follows:¹⁵⁰

After this affair [Waiorua] Te Pehi returned (Turangapeke). Pakeha began to come. Other tribes came and Ngati Raukawa. Whatanui came to Kapiti. Tribes came down from all quarters to see the tribes who had got Pakehas. Ngati Raukawa and Ngati Awa came with others and settled at Otaki and Waikanae and Porirua like bees. Lived peaceably till the time of the Ngati Awa and Ngati Ruanui who stole the potatoes at Waitohu: found by Ngati Raukawa who killed the thief.

It was thus in the years after Waiorua that Ngati Toa began to trade with Pakeha, and that other tribes, Ngati Raukawa and other groups came 'to see the tribes who had got Pakehas'.¹⁵¹

Ngati Raukawa accounts confirm the above picture. In the Wairongomai case (1869) Rota Te Tahiwahi of Ngatimaiotaki (a Raukawa group) said:¹⁵²

Te Rauparaha came to this District and acquired the lands hereabouts by conquest. He sent Hukiki to Taupo to fetch his people the Ngati Raukawa to occupy the land. We all at first went to Kapiti and afterwards came over to the mainland to Kotikoti whenua.

In the same case Parakaia Te Pouepa stated that hapu of Ngati Raukawa moved from Kapiti to the Otaki District where they dug potatoes and made

¹⁵⁰ Evidence of Nopera Te Ngiha, Himatangi case, (1868) 1 C Otaki MB 394.

¹⁵¹ See also E.J. Wakefield, *Adventure in New Zealand*, vol 1, 118: "E Ahu Karamu returned to Taupo, and related to the rest of his tribe how fine an opening had been made for them on the sea-coast, dwelling on the advantages to be derived from fishing and trading with the White men. He bore Rauperaha's invitation to the other chiefs to lead their men to Cook's Strait, where he would assign them a part of his conquest to enjoy and maintain, while they assisted him in crushing the remains of the insurgents about Rangitikei and Manawatu. The conflicting opinions as to the expediency of this course were peremptorily terminated by E Ahu, who ordered his young men to burn the houses at Taupo; and the Ngati Raukawa migrated in successive bodies to the coast. Rauperaha then proceeded with their assistance to crush the remnants of the aboriginal tribes; and only spared the lives of the few Muopoko now existing in that neighbourhood at the urgent entreaty of Watanui, a great chief of the Ngati Raukawa, to leave them as slaves for him."

¹⁵² (1869) 1 G Otaki MB 99-100.

clearings, and scraped flax and harvested eels in the lakes. "We gave the eels to Ngati Toa, the owners of the land." After moving to Otaki Ngati Raukawa fought the Whanganuis and were part of Te Rauparaha's successful assault on the Ngai Tahu stronghold of Kaiapohia. Further evidence from Ngati Raukawa sources is found in the Waikato Minute books, evidence in cases in which Ngati Raukawa pressed claims to their ancestral lands around Maungatautari in the South Waikato. These sources indicate that the heke of Ngati Raukawa was not entirely complete: some of Ngati Raukawa remained behind. Even so, most of the Ngati Raukawa claimants to the South Waikato blocks in the late 1860s describe themselves as living at Otaki.¹⁵³

The arrival of Ngati Raukawa in the region and their ensconcement at Otaki are key events. Ngati Toa received a major accession of strength. Both Ngati Raukawa and Ngati Toa are Tainui tribes and the connexion between the two descent groups seems to have been a fairly close and warm one, although as noted above not everyone within Ngati Toa was happy about Te Rauparaha's generosity towards his Ngati Raukawa kin. Although Ngati Toa also had close and (usually) warm relations with Ngati Mutunga, by now based around Wellington harbour, Ngati Mutunga and Ngati Raukawa were not friendly. The tribes lived 'like bees' around Otaki and Waikanae and Porirua, and, says Nopera Te Ngiha, 'peaceably'. Equilibrium might have been maintained, were it not for yet another large-scale migration, impinging into what was already a fairly complex and delicately-balanced set of arrangements. This was the expedition known as Ngamotu.

3.10. The Taranaki Descent Groups: The next stage in the drama was the sudden arrival of large numbers of Taranaki refugees, who abandoned their homes after the fall of Pukerangiora to Waikato and the battle at Ngamotu. These descent groups belonged to Ngati Ruanui, Taranaki and "Ngati Awa" and were led by Te Puni and Te Wharepouri. This heke is referred to in the literature as the Tama-te-uaua, but as with most of the rest of these migration names the term is not much in evidence in the original sources. Matene Te Whiwhi simply refers to the 'final heke' of 'Ngati Awa' or states that 'all the Taranaki tribes came down'. In any case, come down they did, and it is quite clear that their arrival led to an immediate collision with Ngati Raukawa. The immediate cause of the fighting occurred when Te Whakaheke, a chief of

¹⁵³ See evidence of Parakai Te Pouepa, Maungatautari case, (1868) 2 Waikato MB 48-53; Te Rei Te Paehua, *ibid*, 53; Te Rikihana, *ibid*, 54; evidence of Parakai Te Pouepa, Puahue case, (1868) 2 Waikato MB 67-71; Matene Te Whiwhi, *ibid*, 76-8. [evidence of Matene Te Whiwhi only in Appendix]

Ngati Raukawa, killed a 'Ngati Awa' man named Tawake discovered stealing food from his potato storage pit. In the Paremata case in 1866 Matene Te Whiwhi outlined the main events as follows:¹⁵⁴

Then came the final heke of Ngati Awa [] who - Te Puni, Wharepouri, Rauakitua with Ngati Ruanui and Taranaki. This 'heke' instead of waiting to be fed by Ngati Raukawa, who left their places in fear, 'muru'd the food and Ngati Raukawa were [].

A chief of Ngati Raukawa, Te Whakaheke, went back to look after his food. He got to his place and found a man in his potato 'rua' and killed him. His name was Tawake. This caused a war.

Ngati Awa drew off to Waikanae. We sent them away saying that [we?] would fight fairly. The war began [63.] and with varied success. It was not until after the war had been going on a long time that Ngati Toa and Ngati Raukawa became enemies. Chiefs of the Ngati Toa were killed. After this war Ngati Toa still occupied Kapiti.

In his evidence in the Kukutauaki case in 1872 Matene summarised events as follows:¹⁵⁵

Two years after, all the Taranaki tribes came down. They came down and cut boundaries all over this district. They did not even wait when they came to Ohau for Raukawa to give them food. They helped themselves. [147] After this Ngati Raukawa retired to Otaki leaving their houses and food as they were. Taranaki tribes then went to a place on the North bank of Otaki, the seaward of where the township is. Whakaheke went to Waitohu to see after his store of potatoes. He found Tawake in the hole where he kept his potatoes. This man was a Taranaki, so he killed him. The Taranaki tribes attacked Ngati Raukawa and they fought at the place where Dodd's house now stands at Otaki. The latter beat them and hung two of those they killed in the trees. They, Ngati Awa, were again defeated at Waikanae and the fighting went on.

One notices in these passages a tendency to blur "Ngati Awa", "Taranaki" or "Taranaki tribes", and Ngati Ruanui. This blurring is a constant difficulty with the sources, especially those which recount events from the Ngati Toa point of view: to them, it seems, "Ngati Awa" could mean virtually any Taranaki (and especially North Taranaki) group, including Ngati Mutunga, in the same

¹⁵⁴ Evidence of Matene Te Whiwhi, Paremata case, (1866) 1 B Otaki MB 62-63

¹⁵⁵ Evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 146-7.

way that "Ngati Kahungunu" meant all Wellington and Wairarapa descent groups. Today it is often assumed that Maori always had an understanding of the intricacies of iwi-hapu relationships in other areas, but this is evidently not always the case.

3.11. Haowhenua: Haowhenua was a fortified pa belonging to Te Ati Awa. The 'battle' at Haowhenua, conventionally dated to 1834,¹⁵⁶ was principally a series of clashes and engagements between Ngati Raukawa and the Taranaki descent groups (Taranaki and Ngati Ruanui) who arrived shortly after Ngati Raukawa had been settled in the Otaki region by Ngati Toa - Ngati Toa having earlier requested Te Ati Awa to move further south to Waikanae. What was alarming about the conflict was its tendency to escalate, especially as Ngati Raukawa, getting the worst of it, called for aid from Taupo, Hauraki and Tainui. As Luiten puts it, the conflict "mushroomed into a major confrontation involving many different iwi".¹⁵⁷ The conflict divided Ngati Toa and no doubt the conflict between Raukawa and Taranaki was regarded by Te Rauparaha as something he could well have done without. The background to the fighting and its course and outcome was explained in the Native Land Court in 1891 by Tamihana Te Hoia of Ngati Raukawa:¹⁵⁸

The first tribe who occupied the land was Ngati Toa and the second Ngati Raukawa. This land was pointed out by the Ngati Toa to their relatives of Ngati Raukawa. This piece this side of the river was pointed out to [Hingi?]. The other side of the river was pointed out by Te Rauparaha for Ngati Huia. Te Puoho pointed out the piece further inland to Ngati Pare and Ngati Whakatere. When the lands were so pointed out all the hapus of Ngati Raukawa occupied them. They had not been in occupation one year when the fight at Haowhenua took place. The people who fought against Ngati Raukawa were Ngati Ruanui and Taranaki. They wanted the land for themselves. The war continued for one year, down at Kohitere and at Kohitere. The Haowhenua is [] side of the river. After fighting for some time, Taranaki went to Taupo for assistance. When the three chiefs came they occupied the Rangiuru pa, Ruanui and Taranaki occupied a pa on the banks of the Otaki (Pakakutu). Te Awa and the other two (R and I) were defeated. They returned to their kainga. Ngati Awa went to Waikanae. [] was used to grow food. After this the second migration arrived, principally Ngati Huias.

156 Anderson and Pickens, *Wellington District, Rangahaua Whanui District* 12, 1996, 15.

157 Luiten, p. 6.

158 (1891) 16 Otaki MB 346.

In this conflict Ngati Toa were divided. Te Rauparaha was a Raukawa chief, and he naturally took the part of Ngati Raukawa. But another section of Ngati Toa felt more inclined to support 'Ngati Awa', more especially when the conflict began to spread and Ngati Raukawa sought aid from Waikato. A view of events from the perspective of the 'Ngati Awa'-leaning section of the leadership of Ngati Toa is given by Nopera Te Ngiha in his evidence in the Himatangi case (1868):¹⁵⁹

Ngati Awa from Waikanae then came up and attacked Ngati Raukawa in their pa at Otaki. Haowhenua was Ngati Awa's pa. Pakakutu was Ngati Ruanui's and Taranaki's pa. Fought with varied success: Ngati Raukawa invested. Te Heuheu (Taupo) heard, and came down - parties from Muaupoko, and Ngati Apa, Rangitane, Taraia (Thames) and [Nini?] - Tariki - Taonui - Te Heuheu (Taupo). I looked and said, This is Waikato. Te Tupe o Tu, Te Haukahoro killed. We then helped Ngati Awa to build a pa as Ngati Awa was [395] related to Ngati Toa. Ngati Raukawa then suffered a reverse, before Kati Hiku. Peace was then made. Waikato went back and Otaki was built by Ngati Raukawa. Rauparaha was followed to Ohau and brought back by Te Hiko and returned to Kapiti with part of Ngati Raukawa. Horomona and his party: - and Nepia Taratoa with Haerewharara, went to Rangitikei. The fighting had ceased.

In general terms Haowhenua was a costly defeat for Ngati Raukawa, but a only a Pyrrhic victory for the North Taranaki people. Anderson and Pickens state that "the result was inconclusive, but...the greater honours probably lay with Te Ati Awa."¹⁶⁰ Wards describes it as a "draw", after which "the visiting tribes left, and the Raukawa and Ngatiawa settled down to a form of resentful neutrality".¹⁶¹ After the fighting the two sides prudently pulled apart, some Ngati Raukawa hapu abandoning Otaki for a time and retreating north to Ohau, and the Ngatimaiotaki, Ngatiwaihurihia and Ngati Kapu hapu in turn moving to Otaki¹⁶²; Te Ati Awa and their allies fell back south to Waikanae. While Ngati Raukawa were 'whati' (in flight) Te Rauparaha went north with them but was 'fetched back' to Ngati Toa.¹⁶³

159 (1868) 1 C Otaki MB 395.

160 Anderson and Pickens, *Wellington District, Rangahaua Whanui District 12*, 1996, 16.

161 Wards, *Shadow of the land*, 217.

162 Evidence of Rota Te Tahiwai, Waiorongomai case, (1869) 1 G Otaki MB 99.

163 See Nopera Te Ngiha's evidence, Himatangi case, (1868) 1 C Otaki MB 397.

3.12. Ngati Mutunga, Ngati Haumia and Ngati Tama move to the Chatham Islands: In 1835 Ngati Mutunga and some other groups abandoned Wellington harbour for the Chatham Islands. (There were actually four groups who went, (i) Ngati Mutunga, (ii) the Kekerewai - essentially a Ngati Mutunga grouping, but who were often at odds with the rest of Ngati Mutunga, (iii) Ngati Tama, and (iv) Ngati Haumia, the identity of the last-named being something of a puzzle: they may have been Taranaki, or Ngati Toa.) Again, there has been much speculation about the reason for their departure, which has been linked by some scholars to the political aftermath of the battle of Haowhenua.¹⁶⁴ Ballara argues that Ngati Mutunga and Ngati Tama were "beleaguered" and places heavy emphasis on growing strains with Ngati Toa, mentioning in particular an unpleasant incident where the body of Te Waka Tiwai of Ngati Mutunga, slain at Haowhenua and brother to Pomare, had been dug up by his (Pomare's) Ngati Toa wife's brothers to obtain his tobacco; after which Pomare then sent his wife, Tawhiti, back to Ngati Toa, "in disgust".¹⁶⁵ But whether this incident, supposing it happened - Shand says merely that Tawhiti was "discarded by her husband on account of the trouble brought about by Te Rauparaha at Haowhenua"¹⁶⁶ - really did sour Ngati Mutunga-Ngati Toa relationships all that badly, and, indeed, whether Ngati Mutunga really felt "beleaguered" at all are moot points.

Ngati Mutunga rangatira themselves said, simply, that they "formed a wish" to go to the Chathams, or that having heard about the Chathams they decided to go there. Wellington Harbour was not a very desirable place and perhaps Ngati Mutunga simply wanted to move to somewhere where life would be easier. According to the Ngati Mutunga chief Toenga (1870):¹⁶⁷

I am the oldest man, I come from Taranaki. I formed a wish to come here. I came from Taranaki to Kapiti. I took possession of Kapiti and then Wellington. Part of my tribe went across the Straits to inner Charlotte Sound, and that land was taken, and we came to Chatham Islands and we took possession of the Chatham Islands. I took possession according to ancient custom and I retained possession of the land for myself. I took possession of the land and also the people. Some of those we had taken ran away. Some of those who ran away into the forest we killed according to the ancient customs. From this I knew the land was ours. We kept the People for

164 See especially Ballara, "Te Whanganui-a-Tara", 25-6.

165 Ibid. Her source for this story is an article by S.P. Smith in the *Journal of the Polynesian Society*, vol 19, 1910, pp 81-3.

166 Shand, "Occupation", *JPS* vol 1, 155 (1892).

167 Evidence of Toenga, Kekerione case, (1870) 1 Chatham Islands MB 6.

ourselves. The original inhabitants did not dispute or in any way oppose our having sole possession of the land. It is now for the first time that they dispute our title to these Lands. This is all I have to say.

And according to Rakataau, another chief of Ngati Mutunga:¹⁶⁸

We came from Taranaki to Kapiti in accordance with a previous arrangement that we should go and take possession of lands. We went to Wellington and from thence to Wairarapa and took possession of lands thence to Queen Charlotte Sound, thence to Banks Peninsula and Otago. Some of our party went in whaleships and returned, telling us about this place. They came back to Wellington and we held a meeting and discussed the question as to whether we should come here or not. We agreed that we should come and take this land. We came in a vessel from Port Nicholson and landed in Wangaroa. We took possession of the lands in accordance with our customs and we caught all the people. Not one escaped. Some ran away from us. Those we killed and others were killed, but what of that? It was in accordance with our custom. Many of these people were killed by us but I am not aware of any of our people being killed by them.

Shand's detailed narrative of the occupation and settlement of the Chatham Islands stresses that Ngati Mutunga left because of what they had heard about the plentiful food resources and easy circumstances of the Chathams. That this source, based as it is on Shand's Ngati Mutunga and Ngati Tama informants in the Chatham Islands, has nothing to say about Ngati Mutunga's supposedly beleaguered situation at Wellington is, to say the least, suggestive.¹⁶⁹

As already stated, the Ngatitama escapees from the massacre at Te Tarata came back to Port Nicholson and dwelt there with the Ngatimutunga tribe. Prior to this time, many Maoris had made voyages to the islands south of New Zealand as "hands" on board whaling ships, or had joined in sealing expeditions. Hohepa Tama-i-hengia, well known about Wellington formerly, went on a sealing expedition, and lived peaceably for a short time with the Morioris, on Chatham Island, at a small *kainga* named Wharekauri. Either he or his companions mentioned this circumstance on their return; and hence the Maoris gave the island the name of Wharekauri, a name they could pronounce more easily than the Moriori one of Rekohu. Others had been

¹⁶⁸ Evidence of Rakataau, *ibid*, 7.

¹⁶⁹ Shand, "Occupation", *JPS*, vol 1, 154-55 (1892).

to Sydney and Tasmania, as well as to many of the islands of the Pacific. On returning from these trips they related their experiences to their wondering friends, telling them of the sunshine and warmth of these islands, and the abundance of fruit so easily gathered there. Amongst others who had visited the Chatham Island was one Paki Whara, who returned to Port Nicholson and there repeated his experiences to Ngatiawa. As told by one of the old men of the Ngatitama, he said: "There is an island out in the ocean, not far from here to the eastward, which we visited. It is a land of food - *he whenua kai!* It is full of birds - both land-and sea-birds - of all kinds; some living in the peaty soil; with albatross in plenty on the outlying islands. There is an abundance of sea and shellfish; the lakes swarm with eels; and it is a land of the *karaka* berry - *he whenua karaka*. The inhabitants are very numerous, but they do not understand how to fight, and have no weapons." "This was the story," he said, "which induced us to go to the Chathams." As before said, the Maoris, after their migration southwards from their old homes at Taranaki, and residence on the Waikanae coast, Port Nicholson, and the Middle Island, had become thoroughly restless and adventurous. The picture of the abundance of the young albatross, and other seabirds to be obtained there, excited them very much. One chief, in anticipation of their migration, and to establish a right, cursed or *tapued* the island, saying "that the albatross on the Sister islands (Rangitutahi) should be the grey hairs on his head" - a statement which few would have dared to question, well knowing what would be the result.

Taringa Kuri, of Ngati Tama, was asked at Spain's enquiry in 1842 why Ngati Mutunga had left:¹⁷⁰

- Q: What induced Mare [Pomare] to go to the Chatham Islands with his people?
 A: He went because it was a better place - better land.
 Q: Was it not also because he was tired of the wars with the Ngatikahungunu?
 A: He went to look for a better land, there are no potatoes in this place.

For their part, Ngati Toa seem to have been sorry to see Ngati Mutunga leave. The two tribes were closely, indeed almost inextricably, related. Te Rangihiroa and other chiefs came across from Porirua to Te Whanganui-a-Tara to farewell Ngati Mutunga. Ngati Toa gave to Ngati Mutunga a taonga, an ancient greenstone mere, as a parting gift. Wi Parata in his evidence in the

¹⁷⁰ OLC 1/906, Evidence of Taringa Kuri, 28 May 1842.

Ngarara case (1890) took care to emphasise the lengths Ngati Toa went to farewell Ngati Mutunga as compared to other tribes:¹⁷¹

After peace was made Ngati Awa broke and went to Arapawa. Ngati Mutunga were left here for Chathams. When Rangihiroa heard they were going to the Chathams they came here [Wellington] to bid them farewell. They, Ngati Mutunga, took with them the mere of of my ancestors and they have it to this day. But when the others went to other places they gave them no parting present, only said good bye.

In fact, far from seeing Ngati Mutunga's departure as caused by political tensions with Ngati Toa and other groups, it is possible to construct an argument that Ngati Mutunga went with Ngati Toa's blessing, and in fact that that the occupation of the islands was jointly planned by the chiefs of Ngati Toa and Ngati Mutunga. Wi Parata says that "Ngati Mutunga came on from Waikanae, came on here and were going on to Chathams" and that after Haowhenua Ngati Mutunga "were left here [Wellington] for the Chathams".¹⁷² This seems to indicate that it had been planned that Ngati Mutunga would go on to the Chathams while they were still living at Waikanae - which could well mean that even after the conquest of Wellington harbour Ngati Mutunga did not necessarily *live* there, or not all the time at least; and the words "left there" may point to some concerted plan or arrangement in which it is reasonable to assume the Ngati Toa chiefs would have been involved. One of the descent groups which went to the the Chathams in 1835, Ngati Haumia, perhaps *was* Ngati Toa. Pomare, the chief of Ngati Mutunga, adopted as his son Wi Naera, who was the son of Te Rongo, a high-ranking woman of Ngati Toa and an Englishman, Blenkinsopp (Te Rongo later married Te Rangihaeata, but was shot dead accidentally at the Battle of the Wairau in 1843). Wi Naera Pomare grew up at Porirua and later took over the leadership of Ngati Mutunga in the Chatham Islands and in Taranaki, and was the principal claimant in Ngati Mutunga's claim to the islands in the Native Land Court in 1870. The paramount chief of Ngati Mutunga, in other words, was principally Ngati Toa and was only Ngati Mutunga at all by adoption, pointing to continuing close co-operation between these two descent groups. While the case for a Ngati Toa-Ngati Mutunga planned invasion cannot be proven, it seems to me that it is a more plausible hypothesis than the alternative contention argued by Dr Ballara.

171 (1890) 10 Otaki MB 162.

172 Ibid, 160, 162.

Nothing in any of the above evidence points to a seriously strained relationship between Ngati Toa and Ngati Mutunga, and relations between these two descent groups remained, and still are, very close. The Pomare family today are regarded as rangatira of Ngati Toa and Ngati Mutunga.

3.13: The grant of Wellington harbour: It seems to be assumed that because Ngati Mutunga were, and are, closely interrelated with Te Ati Awa, it must follow that Ngati Mutunga must have been friendly towards the Ngamotu and following parties that came south from Taranaki after the battles at Pukerangiora and Ngamotu. I would argue that has to be shown, and cannot simply be assumed. Certainly some of Ngati Mutunga fought against Ngati Raukawa at Haowhenua (one of the sons of Kaiwhakarua, leading chief of Ngati Mutunga, died at Haowhenua; Patukawenga was also a son of Kaiwhakarua¹⁷³), but so for that matter did a substantial section of Ngati Toa. I am not certain that it is right to assume that relations between Ngati Mutunga (and those other North Taranaki descent groups already in the region) and Ngamotu (and the later arrivals) must necessarily have been cosily friendly.

Ballara states that before leaving for the Chathams the chiefs of Ngati Mutunga formally granted Te Whanganui-a-Tara to a number of North Taranaki descent groups: Te Ati Awa, Ngati Haumia, and Ngati Tupaia (these last two being, says Ballara, hapu of the Taranaki tribe).¹⁷⁴ Her main sources

173 Shand, "Occupation of the Chatham Islands", *JPS* vol 1, 167 (1892)

174 Ballara, *op.cit.*, 28. (But are Ngati Haumia Taranaki?) Ballara writes: Before their departure a very important transaction took place. The chiefs of Ngati Mutunga, during a meeting on Matiu, made over their lands by formal 'panui' (announcement) from Pito-one to Ngauranga (north-east side) to their Te Ati Awa kinsman Te Matangi, later baptised Rawiri, and to his son Te Manihera te Toru; these two cousins of Te Puni and Te Wharepouri had been living with Ngati Mutunga since 1832. Confirming and extending the gift of Ngatata-i-te-rangi to Te Hanataua in 1834, the lands from Waitangi and Te Aro to Ngauranga (south-west side) were made over to Ngati Haumia and Ngati Haumia and Ngati Tupaia of the Taranaki tribe...

This, is of course, a reading, an interpretation, and should not be enshrined as an unassailable historical fact.

Ballara's main sources for the *panui* are the statements of (i) Mawene Hohua and (ii) Hemi in (1868) 1 C Well. MB 63, and 75-6. Mawene Hohua says, in fact:

When we the Ngati Tawhirikura came from Wairarapa after Ngati Mutunga had left for Chatham Islands we first went to Matiu (Somes Island). The land I claim formerly belonged to Ngati Mutunga. The Ngati Mutunga left the land. Manihera Te Toru was partly a Ngati Mutunga and when we came from Wairarapa he was occupying this land from Waiwhetu to Te Aro - he was the only one left...

But this contains no mention of a *panui*. All that is said is that the Ngati Tawhirikura went to Matiu, and that they occupied land that had formerly belonged to Ngati Mutunga. That leaves Hemi Parai's evidence. Here, certainly, it is said that (p. 75) "when Ngati Mutunga left for Chatham Islands - they 'panui' the lands they left - we did not hear that they 'panui'd' this

for these remarks are certain statements of evidence given in Volume 1 C of the Wellington Minute Books.¹⁷⁵ "Ngati Mutunga's gift" is also discussed by Ehrhardt.¹⁷⁶ In his first statement of evidence Gillmore reproduces Ballara's account verbatim, which presumably is an indication that it is adopted and relied upon by the claimants. For the Crown Armstrong and Stirling are also content to follow Ballara.¹⁷⁷ Anderson and Pickens generally follow Gilmore and Ballara,¹⁷⁸ and the "panui" theory is also generally followed, albeit with some significant reservations, by Walzl. In fact there is not a great deal of evidence on which to base this all-important transaction, and I would like to raise the hypothesis that it never took place. It is not, as far as I am aware, mentioned in any Ngati Toa source, although relations between Ngati Toa and Ngati Mutunga have always been very close. Nor is it mentioned in any of the Ngati Mutunga statements of evidence in the Chatham Islands cases relating to Kekerione, Te Awapatiki and other Chatham Islands blocks, in which Ngati Mutunga witnesses give accounts of their history in Wellington and the Marlborough Sounds before coming to Wellington. Shand, in his series of articles on the the history of the settlement of the Chatham Islands published in the *Journal of the Polynesian Society* in 1892 does not mention the supposed grant of Wellington either.¹⁷⁹ And while of course, claimants to Wellington blocks certainly do stress that the land was Ngati Mutunga's

land at Ngauranga to Matangi..." And then: (p.76) "Before the Ngati Mutunga left for [the] Chatham Islands they had a meeting at Somes Island and their chiefs Ngatata and Pomare and Te Poki said - let the land on the Hutt side of the Ngauranga stream be for Matangi and the land on the Wellington side for you (witness)..." To this can be added the evidence of Hori Ngapaka at (1868) 1 C Well. MB 12, who says that Ngatata, "one of the chiefs of Te Atiawa and Taranaki", "came on to Port Nicholson with Ngatimutunga...He gave the land to us the 'heke' of of Taranaki and Ngati Ruanui. The land was taken possession of by us and a boundary was fixed between the Taranaki and Ngati Ruanui parties". But do these remarks establish a *panui* from Ngati Mutunga? Hori Ngapaka sees Ngatata as a Te Atiawa chief; and it is unclear quite what is meant by "the land". Perhaps this is to quibble over-much. I would argue that it is not clear that the tradition of the *panui* can be regarded as well-established in the Minute Books. Two references, at best, seem to be a slender basis for accepting the *panui* tradition unreservedly. In addition, as Ballara notes (*ibid*, fn. 108), Mohi Ngaponga, at (1868) 1 C Wellington MB denied that there was a formal division [it should be noted that this last reference seems to have been omitted from Doc#A12, which otherwise reproduces all the references in Ballara's footnotes in sequence].

175 See discussion in preceding fn.

176 Ehrhardt, *Te Whanganui-a-Tara*, 25-6.

177 Armstrong & Stirling, *A summary history of the Wellington Tenths*, Wai 145 Doc#C1, 1992, 23.

178 Anderson and Pickens, *Wellington District*, Rangahaua Whanui District 12, 1996, 17.

179 The fact that the celebrated transaction is unknown to Shand seems to me very telling. Alexander Shand lived in the Chatham Islands and his account is based on Ngati Mutunga, Kekerewai and Ngati Tama sources; it seems reasonable to suppose that the arrangement would have been mentioned by them and would have been regarded as sufficiently interesting by Shand to be recorded in his account.

before it became the property of Te Ati Awa and the other tribes, mentions of a grant or gift are seldom to be found. Nor is it mentioned in the course of the evidence or in Judge Mackay's decision in the Wellington Tenths case in 1888.¹⁸⁰

Such evidence as does exist relating to the grant of the harbour comes only, in other words, from Te Atiawa sources, and by no means from all of them.¹⁸¹ There does not seem to be a consistent Te Atiawa tradition of, or emphasis on, the *panui*, I have not had the opportunity to thoroughly work through all of the nineteenth-century Wellington minute books, but my impression is that the process of settlement by Te Atiawa and other groups after Ngati Mutunga's departure was fairly episodic and casual. Ngati Mutunga left, and sections of Te Atiawa and Taranaki moved in. Mohi Ngaponga of Ngati Haumia said in 1868:¹⁸²

When we occupied Te Aro we lived all together and there was no separate appropriation of portions. It was after Ngati Mutunga left that each one occupied his own piece.

Wi Tako himself says that his people simply moved in after Ngati Mutunga had gone, and that Ngati Haumia was forcibly driven away:¹⁸³

When our party came from Wairarapa after the land was abandoned by Ngati Mutunga, who went to the Chatham Islands, Te Puni and others came and occupied the land on both sides of Ngauranga stream. This was before the Europeans came.

¹⁸⁰ Judge Mackay states (at (1888) 2 Wellington MB 130):

A few years before Ngati Mutunga migrated to the Chathams, Patukawenga, one of their principal men, made a present of part of the Hutt District about Whaiwhetu to Te Matu in payment for revenging the death of some of Ngati Mutunga killed by Ngati Kahungunu, and on the Ngati Mutunga leaving for the Chathams in 1839 [sic] the Ngati Awa who had been living for some time in the Wairarapa where they had gone on a fighting expedition returned to Wellington and took possession of all the district formerly owned by the Ngati Mutunga and were found in possession by the New Zealand Company to whom they sold this territory in the same year.

Mackay, then, while mentioning Patukawenga's grant of Waiwhetu, gives no indication of any other grant by Ngati Mutunga to the Ngamotu and other 'Ngati Awa' groups.

¹⁸¹ The only additional reference comes from E.J. Wakefield, *Adventure in New Zealand*, I, 72: "Before they departed, *E Mare* [Pomare?], their head chief, formally ceded the place to *Warepori* in exchange for some clubs of green-stone or *meri pounamu*."

¹⁸² (1868) 1 C Well. MB 7. Which seems to indicate that there was a community of his people living at Te Aro even before Ngati Mutunga departed; once they had gone individuals felt free to stake out their own claims to land.

¹⁸³ *Wi Tako v Manihera Te Tou* [Supreme Court ref. to NLC], (1868) 1 C Well. MB 63

When our party came from the Wairarapa there was no one occupying the East side of the stream. It was bush. The west side was occupied by Ngati Haumia. Mohi Ngaponga and Hemi Parai, they had cultivations and house. The other side was then occupied by Wharepouri and [] Koheta and Haimona Pita and Makere. Manihera did not occupy on the Hutt side but he took possession of the Wellington side. Ngati Haumia were driven off by us by force. We took their food and canoes.

In the same case, Henare Te Puni, Te Puni's son said:¹⁸⁴

I remember when Manihera came first to Ngauranga. Manihera came first, before Wi Tako. We all came from Taranaki together - Wi Tako and all of us - came first to Waikanae and Te Uruhi - we stopped there and Manihera came on to Port Nicholson. Wi Tako remained behind at Te Uruhi. We went from Waikanae to Ohau, after Manihera had left us. Wi Tako was with us. We came from there to Waikanae, but left the bulk of our people at Otaki. My father and I came [] to Porirua. Wi Tako was with the party at Otaki. [We] came on from Porirua to Port Nicholson. I and some of my relatives came on to Port Nicholson to a 'papa' of mine. I saw Manihera at Pitoone. Wi Tako came when all the party came and went on to Wairarapa. I returned from Pitoone to [Te Koangaumu ?] and the whole party went to Wairarapa. When we all returned from Wairarapa after Ngati Mutunga left - Manihera was living at Pitoone at Ngauranga. On one occasion when I came here before the pa by canoe from Wairarapa I found Manihera and Matangi and Nukutara. Wharepouri had been here and returned and was at Wairarapa. When the whole party returned from Wairarapa to Port Nicholson Wharepouri went to live permanently at Ngauranga. Manihera was there. I saw him. Manihera invited us to go to Pitoone and invited Wharepouri to go from Pitoone to Ngauranga.

A rather confused impression of comings and goings, then: from the west coast, to Wellington, to the Wairarapa, and back to Wellington harbour. The tidy schema of an arrival en masse from the Wairarapa conveniently on the eve of Ngati Mutunga's departure followed by the *panui* is not at all in evidence. In fact there is some evidence which suggests that Ngati Mutunga were never under the impression that they had relinquished their claims to Port Nicholson. The evidence is usefully summarised by Walzl:¹⁸⁵

¹⁸⁴ *Wi Tako v Manihera Te Tou*, evidence of Henare Te Puni, (1868) 1 C Well. MB 105

¹⁸⁵ Tony Walzl, *Ngati Tama in Wellington, (1820-1920)*, Wai 145#H7, 10. Walzl, who accepts basically the Ballara panui account, notes however that it is possible that the Ngati Tama who did not go to the Chatham Islands gained extra areas of settlement on the harbour when Ngati Mutunga left. Arguably this expanded Ngati Tama settlement fits better with a more untidy and more episodic settlement of the harbour after Ngati Mutunga's departure.

During the March 1888 hearing of Kaiwharawhara, Ruapiri, when discussing matters relating to Ngati Mutunga, was asked by the Court as to whether Ngati Mutunga gave up all rights when they left for the Chathams. Ruapiri replied that they did not.¹⁸⁶ In addition, during a later set of negotiations in 1844 between the Crown and Wellington Maori intended to confirm the release of all lands claimed to be acquired by the New Zealand Company, the leading Ngati Mutunga rangatira was present to sign the deed of release for the Te Aro settlement.

That it still required Pomare's presence to sign the deed of release, I believe, speaks volumes, especially if the close connexions between Ngati Mutunga and Ngati Toa are recalled (to say nothing of the fact that Pomare's adoptive Ngati Toa son was living at Porirua at this time).

Furthermore, unlike Ngati Mutunga, Ngati Tama did not depart en masse for the Chathams; many remained behind at Wellington and in the Hutt Valley, and it is perhaps hard to reconcile this fact with the existence of a grant to Te Atiawa/Taranaki. (It can at least be said that Ngati Tama might not unreservedly accept that Ngati Mutunga had any right to grant away their rights in the harbour.)

The interesting question, of course, is *why* Te Ati Awa would feel it necessary to insist on the existence of a gift or grant. This can only be explained by Te Ati Awa's need to derive a clear source for their own title to the harbour. A merely episodic occupation and settlement was perhaps felt to be an inadequate basis of title.

3.14. Kuhititanga (1839): In any case, the main area of Te Atiawa settlement was not, of course, at Port Nicholson, but at Waikanae. It was here that the simmering resentment between Ngati Raukawa and the hapus of Te Ati Awa and the other North Taranaki descent groups flared again in 1839 when Ngati Raukawa attacked a Te Ati Awa pa called Kuhititanga, or Te Kuititanga. E.J. Wakefield, who was present at Waikanae on the afternoon of the battle, and who had spoken to whalers who had watched the fighting from their whaleboats out beyond the surf, describes the fighting as a "fierce and bloody contest".¹⁸⁷ (Kuhititanga is at Waikanae on the north bank of the Waikanae river near to where the river meets the sea, and not far from the old main Te

¹⁸⁶ 5 Mar 1888, Evidence of Ruapiri, Wgtn Minute Bk 1, p. 317, Walzl Supporting papers, Doc. 7, p. 287 [Walzl ref.]

¹⁸⁷ Wakefield, *Adventure in New Zealand*, (1845), 1, 111.

Ati Awa pa at Kenakena.¹⁸⁸) Dieffenbach guessed that the main reason for Ngati Raukawa's jealousy of Te Ati Awa was that the latter, being based at Waikanae, were much closer to Kapiti and the commercial opportunities it provided.¹⁸⁹

Several years ago the Nga-te-raukaua came from the interior, and formed a settlement on the sea-shore. The whole coast from Taranaki to Port Nicholson is a weather-beaten lee shore, and the only place where large ships can with safety anchor is the roadstead of Kapiti. Not satisfied with a settlement which they had formed at Otaki, they wanted to come nearer to this place of anchorage, for the advantage of trading, and their aim, during several years, has been to drive the Nga-te-awa from Waikanahi [Waikanae] which is opposite Kapiti.

The most detailed description I have encountered regarding this engagement is in the evidence of Wi Parata in the Ngarara rehearing case (1890). According to him:¹⁹⁰

It was not at all suspected Ngati Raukawa would entertain bad feelings towards Ngati Awa. When Ngati Raukawa went to funeral of Waitohi, Ngati Awa began to suspect they had some bad intention. When these mourners went back to Otaki, the Ngati Awa waited but as nothing transpired they ceased to take precautions. Some of the Ngati Awa young men had gone to spear Patiki, when the taua had actually started, and this small party of fishers had returned and got into their houses the fight commenced, the enemy rushing into the houses on them. Then Ngati Raukawa and Ngati awa fought and the fight was called Kuhititanga....

All the hapus of Ngati Apa [sic - Ngati Awa?] were away, except Ngati Awa, a few of those were here but [the] majority had gone to Arapawa. Ngati Rahiri hapu there, majority had gone to Arapawa only a few remained. Ngati Hinetutu, only a few were here - majority to Arapawa. Ngati Kura [were] the largest hapu of Ngati Awa, and about half went to Arapawa and half remained at Waikanae. Otaraua hapu all went to Arapawa. Kaitangata all went to Arapawa with [the] exception of my ancestor, Aukiore and his children, Kia and others. This Kuhititanga was assaulted by night and there were some slain on both sides but the greater number were Ngati Raukawa, and after that they invented another name for Ngati Kura that were in the pa they called it the Patupo.

188 See the map in Carkeek, *Kapiti Coast*, 172.

189 Ernst Dieffenbach, *Travels in New Zealand*, 1, 104.

190 Evidence of Wi Parata, Ngarara case, (1890) 10 Otaki MB 162-3, 164-6. The most comprehensive description in the secondary literature is in Carkeek, *Kapiti coast*, 55-63.

Directly after this fight there was peace made. Others have spoken about Te Rauparaha coming and what he did. Rauparaha was Ngati Toa and Ngati Raukawa. He came to Rangihiroa and said, go and rub noses with your [166] people. Directly after this fight, they, the Ngati Kura, built a church. When they determined upon doing this Te Hiko thought the Ngati Rawa [sic - Raukawa?] would come back and commence fighting because they had refused to hear of Christianity. Pukehou. Captain Rhodes' vessel at this time was anchored off Kapiti. The Ngati Awa would not consent to sell Pukehou unless it should disturb the peace made, as Pukehou was on Ngati Raukawa land and Ngati Raukawa were there. Ngati Awa then sold Tiwapirau, not only settlement but all the land. They sold it for guns and ammunition. The payment of the land was made to Ngati Kura, Ngati Hinetutu and Ngati Kuri.

I never heard that the payment for this land was given to any of the Ngati Awa tribes. It was not till after Ngati Awa had embraced Christianity that they felt sure trouble of Kuhititanga would not be revived.

The *Tory* turned up at Kapiti on the day of the battle. Dieffenbach saw the Te Ati Awa wounded and helped to tend them, and visited the scene of the battle, where the signs of the fighting were very clear: "trenches were dug in the sand of the beach, the fences of the village had been thrown down, and the houses were devastated."¹⁹¹

It emerges from Dieffenbach's account of the battle that Te Rauparaha may have connived at Ngati Raukawa's assault on Te Ati Awa. Dieffenbach's account, which tallies quite closely with that of Wi Parata, is as follows:¹⁹²

It seems that the attack was concerted a few weeks ago at some funeral festivities celebrated in the island of Mana, in honour of Waitohi, a very old woman, who had enjoyed great renown as a prophetess amongst the different tribes. She was a relation of Rauparaha,¹⁹³ and mother of Rangihaiata, another Nga-te-awa [sic] chief. At these festivities Nag-te-raukaua and Nga-te-awa had assembled together and committed some excesses killing several sheep belonging to a European, for the sake of the wool, which is in great request for interweaving in their mats. These festivals lasted several weeks, and during that time it was said Rauparaha concerted with the Nga-te-raukaua to make the attack, promising them his aid. On their return to Otaki they passed Waikanahi: the Nga-te-awa expected an attack; however, they passed quietly,

191 Ernst Dieffenbach, *Travels in New Zealand*, 1, 104.

192 Ibid, 104-5.

193 Actually, his sister.

but returned shortly afterwards. Early before daybreak they surrounded the village, and one of their number, entering a hut, asked a boy for a light. No New Zealander travels so early in the morning with friendly intentions, and the boy, knowing him to be one of their enemies, fired at him, and roused the tribe. The women escaped to the other village, to obtain aid, and the conflict began. The aggressors were defeated, and lost sixty men, amongst whom were several chiefs.

The Nga-te-awa buried their own dead; and they improved state of this tribe was shown by the fact that instead of feasting on the dead bodies of their enemies, they buried them, depositing them in one common grave, together with their muskets, powder, mats, &c., a generosity and good feeling as unusual as it was honourable to their character. The grave of their enemies they enclosed, and made it "tapu."

Edward Wakefield also gives a description of the engagement in his *Adventure in New Zealand*:¹⁹⁴

As we approached Kapiti, which has a high peak in its centre, and is covered with forest to the water's edge, we made out some small islands lying off its southeastern extremity. These form a very excellent anchorage for a limited number of ships. A whaleboat from the easternmost island soon boarded us; and the 'headsman,' or commander of the boat, piloted us into an outer roadstead in twenty-two fathoms...He told us that a sanguinary battle had taken place at a village called Waikanae on the mainland, about three miles from our anchorage, the same morning. Many of the whalers had witnessed the contest from their boats outside the surf. We afterwards gathered the full particulars. The feast to which Te Wetu had told us he was going, had taken place on Mana, where the funeral obsequies of Waitohi, a sister of Rauperaha, had been celebrated by some thousand natives of different tribes. On this occasion, Rauperaha had killed and cooked one of the unfortunate Rangitane slaves, who brought him tribute from the Pelorus; and had share the flesh among his most distinguished guests. Among these were the Ngatiraukawa, a tribe who were induced several years before to come from the interior of the North Island in order to assist him in the conquest of these parts, and who were led by a renowned chief named Watanui, or "the Great Store." They commonly reside at Otaki, about twelve miles north of Waikanae, and had been incited by Rauperaha to annoy the Ngatiawa on their first arrival from Taranaki. Feuds, bloody wars, and a bitter hatred of each other, had been the consequence; and some of their old grievances had been revived by their meeting at Mana. Rauperaha cunningly fanned the flame; and mutual insults

194 E.J. Wakefield, *Adventure in New Zealand*, 1, 110.

and recriminations followed, on the passage of the Ngatiraukawa past Waikanae to their homes after the feast. Shots were fired in defiance over their heads as they passed along the beach, and even some pigs which they were driving were taken and killed by the Ngatiawa. They prepared for a contest, were marshalled by their chiefs the same evening, and, by previous concert with Rauperaha, attacked the Waikanae pa at daylight.

Two rivers meet there, the Waimea and the Waikanae. A small out-lying village, situated on the sandy tongue of land between the two, sustained the first brunt of the attack. A Ngatiraukawa spy, who found a boy of ten years old awake in one of the huts, asked him for a light for his pipe, thinking him to make him believe he was a friend. His blood, however, was the first spilt; for the gallant little fellow took up a loaded musket and shot him dead on the spot. His friends now invested the village, which, with only about thirty men, held out until their friends from the main pa were roused by the firing and crossed the Waikanae to their assistance. A fierce and bloody contest ensued, ending in the retreat of the invaders, and their total rout along the sandy beach.

But whether Te Rauparaha really did "cunningly fan the flames", as Wakefield claims, is debatable; Wi Parata in the evidence quoted above stresses Te Rauparaha's role as a peace-maker.

3.15. Te Wherowhero's invitation and Te Ati Awa's return: After Te Rauparaha had been arrested and detained by Grey, he was eventually released and taken home by three of the leading chiefs of the country, Te Wherowhero (later King Potatau), Taraia (of Hauraki) and Te Horeta (from the East Coast). On this occasion Te Wherowhero invited Te Ati Awa, Ngati Raukawa and Ngati Toa to return to their ancestral lands. The occasion is brilliantly described by Matene Te Whiwhi:¹⁹⁵

Ngati Raukawa lived at Kapiti until the commencement of the fight with the Europeans and Rangihaeata at Wairau. Potatau made his first visit then. Potatau did not say anything at that time about the tribes returning to their lands. Te Rauparaha was taken prisoner by the Pakeha and put on board a vessel. Afterwards Potatau, Tamati Waka and Kati went to Kapiti and Potatau and Tamati Waka took Te Rauparaha to Auckland. When Te Rauparaha was returned, Potatau, Taraia and Te Horeta went to Kapiti. They came to Otaki. All the tribes were gathered together to mihi over Potatau and Tamati Waka over Te Rauparaha being returned. All the

195 Puahue case, (1868) 2 Waikato MB 78.

southern tribes were gathered together: Ngati Raukawa, Ngati Toa, and Ngati Awa. Potatau stood up and said, Ngati Awa go back to Waitara, to your own lands. Waikato must not keep them. He said the same thing to the other tribes, that is to Ngati Toa and Ngati Raukawa. His word was, "one nuku a Waikato". I don't know if this was the sentiment of the whole of the Waikato tribes but Potatau was the chief of Waikato. After this the word of Potatau was remembered by all the tribes.

This account is confirmed by others of Ngati Raukawa. Parakaia Te Pouepa of Ngati Raukawa said that "in 1842 Potatau went to Otaki and invited Ngati Raukawa and Te Rauparaha to return to their lands".¹⁹⁶

¹⁹⁶ Evidence of Parakaia Te Pouepa, Puahue case, (1868) 2 Waikato MB 69 [not transcribed].

4. THE MANA OF NGATI TOA

4.1. **Divisions and the ties that bind:** Much of the literature dealing with the relationships between the migratory tribes as these were worked out between the migratory tribes in central New Zealand from 1820-40 in terms of conflict and dispute. And it would be idle to pretend that there were no disputes and tensions between Ngati Toa, Ngati Raukawa, Ngati Tama, Ngati Mutunga and Te Ati Awa. On the other hand it is important to emphasise that the relationships between these iwi were also extremely close, and an over-emphasis on conflict and disharmony can create a distorted picture. The tribes were linked to a very significant extent by relationships of marriage and adoption, so that many key figures had rangatira status in more than one iwi. And this is in accordance with Maori political theory, which stresses not so much the objective existence of reified 'tribes' but rather the ability of individuals to trace descent from particular ancestors by means of whakapapa.

On the other hand, while links with other iwi through marriage created various kinds of bonds, such links could also be divisive within an iwi. Iwi politics were often struggles for ascendancy amongst various individuals or groups who could draw on outside relationships. Te Rauparaha and Te Rangihaeata were oriented very strongly to Ngati Raukawa - indeed it is not too far-fetched to regard them as the leaders of the 'Ngati Raukawa' party within Ngati Toa. Te Peehi and Te Rangihiroa were, by contrast, oriented towards Ngati Mutunga and Te Ati Awa. These rivalries could cause disputes over land and other matters, as Wi Parata's evidence in the Ngarara case makes clear:¹⁹⁷

My mother died in 1853. She had been living between the two rivers. [She] had been living there from a short time after the heke went back. She actually died on Kapiti, and after she died they brought her back to Waikanae. After my mother died, Tamihana and Matene came back to speak about this boundary. Tamihana and Matene then began to speak to me. They did not go to any other Ngati Awa, they came straight to me. Tamihana was saying the land belonged to Te Rauparaha, I said no, to Te Pehi. We were a good many years contending about these boundaries and continued our contentions to the time of Native Land Laws and Tamihana then said,

197 (1890) 10 Otaki MB 171-2.

let the Courts decide about the land, but I would not consent. Tamihana went to survey the land. I sent my sister [] Raiha Puaha to remove the survey chain. When Tamihana saw the chain had been removed he came to see me and wanted the Court to decide it. I said to Tamihana, it is your own idea, go on with it.

4.2. The role of the missionaries and the modification of customary law: The missionaries were an important agent of social change in the 1830s and 1840s. Younger chiefs of Ngati Toa such as Tamihana Te Rauparaha and Matene Te Whiwhi were self-consciously 'Mihanere' - devout Anglicans. They were on close terms with the influential CMS missionary, Octavius Hadfield, who came to the region in 1839 and lived first with the Te Ati Awa at Kenakena (Waikanae) and then at Otaki with the Ngati Raukawa. The advent of the CMS mission in the area was described by Heni Te Whiwhi, Matene's son, in 1905:¹⁹⁸

My father was Matene Te Whiwhi; he was one of the givers of the land at Porirua and of the land at Otaki. He was a Ngati Huia, a sub-hapu of the Ngati Raukawa; he was also Ngati Toa. Before the battle of Te Kuititanga, Matene Te Whiwhi and Tamihana Te Rauparaha decided to get a missionary of the Church of England to come and reside in the midst of Ngati Raukawa. They told the people of their intention, and said they were going to Paihia, Bay of Islands, to ask for one. The people endeavoured to dissuade them from going, fearing that Ngapuhi might do them harm for some early acts of Ngati Raukawa against Ngapuhi. They, however, did not heed their people's warning, as their desire to have a minister in their midst to preach and teach the gospel of Christianity to their people was great. They left for Paihia and saw the head of the mission there, and told him of their wish. Mr Hadfield was sent here, and he set up at Waikanae and Rangiuru (Otaki).

The missionaries naturally had their own determined views on such matters as slavery, infanticide, 'Popery', and the independence of the Church, arising from their own Christian evangelism and the great political causes of 19th-century England. They were, for example, especially hostile to slavery (abolished in some, but not all, of the British empire by statute in 1833 after years of public campaigning). Under missionary pressure, Maori iwi in the 1830s began to release their slaves - although one does find occasional statements in the Native Land Court Minute Books that slaves were released

¹⁹⁸ 1905 AJHR G-5, p. 8.

before the coming of Christianity, usually as an outcome of the ever-changing political relationships between the tribes.¹⁹⁹ But undoubtedly Christianity often led to the release of captives:²⁰⁰

In consequence of Christianity having recalled them they [Ngati Toa] returned the child to its parents, and he went back to his parents and his having been taken was never cast in his teeth that he had been a prisoner.

Missionaries convinced rangatira that the time before Christianity was the 'the time of Satan', one of the worst aspects of which was the keeping of slaves. Nopera Te Ngiha of Ngati Toa told the Land Court in 1868:²⁰¹

In Satan's time there were slaves, of the three hapus, at Kapiti. Satan's time was up to Mr Williams. [I] can't tell about 'mana' in the time of Satan.

Not so often noticed, but quite apparent from evidence in the Minute Books, is the fact that the missionaries held quite decided views about land tenure, and Maori customary law regarding land ownership. Hostile to slavery, they strongly disliked the notion of 'slave tribes' and worked hard to persuade the chiefs to recognise, in accordance with Christian concepts, the legitimacy of claims to land by defeated tribes.

Not everyone was happy about this. Rangatira complained that under missionary influence some tribes became 'whakahi' (cheeky), questioning the accepted scheme of things. Parakaia Te Pouepa, who was the main claimant in the Himatangi case, told the Native Land Court in 1868:²⁰²

Ngati Raukawa were kind to Ngati Apa. If Whatanui had not saved them they would not have been spared. They were not 'whakahi' to Ngati Raukawa or they would not have been spared. Began to be 'whakahi' after the missionaries came - about 1842 - they began to be cheeky - hearing that ["Kahore he pouanga, he Rangatira"?]. Missionaries were here before 1840. Their preaching and the purchase of land from them by the Government about 1847 caused them to say the land was theirs.

199 See the evidence of Parakaia Te Pouepa of Ngati Raukawa, the main claimant in the Himatangi case, at 1868 1 C Otaki MB 231.

200 Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 165.

201 Evidence of Nopera Te Ngiha, Himatangi case, (1868) 1 C Otaki MB 397.

202 Evidence of Parakaia Te Pouepa (Ngati Raukawa), Himatangi case, (1868) 1C Otaki MB 203.

Henare Te Herekau, also of Ngati Raukawa, said much the same:²⁰³

Though the Christianity and the notice of government has raised these people out of their degraded position, if they had shown themselves before my hands were tied by the Gospel, I should have killed them or sent them off to some other Island.

Missionary influence was critical in the decision of the younger chiefs of Ngati Raukawa and Ngati Toa to acquiesce in Ngati Apa selling the Rangitikei Block to the government: "the young men, such as myself, Hakaraia and Matene Te Whiwhi, wished to follow advice of missionary [sic] and take the boundary to Turakina, and, after, to Rangitikei".²⁰⁴ On that occasion Samuel Williams - who officiated at Rangiatea church, Otaki, from 1849-53 - had been asked by McLean to assist in obtaining Ngati Toa and Ngati Raukawa assent to the sale. According to Williams:²⁰⁵

I advised Te Rauparaha Te Rauparaha to show consideration to the conquered tribes living on the land and that they should consent to the sale of a portion of the country.

The main point that must be made is that acquiescence in land alienations by other iwi may not prove that the sellers had independent authority under Maori customary law, but rather that younger, 'Mihanere' chiefs had been persuaded that, in the new era of the Gospel, rigid insistence on Maori custom was no longer appropriate. That Ngati Raukawa in the end agreed that Ngati Apa could sell the Rangitikei to the government does not prove that the Raukawa chiefs conceded that Ngati Apa had a right to do so according to Maori law.

This question also touches on the Treaty of Waitangi itself. Ngati Toa, Ngati Raukawa and the other tribes were, of course, Treaty signatories. It seems that the tribes signed after hearing Hadfield's explanation that the mana of the Queen was to protect their lands, which can only have meant, to a tribe such as Ngati Raukawa, the titles to land recognised by Maori custom. Henare Te Herekau said:²⁰⁶

203 Evidence of Henare Te Herekau, (Ngati Raukawa), Himatangi case, (1869) 1 C Otaki MB 207.

204 Evidence of Rawiri Te Whanui, Himatangi case, (1868) 1C Otaki MB 231-2.

205 Evidence of the Rev. Samuel Williams, Himatangi case, at (1868) 1C Otaki MB 227.

206 (1868) 1 C Otaki MB 207.

I saw the signing of the Treaty of Waitangi. It was signed in 1840 at Rangiuru. Archdeacon Williams told us the meaning of the Treaty. He explained that it meant that the mana of the Queen was to be over the land as a protection from other nations, and as a protection for their lands. Ngati Raukawa then only had the mana [208.] over Rangitikei and Manawatu.

4.3. The mana of Ngati Toa and Te Rauparaha: To an older, conservative chief of Ngati Toa such as Hohepa Tamaihengia, who came to Porirua in the second heke, the position was clear: from Whangaehu to the Upper South Island, including Wellington, the mana lay with Ngati Toa and no-one else:²⁰⁷

I have signed the deed of sale. It was my land. It was all mine - all the land is mine, to Wellington and Wairarapa. I put Pikinga, Takaoi and Tangutu on the land, and Ngati Apa - that was my claim at Whangaehu, Turakina etc. The boundary of my 'mana' is at Whangaehu. When Rangitikei was sold that land was under my 'mana'. I and Ngati Toa sold the land in the Middle Island. The occupiers of the land were on it at the time. I sold it - they did not sell it, I sold it and gave them part of the money: - it would not be right for them to sell, because I was their rangatira.

The 'I' and the 'my' in this passage, presumably, is the tribal one, Ngati Toa's, as is common in the Minute Books.

To Tamihana Te Rauparaha, however, the mana lay not so much, or at least not only, with Ngati Toa, but with Te Rauparaha *personally*. The two are usually thought to be co-extensive, but this is not necessarily the case. In the Paremata case Tamihana Te Rauparaha says:²⁰⁸

My father was the chief of that people. This was before 1832. He came with the people Ngati Toa. He took possession of this country by conquest from Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu. Many years after the Ngati Raukawa heard of Te Rauparaha's conquest and came to join them.

This was before 1840. Rauparaha agreed to their occupying the land with him. He gave a portion of the land to his tribe Ngati Raukawa from Rangitikei to Kukutauaki on the side of Waikanae - and he lived on as a chief of Ngati Raukawa, he and Rangihaeata - and Ngati Toa went to Waikanae - Wainui - Porirua - Pukerua - Kapiti and Mana and Cloudy Bay to Taitapu. Ngati Toa gave a portion of the conquered land to Ngati Awa and they lived with Ngati Toa.

207 Evidence of Hohepa Tamaihengia, (1868) 1 C Otaki MB 400-1.

208 Evidence of Tamihana Te Rauparaha, Paremata case, (1866) 1 B Otaki MB 57, at 59.

Notice that Tamihana Te Rauparaha does not say that *Ngati Toa* took possession, but rather that *Te Rauparaha* did, and that he and Te Rangihaeata lived on as chiefs of *Ngati Raukawa*. It is not that Te Rauparaha came south with Ngati Toa, but rather that they came south with him. He stresses that it was Te Rauparaha who allocated the land - "his tribe" Ngati Raukawa was given the land from the Kukutauaki stream to Rangitikei, other land was given to Ngati Awa, and Ngati Toa went to Porirua, Pukerua, Kapiti, Cloudy Bay and so on. In other words, Te Rauparaha's mana does not arise from his mana as the 'chief' of Ngati Toa, the conquering tribe, but rather through his own outstanding personal qualities of leadership and authority, which devolve downwards to Ngati Toa and Ngati Raukawa. The 'mana whenua', to use a much-abused term, is seen as personal rather than tribal.

The following passage from Tamihana Te Rauparaha's evidence in the Himatangi case (1868) shows, once again, his tendency to stress the personal prestige and mana of Te Rauparaha:²⁰⁹

Rauparaha's fame reached the South Island. Te Ruaone, chief of (Rangitane) Wairau heard and said, "This man is very brave". He said, "he would like to crush his skull with a 'tukituki aruhe". Rauparaha heard and took a 'taua' and slated Rauone and his people. Rauparaha returned to Kapiti.

The fame of Rauparaha reached the chiefs [376.] of Kaikoura (Rerewaka) who said, if he came there he would "rip him up with a mango's jaw". Rauparaha took a 'taua' and attacked that party and thrashed them, [and] said, "These places, Wairau and Kaikoura, are mine". Rerewaka was taken by Rauparaha, and brought away. Rauparaha returned to Kapiti.

Once again, Tamihana does not state that *Ngati Toa's* fame reached the South Island, but that *Rauparaha's* did; it is the fame of *Rauparaha* which reaches the Ngai Tahu at Kaikoura, and so on. The main actor in the historical drama is not Ngati Toa the tribe, but Te Rauparaha the man. Te Rauparaha is, needless to say, Ngati Toa; but he is not only Ngati Toa, as Tamihana points out elsewhere, and he is not co-extensive with Ngati Toa. Not everyone in Ngati Toa always follows his lead, and some of his key followers are not Ngati Toa.

An intermediate stance was taken by Matene Te Whiwhi. In the Paremata case he says:²¹⁰

209 Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 375-76.

210 Evidence of Matene Te Whiwhi, Paremata case, (1866) 1 B Otaki MB 57, 61-2.

After the coming of Ngati Toa, Ngati Apa came and lived with the Ngati Toa. The 'kainga tuturu' was Waikanae. Te Rauparaha invited Ngati Raukawa, Te Ahu Karamu to come here, on account of Te Poa who was killed by Muaupoko. As they came along the coast they took possession of the different places and partially settled at Kapiti to be near the 'Pakeha' and lived on friendly terms with Ngati Toa and Ngati Awa. After staying at Kapiti and acquiring guns and powder they came and occupied the coast settlements here, principally Otaki. Otiha was [62.] the name of the pa. Ngati Toa was still 'mana' here, but they were principally located at Kapiti south of Otaki.

Matene emphasises Te Rauparaha's personal power and decision-making: he personally invited Ngati Raukawa to move south, but the 'mana' was with Ngati Toa, not Te Rauparaha in his own right.

These shades of emphasis are in fact important, for they go to the very basis of the polity Te Rauparaha succeeded in establishing around Kapiti. Much of the discussion as to whether 'Ngati Toa' or 'Te Ati Awa' or 'Ngati Raukawa' had the 'mana whenua' is in fact beside the point, if Tamihana Te Rauparaha is right in seeing the mana as belonging, in fact, more to Te Rauparaha personally, and as the leader of his particularly assembled coalition. This connects with the wider historiographical problem as to whether Te Rauparaha was in fact trying to establish a new kind of Maori polity based around Kapiti. Was he, in fact, just a particularly successful and able Maori chief of the old school, or was he a political innovator, perhaps somewhat similar to Kamehameha I in Hawaii or George Tupou in Tonga? This problem cannot be resolved in this report, but it is certainly a matter worthy of careful consideration.

One way of taking the matter a few steps further is to consider how leaders of other tribes interpreted Te Rauparaha's and Ngati Toa's particular position. Often this could be very confused, perhaps indicating that there was still a marked lack of certainty and clarity at the time of the Treaty of Waitangi. An example is the following passage from Henere Te Herekau's cross-examination in the Kukutauaki case:²¹¹

The evidence I am giving is in favour of Ngati Raukawa alone. Rauparaha gave me the land and so he has nothing more to do with it. I heard Matini's evidence. He is a Raukawa. I don't consider that Ngati Toa or Ngati Awa have any mana from

211 Henere Te Herekau (Ngati Raukawa), Kukutauaki case, (1873) 1 Otaki MB 159.

Tuwhakatupua to Kukutawaki. I heard Ihakara's evidence. They are correct in saying that we have the mana over the land but it was at the time of the conquest. I uphold Ihakara and Matini in what they have said. The three tribes conquered the land and have since divided it. I object to what Matini and Ihakara said. Ngati Toa, Ngati Awa and Ngati Raukawa have mana over the land shown on the plan. I am not driving off the Ngati Toa and Ngati Awa from Tuwhakatupua to Kukutawaki. We are in court as co-claimants. Matini gave evidence on some of the killings and some he omitted. I have heard that Whatanui's pa was taken and that his wife and children were taken prisoners. It was not done by Muaupoko, Ngati Apa or Rangitane but by Ngati Kahungunu at Hawke's Bay. I gave evidence of the defeats of Ngati Kahungunu by the advance of Whatanui.

Henere begins by saying that Te Rauparaha granted Ngati Raukawa the land, meaning that he (personally) 'has nothing more to do with it'. He then asserts that only Ngati Raukawa have mana within the block, but under repeated questioning is unable to insist on this and concedes that Ngati Toa, Ngati Raukawa, and Ngati Awa all have interests and are interested in the block as co-claimants. His general stance is similar to that of Matene Te Whiwhi's, accepting simultaneously the personal mana of Te Rauparaha and the tribal mana of Ngati Toa, although the latter only as co-equals with Ngati Raukawa and Ngati Awa in the block in question.

4.4. Ngati Toa's position: summary and analysis: It is my view that, when judged dispassionately, Ngati Toa had a dominant position in the Cook Strait region as at 1840. This dominance was, however, complex, was contested to some degree, and was made up of a number of factors, not all of which have been given adequate weight in earlier commentary. These factors are (not ranking them in any particular order):

(a) Kinship linkages

The general position was that although not all of the tribes of the coalition were necessarily closely related to one another, Ngati Toa was closely related to them all. All the iwi of the coalition intersected at Ngati Toa. Ngati Mutunga and Ngati Raukawa, so far as I am aware, were not very closely connected by kin relationships, whereas Ngati Toa was densely interconnected by kinship relationships with both. Although the 'Ngati Awa' and 'Ngati Raukawa' parties, or lineages, within Ngati Toa could have very easily been a source of disunion or division, in fact this dual orientation seems

to have been a source of strength. I do not therefore disagree fundamentally with the emphasis placed by Gillmore on Ngati Toa's kinship links with Te Ati Awa (except to note that it seems that the density of linkages was highest with Ngati Mutunga). However it is also very important to bear in mind the equally close, and arguably more important, linkages with Ngati Raukawa, a large and powerful tribe, so much so that by the 1870s Ngati Raukawa was by far the biggest tribe in the Wellington region. It is possible that the Raukawa-leaning lineages within Ngati Toa have been overemphasised in the literature at the expense of Te Rangihiroa and Te Peehi, but it does seem that the 'Raukawa' orientation was especially powerful and influential, including as it did Te Rauparaha himself, Te Rangihaeata, Topeora, Matene Te Whiwhi, Wi Te Kanae, Rawiri Puaha, Wi Naera, and Tamihana Te Rauparaha.

Less well-documented are the kinship links with Ngati Tama, but these also seem to have been very close (there does not, however, seem to have been a Ngati Tama 'party' or 'faction' of any significance within Ngati Toa politics.)

(b) Te Rauparaha's position

In the words of Paka Herewine Ngapiko of Ngati Rarua and Ngati Tama, Te Rauparaha was the 'tino rangatira' - although he was unwilling to admit "that he was paramount over the affairs of the hapus who conquered the district":²¹²

He was the leader and that was why it devolved on him to divide the land amongst the people. The reason why Te Rauparaha was elected the leader was because he was the person who was instrumental in forming the expedition to Kapiti.

The other tribes naturally would not concede that they were under Te Rauparaha's authority in the sense that they had no autonomy at all, but all the same (as the reference to him as the 'tino rangatira' shows) his special position and prestige could not be ignored. Te Rauparaha was seen as the architect of the great victory at Waiorua which cleared the way for all the other tribes to come south. It seems to have been Te Rauparaha who made all the essential decisions as to where each of the tribes in the coalition would live, at least in the lower North Island and the eastern section of the northern South Island. Commissioner Spain noticed a considerable difference between

²¹² Evidence of Paka Herewine Ngapiko, Nelson Tenth's case, (1892) 2 Nelson MB 164.

how chiefs of the coalition tribes behaved when they thought they were out of sight or earshot of Te Rauparaha and how they behaved when in his presence. In his report on the Horowhenua transaction of 2 February 1842 Spain observed:²¹³

I should hear observe that the witnesses at Otaki were examined in the presence of Rauparaha and Rangiaiaata, and it was quite clear to me that every witness then examined was more or less under the influence of those chiefs; and I cannot better illustrate my aspersion than by calling your Excellency's attention to the wide differences between Watanui's evidence given on that occasion, and the subsequent statement that chief volunteered to me subsequently on my visit to his own place Horowhenua...

Lastly, Wakefield's dispatch of 27 October 1839, describing the behaviour of the chiefs of Te Ati Awa in the presence of Te Rauparaha immediately after the battle of Kuhititanga may be cited:²¹⁴

After visiting their village, which is the largest we have seen, and tolerably fortified, and seen their wounded, I persuaded three of the chiefs to accompany me on board to see Rauparaha, with a view of putting to an end their quarrel with the Ngati Raukawas. On approaching the ship they evinced the greatest fear, declaring that Rauparaha would take their heads. Soon after being on board I sent for Rauparaha and his fighting general Rangiaiaata, who had arrived from Mana. When these came on deck, and saw the Ngatiawa chiefs sitting down with their faces half-hidden in their mats, they betrayed great surprise, and made their customary warlike grimaces. Then from, I conclude, remembering that the ship was no place to show any hostile demonstration, they advanced to them, and rubbed noses with them in succession.

(c) Commercial success

This factor has not been dwelt on in this report to the degree that its importance probably warrants. Based around Kapiti, Plimmerton and Porirua, Ngati Toa and its leadership had a stranglehold over the only safe anchorage for sailing ships. As Dieffenbach immediately realised, the whole of the west coast of the North Island from Taranaki to wellington was a "weather-beaten lee shore" and the "only place where large ships can with

²¹³ Final report, OLC 908 (Horowhenua), NA Wellington.

²¹⁴ Reprinted at 1860 AJHR F2.

safety anchor" was the Kapiti roadstead.²¹⁵ Dieffenbach believed also that a main source of the tension between Ngati Raukawa and Te Ati Awa was that the former were closer to Kapiti: Ngati Raukawa wanted to "come nearer to this place of anchorage, for the advantage of trading".²¹⁶ Cook Strait was a great whaling ground, and the whaling ships at Kapiti allowed much lucrative trade to pass through Ngati Toa's hands, as well as giving to Ngati Toa an unrivalled source of supply of guns. According to Harry Moreton, whose *The Whale's Wake* is the most authoritative account of whaling and its social impacts in nineteenth-century New Zealand:²¹⁷

The conqueror Te Rauparaha (when he went to where the bay whaleships came seeking the right whales, the great Cook Strait whaling grounds), did not move south primarily to conquer but rather to acquire guns. His Ngatikauwhata allies who went with him left their ancestral lands behind because the 'lands at Kapiti gave rare food, such as sharks, guns and white men.'

Lastly the Rev. Richard Taylor's assessment of Te Rauparaha may be cited:²¹⁸

The character of this Chief has been variously drawn. The settlers in general viewed him as everything bad, most treacherous, and deceitful; but this opinion was not founded on their personal acquaintance with him, so much as from report. The whalers and traders, who had the best opportunity of being intimately acquainted with him, and that, too, at a time when his power to injure was the greatest, invariably speak of him as having ever been the white man's friend; he always placed the best he had before them, and in no instance have I heard of his doing any one of them an injury. Speaking of him to an old whaler, he said most emphatically, *that he never let the white man who needed, want anything he could give, whether food or clothing.* In fact, his natural sagacity told him that it was his interest to make common cause with the Europeans, for it was through them he acquired *the sinews of war, guns, powder, and shot, and everything else that he required.*

B. Relations with specific iwi

4.5. Ngati Kahungunu

215 Dieffenbach, *Travels in New Zealand*, 1845, 1, 110.

216 Ibid.

217 Harry Morton, *The Whale's Wake*, University of Otago Press, Dunedin, 1982, 202, citing Dieffenbach, vol 1, 193.

218 *Te Ika a Maui*, 338.

Ballara has noted that Maori did not always have a sense of the complexities of tribal and hapu identities of Maori from other regions, so that the northerners often referred to all people from the Wellington-Wairarapa region as “Ngati Kahungunu” (in the same way that all North Taranaki descent groups, including Taranaki, Ngati Mutunga and Te Ati Awa were called “Ngati Awa” and Ngati Toa were themselves referred to as “Waikato”.) The Minute Books contain numerous references to Ngati Kahungunu, but it is not always clear which particular descent groups are being referred to, nor whether people from the Wellington and Hutt Valley regions are meant to be encompassed within the term “Ngati Kahungunu”.

The arrival of the first (Nga Puhi-Ngati Toa) expedition in the lower North Island involved large-scale combat with Ngati Kahungunu. The 1851 letter from the Ngati-Toa chiefs to Grey refers to fighting at Pukerua, Orongorongo and the Wairarapa; at the latter a major battle at a place called Te Mawhitiwhiti took place.²¹⁹ Tamihana Te Rauparaha speaks of fighting with Ngati Apa and Ngati Kahungunu.²²⁰ Wi Parata states that the *ope* attacked a pa belonging to Ngati Kahungunu and Muaupoko on Kapiti named Taipiro; and “when in the act of fighting they made peace, the men of the pa came out and presented Te Pahi with a greenstone mere, after that, taking Kapiti, they went on to Waikanae and came here where Wellington is”.²²¹ The expedition crossed the ranges into the Wairarapa and fought Ngati Kahungunu there, “a great battle”; Mawhitiwhiti was “the name of the pa they took” and “Kaingatate [the] name of the battle”.²²²

“Kahungunu” were regarded by Ngati Toa as part of the *tangata whenua* from whom the lands taken possession of by Ngati Toa, Te Ati Awa and so on were originally conquered:²²³

He [Te Rauparaha] took possession of this country by conquest from Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu.

219 See Bruce Biggs (ed), “Two letters from Ngaati-Toa to Sir George Grey”, *Journal of the Polynesian Society*, vol 68, 262, at 268, citing letter of 11 December 1851

220 Evidence of Tamihana Te Rauparaha, Himatangi case, (1866) 1 C Otaki MB 372-3.

221 Evidence of Wi Parata, Ngarara case, (1890), 10 Otaki MB 154-55.

222 Ibid.

223 Evidence of Tamihana Te Rauparaha, Paremata case, (1866) 1 B Otaki MB 59.

Matene Te Whiwhi speaks of a Kahungunu (Wairarapa) counterattack on Ngati Toa before the battle of Waiorua:²²⁴

We remained there living about Waikanae and Porirua. The Ngati Kahungunu heard about us, and their war party came from Wairarapa to Pukerua and attacked us in the night and killed 20. They went away and did not return until daylight. There were many chiefs killed. We did nothing after this as there was no one about, either at Horowhenua or anywhere else.

And “Kahungunu”, too, according to Tamihana Te Rauparaha were part of the attacking force at Waiorua, although whether this people came from the Wellington region or further afield is not clear:²²⁵

The Whanganui, Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu and Rangitane from the other Island joined to attack Rauparaha and Ngati Toa.

However in his evidence in the Kukutauaki case Matene Te Whiwhi states that the invading force collected at Waikanae from “Whanganui, Wairarapa, Rangitikei”,²²⁶ indicating that the “Kahungunu” who were in the invasion force were from the Wairarapa, rather than from Porirua or Wellington.

After Waiorua Ngati Toa made peace with Ngati Kahungunu.²²⁷ A group of Ngati Toa went to the South Island to conclude peace with Rangitane and the other tribes, following which a group of Ngati Kahungunu “came back” across Cook Strait with Ngati Toa (perhaps these were local or Wellington people). Following this Matene Te Whiwhi played a prominent part in concluding a formal peace with Ngati Kahungunu in the Wairarapa. Matene states:²²⁸

I shall now speak of our going to Wairarapa to make peace. Twenty Ngati Kahungunu came to the Wairarapa to make peace. I was requested by Rauparaha to go to Wairarapa to make peace. After I went Rauparaha called the range Tararua, the backbone of Rangihaeata, to prevent any tribes interfering with the Wairarapa people. People was not made in this district [Horowhenua] on account of the murders committed at Te Wi and Ohau. When I returned all the Chiefs of Ngati

224 Evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 138.

225 Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 372.

226 Evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 140

227 Evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 141.

228 Ibid, 144.

Kahungunu accompanied me to Kapiti. The chief who continued to live with the Ngati Toa and Rauparaha was Waretakairangi. The chiefs lived here for a year and then went home in a canoe called Matetake which Rauparaha provided.

The puzzle is, however, quite how this peace-making sits with the conquest of the lands around Wellington harbour by Ngati Mutunga. The evidence in the Wellington Minute Books to blocks such as Orongorongo and Pito-One is clear that that the land originally belonged to "Ngati Kahungunu" and was then conquered by Ngati Mutunga:

The land formerly belonged to Ngati Mutunga before it belonged to us and to Ngati Kahungunu before them. Ngati Mutunga took it from Ngati Kahungunu by conquest. The Ngati Mutunga left it to go to the Chatham Islands and Te Matehou took possession. (Ihaia Poutu, Orongorongo case, (1868) 1 C Wellington MB 51.)

The land was first Ngati Kahungunu's, afterwards Ngati Mutunga's, and then the Ngatitawhikura took possession of it on its abandonment by Ngati Mutunga who went to the Chatham Islands (Mawene Hohua, Pito-One case, (1868) 1 C Wellington MB 61.)

In fact one of the biggest gaps in the historical record relates to the relationship between Ngati Toa and Ngati Mutunga whilst the latter were engaged in their campaigning around Wellington Harbour. This will be considered separately below. For the present it can be noted that the Minute Book evidence regards "Ngati Kahungunu" as tangata whenua of the Wellington-Hutt region before the arrival of the northerners.

Although Ngati Toa had made peace with Ngati Kahungunu, it seems that there was a degree of trouble between some the allied tribes and Kahungunu. One aspect of the bewilderingly complicated political mosaic was the emnity between Ngati Kahungunu and Ngati Raukawa, deriving from Ngati Raukawa's attack on Ngati Kahungunu at Ahiriri (Napier), and Ngati Raukawa's defeat and withdrawal to their main base at Maungatautari.²²⁹ However Ahuriri is a long way from the Wairarapa and Wellington; Ngati Raukawa's bad relations with the chiefs of Heretaunga need not necessarily equate to hostility to the 'Ngati Kahungunu' of Wairarapa. According to Matene Te Whiwhi, when Te Whatanui (Ngati Raukawa) came south on the first of the three Ngati Raukawa heke, he went

²²⁹ Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 376.

with Te Heu Heu "and fetched Ngati Kahungunu who lived at Wellington Heads to Porirua and Kapiti", this presumably being a final stage in the settlement of Wellington by Ngati Mutunga.²³⁰ When the main body of Raukawa came south, however, they sent a war party across the ranges into the Wairarapa, and it seems that before them one of the "Ngati Awa" descent groups had done the same. According to Wi Parata:²³¹

There is another thing I want to make clear. After my ancestor had made peace with Ngati Kahungunu, the Ngati Toa had never troubled that country since. When the Ngati Awa came down they had no land to settle on. The land had been taken by the first heke, so they went to seek other land. Ngati Awa went to the Wairarapa to kill men and look for land. When Ngati Raukawa came they found the land occupied by the two former tribes, and they went also in search of land. The Ngati Raukawa war party captured a young chief of rank, Hiakai son of Tutapukeharangi. Ngati Raukawa came back, and failed to obtain land, and brought the boy back. Rangihiroa heard that this child had been captured and brought away by these people. He told his people to get hold of this child and seize him.

It should also be noted that the Ngamotu and the other later descent groups from Taranaki spent some time in the Wairarapa.

To summarise all of this, it seems that Ngati Toa regarded the Ngati Kahungunu as part of the tangata whenua whom they defeated, but there was no deep-seated animosity as there was with Muaupoko and Rangitane. Quite soon after Wairorua an elaborate formal peace-making was made between Ngati Toa and Kahungunu. On most occasions, though not always, "Kahungunu" means the people of the Wairarapa. There is much less information in the Minute Books about the people of Wellington and the Hutt Valley, but they may well have been included the peace-making between Ngati Toa and Ngati Kahungunu. Lastly there were attempts by "Ngati Awa" and Ngati Raukawa to independently carve out a domain for themselves in the Wairarapa before Haowhenua, but these attempts seem to have come to nothing. Later North Taranaki arrivals did, however, as is well-known, spend time in the Wairarapa before settling around parts of the perimeter of Wellington harbour after the departure of Ngati Mutunga for the Chatham Islands in 1835.

230 (1872) 1 Otaki MB 145-6.

231 Evidence of Wi Parata, (1890) 10 Otaki MB 164.

4.6. Ngati Apa

Ngati Apa, too, were regarded as part of the subjugated tangata whenua by Ngati Toa²³² and by Ngati Raukawa.²³³ Their rohe, it seems, was the Rangitikei district. At the time of the Treaty of Waitangi Ngati Apa were living between the Manawatu and Rangitikei rivers.²³⁴ However, Ngati Apa, although kin to Ngati Toa's principal enemies, Muaupoko and Rangitane, themselves had a kin connexion to Ngati Toa through Pekinga (or Pikinga, or Pekenga), a Ngati Apa woman married to Te Rangihaeata during the first Nga Puhi-Ngati Toa expedition led by Patuone, Te Whatanui and Tamati Waka. She was obviously a woman of some importance, who is frequently mentioned in the Minute Books.²³⁵ Nopera Te Ngiha described her as a 'wahine rangatira'.²³⁶ Because of this link, and perhaps for other reasons, relations between Ngati Toa and Ngati Apa were somewhat more friendly than they were with Rangitane and Muaupoko, and it seems that for a time Ngati Apa lived together with Ngati Toa around Waikanae,²³⁷ and that after that relations were relatively peaceful.²³⁸ (The obvious departure from this is, however the battle of Waiorua, in which Ngati Apa joined in the attack on Ngati Toa.) As the Ngati Toa-Ngati Apa relationship is marginal for present purposes it will not be commented on further.

4.7. Rangitane:

232 "He took possession of this country by conquest from Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu": Tamihana Te Rauparaha, Paremata case, (1866) 1 B Otaki MB 57.

233 "Muaupoko, Rangitane and Ngati Apa were conquered by me and I took their land. In the case of Ngati Apa - first at Taupo, then here - I fought and conquered them here. These tribes were 'patu'ed first by Te Rauparaha and Ngati Awa and after by Ngati Raukawa and after that they did not attempt to 'whakahi'. The conquerors divided the land among themselves and the three tribes had nothing to say": Henare Te Herekau (Ngati Raukawa), Himatangi case, (1868) 1 C Otaki MB 207.

234 Evidence of Hohepa Tamaihengia, Himatangi case, (1868) 1 C Otaki MB 398.

235 See Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 135: "Rangihaeata took Pekinga a chieftainess of Ngati Apa as his wife and then they went on to Kawhia." On the return of the main Ngati Toa migration Pikinga's "parents and brothers...told him [Te Rangihaeata] to be on his guard as it was intended to murder Rauparaha". (ibid, 137.)

236 Evidence of Nopera Te Ngiha (Ngati Toa), Himatangi case, (1868) 1 C Otaki MB 396.

237 Evidence of Matene Te Whiwhi, Paremata case, (1866) 1 B Otaki MB 57.

238 "Rauparaha lived peaceably with Ngati Apa. Rauparaha had conquered their lands. They were in possession of their lands beyond Manawatu." Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 377-78. In this case Tamihana Te Rauparaha supported Ngati Apa and the Crown (who had bought from Ngati Apa) against Ngati Raukawa; Ngati Raukawa were supported by Matene Te Whiwhi.

Rangitane were a large and powerful tribe with many hapu. Some of the tribe's sayings are 'Rangitane tangata rau' (Rangitane with hundreds of men) and "Tini whetu ki te rangi, ko Rangitane nui ki te whenua" (Like the myriads of stars in the sky, great Rangitane on the earth).²³⁹ Rangitane seems to have been the dominant iwi in the grouping of tangata whenua tribes who fought against Ngati Toa and Ngati Raukawa and the other northerners. Rangitane are related to Muaupoko and Ngati Apa, and in Ngati Toa accounts the three tribes are often spoken of in, as it were, the same breath.

Like other tribes Rangitane were perceived by Ngati Toa as defeated and subjugated tangata whenua:²⁴⁰

He [Te Rauparaha] took possession of this country by conquest from Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu.

But this, of course, applies only to Rangitane west of the ranges and in the South Island, and not to their principal domain around Dannevirke.²⁴¹

In one incident, Pekinga, Te Rangihaeata's Ngati Apa wife, persuaded some Rangitane chiefs to come outside their fortress at Otuiti (or Hotuiti) to discuss peace terms with Ngati Toa, at which point they were attacked. Matene Te Whiwhi says that thirty Rangitane chiefs were killed on this occasion, although Te Awe Awe was spared.²⁴² Ngati Apa then induced Ngati Hamua, a Rangitane-Kahungunu group from the Wairarapa, to counterattack Ngati Toa. Ngati Hamua made a surprise night attack on Ngati Toa at Waikanae; this was when Te Peehi's children were killed.²⁴³ Some sections of Rangitane lived in the South Island, and Rangitane from both the North and South Islands formed part of the coalition which attacked Ngati

²³⁹ See J.M. McEwen, *Rangitane: a tribal history*, Heinmann Reed, Auckland, 1986, 232.

²⁴⁰ Evidence of Tamihana Te Rauparaha, Paremata case, (1866) 1 B Otaki MB 57.

²⁴¹ As McEwen says, *op.cit.*, 132: "Following Waiorua, Te Rauparaha sent war parties up and down the coast killing and capturing fugitives from the fight. There is no record of these raids penetrating into Rangitane territory except near the mouth of the Manawatu River. A fact which is not generally realised when people speak of the subjugation of Rangitane by Te Rauparaha is that the principal domain of the tribe on the Dannevirke side of the Manawatu Gorge and further south, was not at any time invaded by Ngati Toa or their associated tribes and the Rangitane sub-tribes of that district could not by any stretch of the imagination be said to have been subjugated."

²⁴² Evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 139. For a slightly different version, see McEwen, *Rangitane*, 131.

²⁴³ *Ibid*, 139.

Toa at Waiorua.²⁴⁴ After Waiorua, Te Ruaone, a South Island Rangitane chief, is said to have uttered the famous insult, threatening to crush Te Rauparaha's skull with a tukituki aruhe (a fern-root pounder); following this, Te Rauparaha attacked the Rangitane of the South Island and 'slated' them.²⁴⁵ After the establishment and consolidation of Ngati Toa and Ngati Raukawa it seems that Rangitane continued to live on at least some of their ancestral lands in the Manawatu. Ngati Raukawa claimed to have independently driven them off, but Tamihana Te Rauparaha disputed this:²⁴⁶

Ngati Apa and Rangitane were living peaceably between Manawatu and Rangitikei on land alleged to have been sold to the Crown. I did not hear they were ejected by Ngati Raukawa - Ngati Raukawa were living on the banks of the Manawatu.

Matene Te Whiwhi agreed that Ngati Raukawa fought against Rangitane, but believed that it was a somewhat pointless exercise as Rangitane had already been crushed:²⁴⁷

He [Te Whatanui] fought five times with Ngati Apa, Muaupoko and Rangitane. There were no pas for him to take and no battles for him to fight.

After this Rangitane and Ngati Raukawa must have reached an understanding. Rangitane were involved in the fighting at Haowhenua, as one of the groups who came to the aid of Ngati Raukawa (along with Tuwharetoa, Muaupoko, Ngati Apa, Ngati Maru, according to Nopera te Ngiha.²⁴⁸) In later years Rangitane, along with Ngati Raukawa, Muaupoko and Ngati Apa were heavily involved in the complex litigation over the Kukutauaki, Himatangi and other Rangitikei-Manawatu and adjoining blocks. Their claims do not appear to have been very successful.²⁴⁹

4.8. Muaupoko:

²⁴⁴ Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 375. Nopera Te Ngiha says that "then a large body - Nga Rauru, Whanganui, Ngati Kahungunu, Ngati Apa, Rangitane, Muaupoko, and people from Middle Island - came to Waikanae."

²⁴⁵ Ibid, 376.

²⁴⁶ Ibid, 386.

²⁴⁷ Evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 152.

²⁴⁸ Evidence of Nopera Te Ngiha, Himatangi case, (1868) 1 C Otaki MB 394.

²⁴⁹ See the judgment of the Native Land Court in the Kukutauaki case., (1872) 1 Otaki MB 176-8.

Like Ngati Apa or Rangitane, Muaupoko were regarded by Ngati Toa as a tangata whenua tribe from whom the lands had been conquered by Ngati Toa²⁵⁰ and Ngati Raukawa.²⁵¹ Muaupoko joined with the other tangata whenua iwi in the attack on Ngati Toa at Waiorua,²⁵² joining forces with Whanganui, Rangitane, Ngati Kahungunu and the other tribes. But the conflict between Ngati Toa and Muaupoko was waged with a particular bitterness. Ngati Toa witnesses in the Native Land Court attribute this to the 'kohuru' (killing by stealth) carried out by Muaupoko on Te Rauparaha's family and followers at a Muaupoko pa named Te Wi near Ohau. Te Rauparaha himself barely escaped with his life. Nopera Te Ngiha names the two sons of Te Rauparaha who died as Poaka and Te [Rangihoungariri?].²⁵³ Quite possibly this was in fact not the only reason for the bitterness and ferocity of the conflict, but Ngati Toa always stressed the murders at Te Wi as a justification for their actions. Although, says Matene Te Whiwhi, peace was made with Ngati Kahungunu after Waiorua, "peace was not made with the people in this district on account of the murders committed at Te Wi and Ohau".²⁵⁴

Rangatira from other tribes did not necessarily share Te Rauparaha's uncompromising attitude towards Muaupoko. A 'Ngati Awa' chief named Tuhaingane decided to allow Muaupoko to resume their occupation at Papaitonga and Horowhenua; but this was not at all to the liking of Te Rauparaha and Te Rangihaeata, who immediately attacked Muaupoko. Tuhaingane, annoyed in his turn, then "interfered with Rauparaha's peace-making in the Wairarapa."²⁵⁵ But Muaupoko finally gained a respite with the establishment of Ngati Raukawa in the Horowhenua. After that Te Rauparaha was content to leave Muaupoko alone. "He [Te Rauparaha] did not kill any more [Muaupoko] after Whatanui's mana was established over them."²⁵⁶ At first Te Whatanui and Ngati Raukawa fought against Muaupoko as well, but he subsequently decided to let them live unmolested in a part of their old lands, "within their fences". Ngati Toa and Ngati Raukawa chiefs claimed that this was an act of kindness and generosity on the part of Te Whatanui, that no formal peace-making ever took place, and that the mana

250 Tamihana Te Rauparaha, Paremata case, (1866) 1 B Otaki MB 60.

251 Evidence of Henare Te Herekau (Ngati Raukawa), Himatangi case, (1868) 1 C Otaki MB 206.

252 Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 375.

253 Evidence of Nopera Te Ngiha (1868) 1 C Otaki MB 392.

254 Evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 144

255 Ibid, 144.

256 Ibid, 147.

remained with Ngati Toa and Ngati Raukawa. Matene Te Whiwhi was insistent on this:²⁵⁷

I did not know of any peace-making between Whatanui and Muaupoko...It was a much later period than this when I heard of Whatanui's kindness towards them - not his peace-making. All I know is that it was the kindness of Whatanui, not a peace making.

4.9. Ngati Tama

A Ngati Tama narrative which traverses the relationship between Ngati Tama and Ngati Toa is the evidence given by one Mahini in the Wellington Tenth case.²⁵⁸

My claim is not ancestral. It is through the migration that came subsequent to Rauparaha. That is the case with all the hapus. Rauparaha was the first migration and first conquest. [103.] He conquered the inhabitants. Rauparaha's conquest extended as far as the South Island. Can't only speak as regards my own tribe who migrated subsequent to Rauparaha. Ngati Tama under Rangikatutu and Ringa Kuri and Ngati Raukawa, we came after Rauparaha had swept away all the Natives to occupy the land. We occupied from Ohariu to Tiakiwai. With respect to new arrivals, Rauparaha did not order them off - offered no objection to people occupying and they remained until [the] arrival of Captain Wakefield. [I] didn't know this was sold to [the] Colonel. I saw some land he had bought. Ringa Kuri received some blankets and divided them among the hapus. I have heard of Ringa Kuri going on board the ship and pointing out and disposing of land to Europeans. Blankets were obtained in payment for land. The Ngati Awa hadn't conveyed land previous to Rauparaha. The Ngati Awa, Ngati [] and Ngati Tama came subsequent to Rauparaha.

Ngati Tama have close kin linkages with Ngati Toa and with Ngati Mutunga. Their ancestral homeland was Poutama, in North Taranaki. Ngati Tama is a descent group which has developed something of reputation for reckless adventuring, shown especially by Te Puoho's astounding attempt to attack Ngai Tahu in Southland.

Ngati Tama do not seem to have settled permanently in any specific area. For a time some were at Ohariu, then at Kaiwharawhara, in the Hutt

²⁵⁷ Ibid, 149.

²⁵⁸ (1888) 2 Wellington MB 102-3.

Valley, the Chatham Islands, and at Nelson and Golden Bay. Taringa Kuri (Te Kaeaea), who did not emigrate to the Chatham Islands, seems to have had a kind of vassal-patron relationship with Te Rangihaeata in the early 1840s. It must be stressed here that the kin linkages between Ngati Toa and Ngati Tama are especially densely interwoven, even more so than they are between Ngati Toa and Ngati Mutunga.

4.10. Taranaki/Te Ati Awa/Ngati Mutunga

1. General Overview

In this section I will discuss the relationships between Ngati Toa and the descent groups of North Taranaki (excepting Ngati Tama, who need separate consideration). The importance of this particular relationship arises from the obvious fact that, in my understanding, the Wellington Tenth Waitangi Tribunal claim is very much a Te Ati Awa claim; it arises, too, from Ngati Toa exclusion from the list of beneficial owners of the Wellington Tenth in 1888, and also from Mr Gilmore's stimulating paper, *The Myth of the Overlords*²⁵⁹ in which, in my view, arising out of a wish to correct earlier distortions, the role of Te Ati Awa has itself become distorted and exaggerated.

In lumping all the North Taranaki groups together the risk is that the distinctiveness of the relationship between Ngati Toa and Ngati Mutunga could be lost sight of. It is clear that the relationship between these two descent groups was a particularly warm and close one, but it is quite wrong to infer from that fact that Ngati Toa operated in tandem or in partnership with Te Ati Awa, or even (as Gilmore comes close to suggesting) that Te Ati Awa were actually the dominant partners in the coalition.

Gilmore begins his interpretation with a discussion of the first taua or expedition. He relies here solely on three pieces of evidence, these being (i) a report written by Hone Heke MP, of Ngapuhi, in 1905 (nearly a century after the events it describes); (ii) the Te Kanae manuscript; and (iii) a secondary source, albeit one based on the author's collections of oral testimony, S Percy Smith's *History and Traditions of the West Coast* (1910). Why these texts are to have special authority Gilmore does not explain.²⁶⁰ In this report I have

²⁵⁹ Neville Gilmore, *The Myth of the Overlords: tenure in Whanganui-a-Tara*, n.d., (1996?), Wai 145 Doc#G3

²⁶⁰ In any event Hone Heke states only that "When they got to Taranaki they were joined by Ngatata, Te Wakatewai, Tumokemoke and others of the *Ngati Mutunga* hapu of the Ngati Awa tribe". Ngati Toa was joined not by "Te Ati Awa" but by "Ngati Mutunga". Of

collected together a considerable amount of Native Land Court evidence from principally Ngati Toa and Ngati Raukawa sources, given to a large extent by witnesses who had themselves participated in the second migration and who can probably be reasonably assumed to have a good knowledge of the details of the first. There is no indication in these sources that Te Ati Awa played any role in the first expedition, and Wi Parata says specifically that only Nga Puhis and Ngati Toa were involved:²⁶¹

No other tribe, only Nga Puhis and they came along this road to Taranaki, Whanganui.

Gilmore seems rather dubious about the 'ship-sighting' incident, but as a matter of fact this is well-attested in the evidence of Matene Te Whiwhi, Tamihana Te Rauparaha and Wi Parata.²⁶² I am not convinced that this first taua was, as Gilmore argues, "of primary importance in determining the ultimate title in 1839 to Whanganui-a-Tara".²⁶³ It was, rather, a preliminary foray which put the idea of coming south into Te Rauparaha's mind.

The main or second heke did undoubtedly include a North Taranaki contingent. Ngati Toa sources readily admit this. This "Ngati Awa" component was quite substantial. Matene Te Whiwhi says that the heke included "one hundred Ngati Toa" (this may be referring to the number of fighting men) and that "on reaching Taranaki they were joined by Ngati Awa - making up number to 500 or 600."²⁶⁴ Again, however, it is important not to conflate references to "Ngati Awa" in the Minute Books to Te Ati Awa. Wi Parata is the only source I am aware of which gives any indication of the specific North Taranaki hapu involved. Referring to the fighting that took place in Taranaki between Ngati Toa and their North Taranaki allies on the one side and the pursuing Waikato forces on the other, he states:²⁶⁵

course it is elementary that Ngati Mutunga is closely related to Te Ati Awa, but they are also closely related to Ngati Toa. Nor can "Ngati Awa", "Ngati Mutunga" and "Te Ati Awa" be used interchangeably; nor can it be assumed that these groups saw eye-to-eye on everything. Ngati Mutunga seem to have had a distinctive identity and a particular closeness to Ngati Toa not shared by other Te Ati Awa and Taranaki groups.

261 Evidence of Wi Parata, Ngarara rehearing case, (1890) 10 Otaki MB 153.

262 Matene Te Whiwhi in (i) the Himatangi case (1868) 1 C Otaki MB 195-6, and (ii) the Kukutauaki case, (1872) 1 Otaki MB 135; Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 372-3; Wi Parata, Ngarara rehearing case, (1890) 10 Otaki MB 144.

263 Gilmore, *op.cit.*, 1.

264 Matene Te Whiwhi, Himatangi hearing, (1868) 1 C Otaki MB 192.

265 Ngarara rehearing case, (1890) 10 Otaki MB 156

Waikato was beaten, these were the only hapus who were at this fight, Ngati Hinetutu with Ngati Toa, Ngati Mutunga and some of Ngati Tama, but not the principal number of Ngati Awa.

It seems a reasonable guess that these too would be the hapus who came south with Ngati Toa. In short the "Ngati Awa" who came south were in fact probably mostly Ngati Mutunga, an iwi in its own right which had, and still does have, a notably close relationship with Ngati Toa.

The battle of Waiorua and "Ngati Awa's" and Ngati Toa's role in it have already been fully discussed. I see no reason at all to derivate from the traditional account that this was a Ngati Toa victory first and foremost. Matene Te Whiwhi says that the Ngati Awa who came south went home again before the battle.²⁶⁶ As Gilmore himself observes, when speaking of Matene's evidence of the numbers involved in the second heke:

Despite Matene Te Whiwhi being a young boy at the time he was old enough to be cogniscent [sic] of this sort of detail and it is entirely reasonable to assume that he knew what he was talking about.

It is not persuasive that Waiorua was a joint Ngati Awa-Ngati Toa victory. If it was not Te Rauparaha's pa which was actually attacked, most Ngati sources accept that Te Rauparaha was certainly involved in the fighting and the repulse. Wi Parata says that the first blow fell on Ngati Koata and Ngati Haumia; Ngati Koata is a hapu of Ngati Toa, and while Ballara regards Ngati Haumia as a hapu of Taranaki, Carkeek classes them as a hapu of Ngati Toa and my understanding is that at the present time Ngati Haumia are unquestionably regarded as a hapu of Ngati Toa. And after the battle it was the prestige of Ngati Toa and Te Rauparaha which shot sky-high. The famous insults of Te Ruaone and Rerewaka were aimed, significantly, at Te Rauparaha himself.²⁶⁷ As for "Ngati Awa", Matene Te Whiwhi says they heard about the battle *in Taranaki*.²⁶⁸

All the tribes of the South collected to attack Ngati Toa at Kapiti - were worsted. Rauparaha thought as there were no more enemies to conquer he would make peace.

²⁶⁶ Matene Te Whiwhi, Himatangi case, (1868) 1 C Otaki MB 197.

²⁶⁷ Evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 372.

²⁶⁸ Evidence of Matene Te Whiwhi, Himatangi case, (1868) 1 C Otaki MB 197.

News reached Ngati Awa at Taranaki that Rauparaha had conquered the country and defeated the tribes occupying it.

The main protagonists in the Himatangi case, in which the above statement was made, were Ngati Apa and Ngati Raukawa: there was no particular reason in the context of this case why Matene Te Whiwhi would want to go out of his way to unnecessarily down-play the role of "Ngati Awa" and to over-exaggerate Te Rauparaha's importance. To conclude, while a "Te Ati Awa" group (probably actually mostly Ngati Mutunga) formed an important part of the heke, they were not involved in any significant way in the Battle of Waiorua.

After this engagement, however, the sources all agree that, as the 'coast was clear' North Taranaki groups then moved south, although there is some disagreement about the exact order. "In the fourth year", says Matene Te Whiwhi, "came Ngati Awa and Ngati Tama".²⁶⁹ In the Wellington Tenth case Mahini (Ngati Tama) said:²⁷⁰

The Ngati Awa, Ngati [] and Ngati Tama came subsequent to Rauparaha.

Wi Parata, as noted above, states that Ngati Mutunga came down first, and then Ngati Tama.²⁷¹ Sections of the North Taranaki groups were in place around Kapiti by the time the Upper South Island was invaded, the composition of the attacking forces being quite clear from the the Nelson Minute Books: Ngati Toa (Ngati Toa proper, Ngati Rarua and Ngati Koata), 'Ngati Awa', and Ngati Tama. (Ngati Raukawa were not involved, as the invasion pre-dated their arrival in force in the region.) Some of these 'Ngati Awa' were, once again, Ngati Mutunga.²⁷² Ngati Mutunga did not, however, seem to share in the allocation of land in Arapawa (eastern Marlborough Sounds) although a number of Te Ati Awa hapu undoubtedly did. Perhaps they were satisfied with their lands around Te Whanganui-a-Tara. The land in the South Island was allocated by Te Rauparaha:²⁷³

269 (1868) 1 C Otaki MB 197.

270 (1888) 2 Wellington MB 103.

271 (1890) 10 Otaki MB 158-9.

272 See the Kekerione case, (1870) 1 Chatham Is. MB 1, at p. 6 (evidence of Toenga and Rakataau: both Ngati Mutunga).

273 Herewine Ngapiko (Ngati Rarua), Nelson Tenth case, at (1892) 2 Nelson MB 184.

Ngati Awa had land allotted to them in other localities by Te Rauparaha. He was the ariki o nga tangata. He did not allot land to Ngati Rarua.

In 1831 the long-expected Waikato retaliation in North Taranaki finally took place. Waikato invaded in strength and the fortress of Pukerangiora fell to the invaders in December. The Te Ati Awa chief Te Wharepouri managed to beat off Waikato in a second major battle at Ngamotu (New Plymouth) but everyone knew that Waikato's return would only be a matter of time. Historians refer to this migration as the Tama-te-uaua (although I have never seen the term in the Minute Books); it seems to have been a major displacement and its arrival in the Waikanae-Kapiti district completely upset an equilibrium which was already finely-balanced and complex enough. The complicated system of balancing and manipulation of the various groups by Te Rauparaha and Te Rangihaeata was put under severe strain. Ballara goes as far to argue that, in fact, the "balancing act" failed, shown by the collision between Te Ati Awa and Ngati Raukawa at Haowhenua.²⁷⁴ Certainly the conflict between the North Taranaki groups and Ngati Raukawa caused divisions within Ngati Toa. Te Rauparaha, Te Rangihaeata, and others of the Ngati Kimihia-Ngati Huia nexus naturally backed Ngati Raukawa, while other sections of Ngati Toa were sympathetic to Te Ati Awa. Whether it is true to say that after Haowhenua Te Rauparaha had lost, or begun to lose, control of events is all the same debatable.

By 1839, when the New Zealand Company vessels arrived, the tension between Te Ati Awa and Ngati Raukawa was as bad as ever. If it is true that Te Rauparaha encouraged Ngati Raukawa to make another attempt at attacking Te Ati Awa at Kuhititanga, the strategy was not a success as Te Ati Awa were once again successful; but then it is not clear that Te Rauparaha did instigate the attack. In my judgment the arrival of the Ngamotu and other North Taranaki groups was certainly a disturbing factor, and made Te Rauparaha's task vastly more difficult. But, as will be seen, all of the chiefs of the coalition tribes were still in considerable awe of Te Rauparaha. A new equilibrium could have readily developed.

2. Ngati Mutunga

²⁷⁴ Ballara, "Te Rangihaeata", *DNZB* vol 1, 489.

Of all the 'Ngati Awa' descent groups, it is with Ngati Mutunga that Ngati Toa had the closest relationships. It is my belief that some other accounts have exaggerated the extent to which Ngati Mutunga around Te Whanganui-a-Tara felt beleaguered or pressured after Haowhenua; relations with Ngati Toa seem to have in fact remained very close and friendly, and the rangatira of Ngati Toa came to farewell Ngati Mutunga and to present them with a valuable greenstone mere when the latter left for Wharekauri in 1835.

The connexion by intermarriage between Ngati Mutunga and Ngati Toa was especially tenacious and complex, creating links that have lasted to the present. Wiremu Piti Pomare (also known as Pomare Ngatata), chief of Ngati Mutunga, was married to Tawhiti, of Ngati Toa, although according to Ballara Pomare sent Tawhiti back to her people after Haowhenua.²⁷⁵ But this aside, connections between the two groups were very close. Inia Tuhata of Ngati Mutunga, for example, who was an important landowner in the Chatham Islands and a rangatira of Ngati Mutunga, was a grandson of Te Rau-o-te-Rangi of Ngati Toa (he said that "I belong to the Ngati Toa tribe, through my grandmother"²⁷⁶). His mother, Mere Rangiaanu (Ngati Toa) married (i) Inia Tuhata the elder (Ngati Mutunga) and (ii) Wi Naera Pomare (Ngati Toa, Ngati Mutunga). Wi Naera Pomare, paramount chief of Ngati Mutunga, was a son of Te Rongo (Ngati Toa) by her first marriage to one Captain Blenkinsopp; Te Rongo's second marriage was, of course, to none other than Te Rangihaeata (she died at the Wairau, hit by a stray bullet, and it was for her sake that the enraged Te Rangihaeata exacted utu on the captives). Te Rau-o-te-Rangi, also known as Kawhe or Kahe, was a formidable Ngati Toa woman, one of only five women who were signatories to the Treaty of Waitangi in their own right, who was herself half Ngati Mutunga: her parents were Te Matoha of Ngati Toa and Te Hautonga of Ngati Mutunga. She married Jock Nicholl, a whaler, and in later years the couple ran a well-known inn at Paekakariki.²⁷⁷ Wi Naera Pomare, who was thus half-

²⁷⁵ Ballara, "Pomare, Wiremu Piti", *DNZB*, vol 1, 348.

²⁷⁶ (1883) 2 Wellington MB 163.

²⁷⁷ On Te Rau-o-te-Rangi see Eleanor Spragg, "Te Rau o te Rangi, Kahe", *Dictionary of New Zealand Biography* vol 1, 504; W.C. Carkeek, *Kapiti Coast*, Reed, Wellington, 1966, 140. She signed the Treaty at Port Nicholson on 29 April 1840. James Cowan describes Te Rau o te Rangi as follows: "a very fine and handsome woman. for she was straight and tall and deep bosomed, beautifully and generously proportioned and muscular of limb, a woman well fitted to mother warriors. She excelled in swimming and diving. No one on Kapiti, man or woman, was a more strenuous diver for shellfish: no one could fell a basket more quickly or remain under water longer; and in every swimming race she distanced her rivals, just as in later years she defeated all white sailors who challenged her": *Evening Post*, July 27 1912, cited in Cody, *Man of Two Worlds*, 12. Te Rau-o-te-Rangi was born at either Kawhia or Urenui and took part in Te Rauparaha's journey to Kapiti in 1821. Jock Nicholl left his whaling ship in

Pakeha, half Ngati-Toa, was adopted by Pomare of Ngati Mutunga, presumably after the boy's mother died at the Wairau;²⁷⁸ Pomare succeeded Patukawenga as the leading chief of Ngati Mutunga and Wi Naera Pomare became chief of the tribe in his turn, and married (as stated) Mere Rangaiuanu (Ngati Toa). Their son was Sir Maui Pomare, who was educated at Te Aute, spent his summer holidays in the Chathams, received a medical degree in the United States, became Minister of Health and Internal Affairs in Massey's Reform government, and was regarded as belonging to Ngati Toa and Ngati Mutunga.²⁷⁹ Mere's sister, that is to say Wi Naera Pomare's sister-in-law, and Inia Tuhata the younger's aunt, was Hane Te Rau, also known as Jane Brown, (the same for whom the Te Kanae manuscript was composed in the 1880s). She (Hane) was adopted by Apitea²⁸⁰, another prominent Ngati Mutunga landowner in the Chathams, and lived at Porirua, in the Chatham Islands, in Auckland, and at Taranaki (she once served as an interpreter for Edward Chudleigh, a well-known Chatham Islands landowner when he was negotiating land purchases in the Chathams from Ngati Mutunga chiefs who had returned to Taranaki in 1870²⁸¹): she is also said to have been at one time Sir George Grey's mistress. Grey took Mere and Hane's younger sister Margaret with him to South Africa when he became governor of the Cape, where she died. Hane Te Rau too was Ngati Mutunga and Ngati Toa, Ngati Mutunga mainly by adoption but also by descent through her grandmother, Ngati Toa from her mother (and Scottish as well, through her father Jock Nicholls). So we have here a tangled web which includes Ngati Toa, Ngati Mutunga, Pakeha such as Captain Blenkinsopp and "Scotch Jock" Nichols (and even Sir George Grey, no less). The connection was a strongly Anglican

Cloudy Bay and he and Te Rau-o-te-Rangi were married and living on Kapiti by 1832-33. The couple were much engaged in trade and were married by the Presbyterian minister at Wellington in 1841. Te Rau-o-te-Rangi was baptised by Hadfield in 1844 and became a supporter of the CMS. From 1845 Te Rau-o-te-Rangi and Jock Nicholls ran the tavern at Paekakariki and Sir George Grey came to know the family well.

²⁷⁸ See Angela Ballara, "Pomare, Wiremu Piti", *Dictionary of New Zealand Biography*, vol. 1, 348. Ballara says (ibid) that Wiremu Naera Pomara was Wiremu Piti Pomare's nephew. (Qu: is this correct? He would be his nephew, one assumes, in the sense of being his *wife's* nephew: that is that Pomare's wife, Tawhiti, was a sister of Te Rongo. This may be the case.)

²⁷⁹ Sir Maui Pomare lacks a reliable and comprehensive biography. Till one appears see generally Cody, *Man of Two Worlds*, Wellington, 1953. Maui was eleven when his father, Wi Naera Pomare, died. His mother continued to live in the Chathams. Maui first went to Christchurch Boys' High School; his mother died in 1889 and his aunt, Hane Te Rau, at that time living in Auckland, had Maui transferred to Te Aute.

²⁸⁰ Apitea was one of the Ngati Mutunga rangatira who stayed on in the Chathams when most of Ngati Mutunga and Ngati Tama returned to Taranaki and Poutama in 1868; he left Hane his property at Owenga.

²⁸¹ E.C. Richards (ed.), *Diary of Edward Chudleigh*, Simpson and Williams, Christchurch, 1950, 270-71.

or 'Mihanere' one: Te Rau-o-te-Rangi, baptised by Octavius Hadfield in 1844, and Hane Te Rau were both committed Anglicans, as was Pomare of Ngati Mutunga, baptised as Wiremu Pitt (William Pitt) by Hadfield at Wellington in 1842. In view of the density of these connections, any attempt to differentiate Ngati Mutunga from Ngati Toa (and to lump the former in a Te Ati Awa category who are supposed to have acted in opposition to Ngati Toa) begins to look somewhat absurd. It is in fact very difficult to prise Ngati Mutunga and Ngati Toa apart.

Ngati Mutunga are also closely linked with Ngati Tama. Both tribes invaded the Chathams in 1835, and Taringa Kuri told Spain that Ngati Tama and Ngati Mutunga "form one tribe".²⁸² Ngati Mutunga are, of course, closely lined to the hapus of Te Ati Awa (such as Ngati Te Whiti) as well. Through them, Ngati Mutunga in the Chatham Islands became closely involved as supporters of Te Whiti o Rongomai and Tohu Kakahi of Parihaka.²⁸³ The Pomare family were also closely linked with Parihaka, and the young (later Sir) Maui Pomare was there with his father when Bryce and his volunteers rode into the village on 5 November 1881 and was one of the few casualties of that unhappy affair (a horse stood on his foot).²⁸⁴ Wi Parata (Ngati Toa, Ngati Raukawa and Te Ati Awa) also was closely connected with events at Parihaka. It is fitting to mention that at the Ngati Toa s.30 case heard at Porirua in 1994, Maui Pomare, Sir Maui Pomare's grandson and thus a descendant of Te Rau-o-te-Rangi and Te Rongo, appeared as kaitiaki of the taonga of Ngati Toa and explained to the Maori Land Court the significance of a number of prized items, including Te Rangihaeata's greenstone mere and musket (in Te Rangihaeata's possession at the time of the Wairau affair) and Te Rau-o-te-Rangi's cloak and hei tiki, which she wore when signing the Treaty of Waitangi.

4.11. Ngati Raukawa

²⁸² Evidence of Taringa Kuri, OLC 1/906, 28 May 1842.

²⁸³ See R.P. Boast, *Ngati Mutunga and the Chatham Islands: a report to the Waitangi Tribunal*, 1995, 13-24. Huge quantities of food (eels, grey duck, swan, mutton bird and young albatross) were shipped from the Chathams to Parihaka.

²⁸⁴ Maui Pomare was five years old at the time. The women of Parihaka had prepared 500 loaves of bread to feed their invaders (Hazel Riseborough, *Days of Darkness: Taranaki 1878-1884*, Allen & Unwin, 1989, 164) and in keeping with this Wi Naera Pomare sent Maui to offer a gift of a loaf of bread to the soldiers in obedience to Te Whiti's command to feed one's enemies: E.C. Richards, *Chatham Islands*, 1952, 158.

The connections between Ngati Toa and Ngati Raukawa were close and long-standing. As Hohepa Tamaihengia put it:²⁸⁵

Ngati Toa and Ngati Raukawa were connected from time immemorial.

The close connexions between Te Rauparaha and his section of Ngati Toa with Ngati Raukawa have been repeatedly stressed in this report. Te Rauparaha was accepted by Ngati Raukawa as one of their own rangatira. The evidence of Rawiri Te Whanui (Ngati Raukawa) in 1868 has already been cited but it can bear repeating:²⁸⁶

Ngati Raukawa only [were] at that meeting. No chiefs of other tribes. Te Rauparaha was there - he is Ngati Raukawa. Don't know if he was of Ngati Toa and Ngati Raukawa. He was a chief of both tribes. He had equal mana over Ngati Toa and Ngati Raukawa.

It has also been noted that in the Waiorongomai case (1869), Rota Te Tahiwī (Ngati Raukawa) stated that Te Rauparaha sent to Taupo "to fetch over *his people the Ngati Raukawa* to occupy the land."²⁸⁷

Te Rauparaha's hapu within Ngati Raukawa were the Ngati Huia, who also formed Te Rangihaeata's special fighting unit, and who preserve a strong sense of their connection to Te Rauparaha to the present day, as was explained by Iwi Nicholson in 1994:²⁸⁸

Now Te Rauparaha's mother belonged to Ngati Huia and Ngati Huia have a story that's been handed down for all those generations to use. They are fiercely proud of Te Rauparaha although he came from the baby of that family, his mother did. But the interesting thing in the story, they have that might may or not be in conflict with the other stories is that the coming of Te Rauparaha was predicted by Koroua Puta. He ariki of Ngati Huia, and because it was predicted by Koroua Puta, so when it happened it was was a prediction and it was bound to happen, so when it happened it was a fulfilment of a prediction and he was a rangatira. That made him a rangatira, he was brought up a rangatira. And Ngati Huia won't stand for any nonsense that says otherwise. One of the interesting things about that is that Uncle Pat [Pateriki Rei]

285 Evidence of Hohepa Tamaihengia, Himatangi case, (1868) 1 C Otaki MB 401.

286 In the Himatangi case, at (1868) 1C Otaki MB 231:

287 Evidence of Rota Te Tahiwī (Ngati Raukawa), (1869) 1 G Otaki MB 99 (emphasis added).

288 In the Ngati Toa Rangatira s. 30 case, (1994) 20 Nelson MB 196.

told some of the story yesterday, was that when Werawera asked for Parekohatu, Koroua Puta is meant to have said, "Heioi ano raku te mea e mahue mai nei ko taku mokai e mea harihari wai maku, ko Parekohatu. Heoi ano, ki te whiwhi tamariki tamariki tera kaore kore te te tamariki e taniwha. Na Koroua Puta te korero hei ki a Ngati Huia" and that was a prediction so that when the first child was born they took the baby back to Maunga Tautari to Koroua Puta to find out whether this was the taniwha that he predicted. And it was due to that incident how the first child got his name. And Koroua Puta was meant to have looked at the baby, and don't know how he would have told, but he said, "Kao, waiho ma te rangi ka tukua. Ko tupangia taua tamati ko te rangi ka tukua. Ko enei te putanga mai o tena ingoa ki taku mohio he ai kia Ngati Huia", and it wasn't till Rauparaha was born, who we are told was an unusual person. We are told that he wasn't a very big person but he was unusual that he had six toes on one foot and the most unlikely person to pull a prophecy and I suppose the mother and father thought and when Koroua Puta saw that baby he said "Ko tena, koia tena" and that was the reason he was brought up as a Chief and Ngati Huia say it was predicted. It was bound to happen. And he was the result and [they] won't stand for anyone that tells us otherwise.

Matene Te Whiwhi also belonged to Ngati Huia.²⁸⁹ Ngati Huia have their own marae at the present day, located near Otaki.

Te Rauparaha was, in fact, the leader of the Ngati Raukawa "party" or "faction" within Ngati Toa, who gained the ascendancy for himself and his descent groups as against those who inclined more naturally to 'Ngati Awa'. Not all within Ngati Toa were enthusiastic about Ngati Raukawa or about Te Rauparaha's generosity towards his mother's kin, at least not according to the evidence of Tatana Whataupiko in the Ngakororo 3B hearing in 1891.²⁹⁰ Although, he says, Te Rauparaha and Waitohi (his sister) felt sorry for Ngati Raukawa in their difficult circumstances after their defeat by Ngati Kahungunu "and told them they had better come and occupy this land", the rest of Ngati Toa "did not feel pleased at this". However, since Te Rauparaha was "partly...Ngati Raukawa", this prevented Ngati Toa "giving effect to their anger". And Ngati Raukawa's subsequent collisions with Taranaki descent groups in fact caused divisions within Ngati Toa. While the powerful Ngati Huia connexion within Ngati Toa (which included Te Rauparaha, Te

²⁸⁹ Evidence of Heni Te Whiwhi, at 1905 AJHR G-5, 8. Heni Te Whiwhi was the son of Matene Te Whiwhi.

²⁹⁰ (1891) 16 Otaki MB 346.

Rangihaeata and Matene Te Whiwhi) naturally supported Ngati Raukawa, other sections of the tribe lent their support to the Taranaki groups.

The Ngati Raukawa presence and connexion was a crucial one. Ngati Raukawa seem to have been one of the largest iwi in the Kapiti region, especially so after most of the North Taranaki people went home in the late 1840s. Like Ngati Toa, Ngati Raukawa came south as a heke, a true migration; they came to stay, and are still dominant at Otaki. Relations between Ngati Toa and Ngati Raukawa remain close, and a number of individuals have standing as kaumatua of both groups. In 1994 Iwi Nicholson explained the relationship between Ngati Toa and Ngati Raukawa as follows:²⁹¹

[In 1987] Ngati Raukawa or more correctly, I guess, Ngati Pareraukawa section of Ngati Huia, invited Ngati Toa to open a meeting house known as Nga Tokowaru, my own family's meeting house. And the reason for doing that was, and I might say there was a little bit of a dispute before we got to that. But the reason for doing that is that we're settled on land given to our ancestors by Te Rauparaha, not unlike other sections of Ngati Toa that are living elsewhere. And while we're Ngati Raukawa predominantly, Ngati Raukawa are interesting people. After they came down here, you'll find that strategically, members of Ngati Toa were intermarried with them, so that there was a conqueror in each camp. And if you look at all Ngati Raukawa hapu, the whole lot, you'll find there's Ngati Toa bloodlines in all of them.

4.12 Ngati Koata and Ngati Rarua

As noted above, Ngati Koata and Ngati Rarua are in fact subdivisions of Ngati Toa. Ngati Koata held the mana of the lands on the northern side of Kawhia and were involved in fierce fighting with Waikato before the hekes to central New Zealand. Today Ngati Koata are the recognised owners of Rangitoto (D'Urville Island). Ngati Rarua settled to the west of Nelson, at Motueka and other places. Both Ngati Koata and Ngati Rarua advanced separate claims in the Nelson Tenths case in 1892 (see Appendix).

4.13 Ngati Rangatahi

Ngati Rangatahi are a somewhat elusive group. Hippolite states that they are a "hapu of Ngati Maniapoto", but with kin links to Ngati Kimihia (Te

²⁹¹ Ngati Toa s. 30 case, (1994) 20 Nelson MB 198.

Rauparaha's and Te Rangihaeata's hapu within Ngati Toa).²⁹² In the Rohe Potae case, however, Ngati Rangatahi made a separate and distinct claim from Ngati Maniapoto, and Judge Mair in fact regarded them as "a section of Whanganui".²⁹³ It seems likely enough that both views are correct and that the Upper Whanganui descent groups and Ngati Maniapoto are difficult to disentangle. (To thoroughly document the history would require a close familiarity with the Waikato and Wanganui Minute Books.) A section of Ngati Rangatahi travelled south with Ngati Te Toa and played a key role in the subjugation of the the Hutt Valley. Ngati Rangatahi seem to have been a client group of Te Rangihaeata while in the Hutt Valley. The Whanganui link makes sense, as it goes some way to explaining the decision of the great Whanganui chief Hemi Topine Te Mamaku (Ngati Hau-te-Rangi) to support Te Rangihaeata and Ngati Rangatahi in 1846.²⁹⁴ Te Mamaku commanded 200 men in the attack on Boulcott's farm at Naenae on 16 May 1846. According to Hippolite Ngati Rangatahi eventually settled in the Rangitikei district.²⁹⁵ Census records show 'Ngati Maniapoto' groups living at Kakariki in 1874 (36 people)²⁹⁶ and at Maramaihoea and Kiwitahu in 1881 (23 people);²⁹⁷ these groups are presumably the remnants of Ngati Rangatahi of the Hutt Valley. It may well have been politically difficult for this group to return to their homeland in the years from 1864-1881 as it would have formed part of the independent Rohe Potae.

4.14 Ngai Tahu

Little has been said in this report concerning the conflicts between Ngati Toa and the other tribes of the coalition and Ngai Tahu. These events have little bearing on events in the Wellington region. The conflicts are in any case well-covered in a number of readily accessible accounts.²⁹⁸

²⁹² Joy Hippolite, *Ngati Rangatahi*, (Wai 366 #A1; Wai 145 #H4) 2

²⁹³ (1886) 2 Otorohanga MB 55. The principal descent groups who made a claim to this vast block were (i) Ngati Maniapoto; (ii) Ngati Hikairo; (iii) Ngati Whakare and Ngati Tukihiku, both hapu of Ngati Raukawa; (iv) Ngati Tuwharetoa; and (v) Ngati Rangatahi. These groups formed the major claimants to the block, and they were on the whole successful. The main claimant witnesses were Wahanui Te Huatare of Ngati Maniapoto, and Tuau Ihimaira of Whanganui.

²⁹⁴ See generally David Young, "Te Mamaku, Hemi Topine", *DNZB* 1, 469-70.

²⁹⁵ Hippolite, *op.cit.*, 48.

²⁹⁶ 1874 AJHR G-2.

²⁹⁷ 1881 AJHR G-3.

²⁹⁸ For a full coverage from the Ngati Toa point of view, see Burnis, *Te Rauparaha*, especially chs 11, 13, 16, and 18; and for a discussion from the Ngai Tahu perspective see Evison, *Te Wai Pounamu*, ch.3

5. Places of residence and areas of interest

5.1: Coastal settlement: As at Port Nicholson, the Maori people living on the western side of the Wellington Peninsula lived overwhelmingly on the coast, in small villages. The valley of the Kenepuru stream was unoccupied:²⁹⁹

It is striking that there was no Maori settlement of any sort in the valley area which is today occupied by Tawa, Linden and Porirua. In this respect however, the local Maori were typical of the Maoris throughout the Wellington area, for there was not a pa, village or hamlet which was more than half a mile from the coast. Not even in the Hutt Valley with its large river was there a Maori settlement away from the coast. The valley of the Kenepuru was traversed by clearly defined tracks, but there is no evidence that there was any Maori settlement in the valley. The forest of the valley seems to have been used only as a food preserve and as a place of refuge in time of invasion.

5.2: Changes at Porirua: According to a geographer who has studied the historical geography of the Tawa-Porirua basin in detail, the establishment of the New Zealand Company towns at Wellington and Wanganui caused changes in the human geography at Porirua:³⁰⁰

As has been seen, the Maoris were concentrated about the sea coast, especially around the Whitireia peninsula. However, the increasing traffic of Europeans through the area to and from Petre, which was accompanied by a 'track' and then a road through the valley of the Kenepuru to facilitate better and quicker travel to and from the infant colony, finally induced the Maoris to abandon the coastal settlements of all descriptions, together with the somewhat tenuous and meagre mode of existence which accompanied these settlements, and to move into the Porirua Harbour and Kenepuru Valley area. Here they would be able to take advantage of the new importance which was being placed upon the Kenepuru Valley as a corridor for travel between Wellington and the settlements to the north. The Maoris therefore moved from the 'outer' coast to the 'inner' coast so as to be able, firstly, to be near to

²⁹⁹ B.A.G. Murray, *The historical geography of the Tawa-Porirua basin*, M.A. Thesis (Geography), Canterbury University, 1965, 16.

³⁰⁰ B.A.G. Murray, *The historical geography of the Tawa-Porirua basin*, M.A. Thesis (Geography), Canterbury University, 1965, 22-3.

the main route north and therefore to be able to supply travellers with provisions, and to furnish guides for what was a fairly hazardous journey to the north. Secondly they would be able to extend the trade practices they had learned from the whalers by supplying the infant settlement of Wellington with provisions and livestock, particularly during the difficult early days of the settlement.

The change of most significance is to be found in the establishment of a completely new village on the western shore of the southern arm of the Porirua Harbour. This new village, Takapuwhia, became in a short time the focus of Maori life within the Ngati Toa tribal area, and it has remained as such right down to the present day.

This concentration of the older settlements into the new base at Takapuwhia was quite gradual. By 1850 there was a substantial village there, with about 50 buildings and two churches.³⁰¹ This change in location was accompanied by two other changes: a shift to growing food for Wellington and a steep population decline. According to Murray:³⁰²

Besides wheat, which in 1850 occupied eight acres of land, the Ngati Toa had 33 acres under maize, 38 under potatoes, 1 acre under kumara, and 2.75 acres under other garden produce - a total of over 82 acres under cultivation.

Maori population figures for the nineteenth century are notoriously unreliable. Basing his analysis on the official statistics of New Zealand published in 1845 and 1857 Murray calculates the population of Ngati Toa around Porirua, Taupo Pah and at Pukerua as about 150-250 in the 1840s, with a sharp fall to around 100 by 1857.

5.3. Visit of G.F. Angas, 1846: *Angas' Savage Life and Scenes in Australia and New Zealand* was published in 1846 and described his travels made in that year.³⁰³ Angas crossed the Wellington isthmus, covered in dense forest at that time, and emerged at Porirua harbour on the west coast. Angas, it should be noted, places 'Porirua' village on the north side of the Pauatahanui inlet, which seems to be an error. What is very noticeable in his description is the

301 Murray, *op.cit.*, 25.

302 B.A.G. Murray, *The historical geography of the Taw-Porirua basin*, M.A. Thesis (Geography), Canterbury University, 1965, 25-26, relying on the figures in Table 2, *Papers relative to the affairs of the New Zealand Company*, pp 242-3, Wellington, 1850.

303 G.F. Angas, *Savage Life and Scenes in Australia and New Zealand*, Smith, Elder and Co, London, 1847

obvious importance of shellfish as a food resource for the Ngati Toa communities around the harbour:³⁰⁴

On emerging from the forest, we came upon the shores of the harbour; low sandy flats stretch out for some distance, and the hills around are covered with fern and belts of forest descending to the shore. Many native houses are scattered along the margin of the harbour; and as the tide was out, the women were busily employed in gathering *pipis*, a species of cockle, from the uncovered flats. The *pinna nussel* (*pinna Zealandica*) was found in considerable abundance, sticking in the mud at the mouth of a small river that discharged itself into the harbour. To the left were extensive native cultivations, and a small *kainga* or Maori settlement, at which we halted; my companion informing me that it was the property of his father, Na Horua [i.e. Nohorua], or "Tom Street". We found the old chief sitting in his potato ground, superintending his people and slaves, who were at work clearing the ground in readiness for the next crop. He is the *tohunga*, or priest, of the family; and though he does not enter into active warfare, or the struggle for power, like his brother Rauparaha, yet his influence is very great, and his counsel is sought on all occasions of importance connected with his tribe. He is a fine-looking and venerable old man, much tattooed; though, from the length of time since the lines have been retouched, many of them are nearly obliterated: for engraving on *flesh*, as well as on metal, requires retouching. His person is regarded as strictly sacred; and, according to the custom of the New Zealanders, his wife, E Wai, who had recently been ill, was made "*tapu*," also, for the space of three days. It was singular to observe the various places where she had sat upon the ground, or rested to apptake of food, fenced off with a slight circle of boughs stuck into the earth, to prevent any one trespassing on these sacred spots, and thus breaking the "*tapu*".

After leaving the old chief, we proceeded to the mouth of the harbour, which we crossed in a canoe, and arrived at Porirua pah. Close to it is a substantial house belonging to Jordy Thoms, a master whaler, who has been engaged in his occupation along the shores of Cook's Straits, for upwards of twenty years. He married the sister of Rauparaha, by which alliance he secured the friendship of the powerful Ngati Toa tribe, and also several tracts of land for his children. Thoms' wife died a few years since, and was buried at Te Awaiti, on the opposite shores of the straits, where Thoms has another house and whaling-station. Here Kopai left me for the night; and, whilst I was sharing pot-luck with the whalers - eating my supper of potatoes and buttermilk, by the light of a tin lamp filled with the most odoriferous blubber-oil, my young guide proceeded a mile further along the beach, to taupo pah, where his

304 Ibid, vol 1, 246-8.

young and handsome wife, E Wai, resided. The beach between the two pahs is strewn with the ribs and skulls of whales. Exactly opposite to Taupo pah is the island of Mana, or Table Island, distant about five miles from the shore; and further on, to the right, looking towards the straits, is Kapiti, or Entry Island, - both of which have long been Rauparaha's strongholds. A few hundred yards beyond Taupo pah, a new and very substantial stockade has been erected by Rangihaeata, since the massacre at Wairau, as a place of retreat in case of attack.

Angas breaks his description to give an extended narrative of the Battle of the Wairau. He then returns to his description:³⁰⁵

Many of the natives in the pah below the hills were employed in cooking the fish of the *pawa*, or pearl-shell (*haliotis*), in the ashes. It is tough and unpalatable; yet the Maories are partial to it, and gather vast quantities, for the purpose of food; and likewise to obtain the pearly portion of the shells, with which they manufacture the eyes of their grotesque wooden images. They also form their fish-hooks by attaching a thin layer of the iridescent *pawa* to a piece of wood, so as to glitter in the water like a fish, when dangling astern of their canoes...With this *pawa*, they were regaling themselves upon small cakes made of potatoes, which had been steeped for several weeks in fresh water, and were of course perfectly putrid...

Angas then crossed over to Mana Island. By this time the island was nearly deserted, "not more than a dozen houses".³⁰⁶ Angas noticed two particularly impressive and highly decorated structures on Mana, Te Rangihaeata's carved house, *Kui Tangata* ("Eat Man"), and the mausoleum of Waitohi, Rauparaha's sister. Angas describes both buildings at length. Rangihaeata's daughter still lived on Mana: she was about twenty-five years old in 1846 and married to a whaler.

5.4.: Te Whanganui-a-Tara: general: It cannot be stressed too much that the land around Wellington Harbour was a comparatively uninviting place for Maori settlement. Although the harbour is certainly a magnificent anchorage, it is frequently rough and difficult to cross by canoe. Wellington lacks the rich shellfish resources of the Porirua harbour; the soils are poor and (apart from the Hutt Valley) there was little flat land for cultivation. The climate is considerably harsher than on the West Coast. Access to the South Island by

305 Ibid, 263.

306 Ibid, 264.

canoe from Mana and Kapiti is much easier than from Wellington, and Kapiti and Porirua was far more desirable as a whaling base than Wellington. In fact nothing demonstrates Ngati Toa's status more clearly than their monopoly of the most choice and desirable places of the region in which to live. Dieffenbach, as noted earlier in this report, saw immediately that the "whole coast from Taranaki to Port Nicholson is a weather-beaten lee shore, and the only place where large ships can with safety anchor is the roadstead of Kapiti."³⁰⁷ Ngati Toa had no reason to live around Wellington harbour and did not live there.

It says something about Wellington Harbour that Ngati Mutunga and (to an extent) Ngati Tama were willing to abandon it for the Chatham Islands, itself a fairly harsh and demanding environment - although it is possible that exaggerated reports had convinced them that the Chathams were, comparatively speaking, a land of milk of honey. It is noteworthy too that the other migratory tribes preferred to live on the West Coast if they could. Ngati Tama tried to dislodge Ngati Toa from Porirua and were forcibly driven away by Te Rangihaeata: it was only then that they crossed the Wellington Peninsula and settled around the harbour. Ngati Raukawa were based at Otaki. Although there were of course Te Atiawa communities around the harbour their main settlement in the region was at Kenakena (Waikanae).³⁰⁸ Rere Tawhangawhanga, leading chief of Te Atiawa, lived at Waikanae and Arapawa, not Port Nicholson. Visitors to Wellington remarked on its various disadvantages. Angas, for example, who was at Port Nicholson in 1846, remarks:³⁰⁹

The country, for some miles around Port Nicholson, is little else than a succession of steep irregular hills, clothed with dense forests; the nearest available land, of any

³⁰⁷ Dieffenbach, *Travels in New Zealand*, 1, 104.

³⁰⁸ See W.C. Carkeek, *Kapiti Coast*. 118: "At the time of the Ngati Toa arrival in this district Kenakena was used by that tribe as a temporary settlement and at times a place of refuge. For a short time it was occupied by the Ngati Whakatere of Ngati Raukawa. According to Land Court evidence it was part of a tract of land said to have been given to Te Haukaione of Ngati Kaitangata by Te Pehi and Te Rangihiroa of Ngati Toa. Tamihana te Karu of Ngati Kaitangata claimed that his parents once cultivated there after their arrival from Taranaki (*Ngarara 1887*). Kenakena was also the site, until 1848, of the main Waikanae pa and was mentioned several times in Land Court evidence as an important boundary of Ati Awa tribal lands." The missionary Octavius Hadfield was based for a time at Kenakena, where was welcomed in 1839 by Te Rerewhanguahanga, Wiremu Kingi and Riwai Te Ahu of Te Ati Awa. A substantial church was constructed at Kenakena and was completed in 1843. The place was largely abandoned in 1848 when Te Ati Awa returned to Taranaki. On Kenakena see generally C. and J. Maclean, *Waikanae past and present*, Whicombe Press, Waikanae, 1988, 22-4.

³⁰⁹ Angas, *Savage Life and Scenes*, 233.

extent, is the valley of the Hutt, where there are some open tracts of rich soil. The site of Wellington has been chosen entirely on account of the fine harbour; and the want of good and level land near the town is now sadly felt by the colonists there. By an enormous and almost incredible expenditure of labour and money, they have cut down the lofty trees and cleared patches here and there amongst the forest, on the mountain sides, to sow their wheat; but, owing to the steepness of the hills, the heavy rains wash down much of the seed sown, and the unfortunate settlers have not been able to raise sufficient for their own consumption.

Like most visitors, then and now, Angas could hardly fail to notice the vagaries of Port Nicholson's weather:

The position of the harbour of Port Nicholson, at the south-eastern entrance of Cook's Straits, is open to the heavy gales that frequently blow from that quarter in the winter season: between the high lands that rise on each side of the entrance to the harbour, the wind, at such seasons, rushes in, as through a funnel, with unrelenting fury. These "south-easters," as they are termed, generally continue two or three days, the storm being at its height on the second day. During a very severe gale of this kind, we were unable to hold communication with the vessel for three days; and in many of the houses no light could be burned. So great was the violence of the wind that it was impossible to stand out of doors, and the wooden houses rocked in such a manner at night that many were afraid that they should be blown out of their beds. Not long since, a sudden gust of wind, during one of these gales, actually raised a large boat that was on the beach, and carried it along for a considerable distance, a woman being killed on the spot where it fell. The vessels in the anchorage were rolling about tremendously ; several dragged their anchors; boats were swamped and driven ashore; and the squalls swept down from the hills with an impetuosity that almost stove in the houses.

But, however implausibly, it was at Wellington that the New Zealand Company had decided to settle and where after 1840 the largest concentration of Europeans in the country was to be found. It became the base for trade, shipping and commerce. The roles of Kapiti-Porirua and Port Nicholson were reversed: it was Porirua which was now the backwater.

6. RELATIONSHIPS WITH THE CROWN AND SETTLERS

6.1. **The New Zealand Company deeds:** The *Tory* arrived at Port Nicholson on 20 September 1839 (as it happens, the first Company immigrant ships sailed from Gravesend in September, full of expectant immigrants believing themselves to own land in New Zealand which the Company had not even negotiated for). The Company's three pre-Treaty deeds in the Cook Strait region are dated 27 September (Port Nicholson), 25 October (Kapiti) and 8 November (Queen Charlotte Sound). There was a further deed drawn up in Taranaki, negotiated by John Dorset as a Trustee for the Company, on 15 February 1840. The legal effect of such transactions at Common Law was, and perhaps is, a matter of debate, but, of course, as a consequence of the agreement between the Company and the British government of November 1840 and with the enactment of the New South Wales and then the New Zealand Land Claims ordinances, the status of the deeds at Common Law became irrelevant. The Port Nicholson, Kapiti, Queen Charlotte Sound and Taranaki deeds, as well as some post-Treaty transactions carried out by the Company with the approval of Governor Hobson, were, of course, all investigated by Commissioner Spain from 1842-45.

6.2.. **Ngati Toa and the Wellington deed:** There is very little evidence which allows "Ngati Toa's" and Te Rauparaha's general understanding of their rights over Wellington harbour to now be reconstructed. The zone of intersection in the region between Maori and Pakeha until 1839 was of course at Kapiti and in the Kapiti region, not Wellington, in every sense a backwater until the surprising events of late 1839. The Minute Book evidence, very full when it comes to the Kapiti Coast, Horowhenua and the Manawatu, is skimpy and disorderly in the case of Wellington. Ngati Toa saw themselves as being at peace with Ngati Kahungunu, and there is nothing to indicate that Te Rauparaha saw Wellington and the Hutt Valley as in any sense still being under the mana of Ngati Kahungunu. Ngati Kahungunu held the mana on the other side of the ranges. In a general way, therefore, the harbour certainly lay under Ngati Toa mana, but it was not a place of much interest or somewhere Te Rauparaha would have had much cause to think about. In the 1830s the focus of his attention was in fact the South Island and the conflict with Ngai Tahu. Until 1835 the harbour had been under the control of Ngati Toa's close relatives, Ngati Mutunga, whom Ngati Toa had elaborately farewelled in 1835. The settlement of the harbour rim by the Ngamotu and

later groups seems to have been acquiesced in with little discussion. In view of Te Rauparaha's later insistence that he had Te Rangihaeata had the mana over Wellington, it is highly unlikely, to say the least, that he would have accepted that Te Ati Awa chiefs held it entirely independently.

The boundaries of the Wellington deed included various communities around Wellington harbour and the Hutt Valley, but was concluded without any reference to Kaperatahau of Ngati Rangatahi, in occupation of the valley by this time, or to Ngati Toa. Ian Wards regards it as axiomatic that the transaction was fatally flawed without Ngati Toa consent:³¹⁰

The Ngatiawa chiefs, perhaps with what could well have seemed an inevitable final struggle with Ngati Toa in mind, were anxious to get guns. They later admitted that they had never imagined that more than a handful of traders would settle among them, one or two pakeha for each of their pa. They sold the land verging Port Nicholson for muskets and trifles. E Puni even included Pipitea and Te Aro in his sale, although both he and Colonel Wakefield knew that these areas were not his to sell. The Hutt Valley, too, was included in the deed, although Kaparetahau [of Ngati Rangatahi] took no part in the negotiations. However, such niceties were quite irrelevant, for the Ngatiawa, of themselves, had no right to sell any land without Ngati Toa consent - a view from which the great fighting chief Te Rangihaeata never departed, and with which the Ngatiawa chiefs themselves would no doubt have agreed had they the least understanding that they were being asked to permanently alienate their whole territory, losing their bird forests and eel streams, placing themselves at the mercy of the company's inadequate native reserves scheme.

But Wakefield himself admitted that his 1839 Port Nicholson deed had no validity without Ngati Toa approval. He believed Ngati Toa to have title to the harbour by conquest, that Te Atiawa were only "allowed" to live there by the permission of the "Kawhia chiefs", and that the "Ngatiawa tribe" at Port Nicholson could not sell it with the "confirmation" of Ngati Toa. Wakefield stated all this in cross-examination during Spain's investigation into the Porirua transaction (Wakefield gave his evidence on 9 June 1842):³¹¹

Q: Do you know what Title Rauparaha, or any of the Chiefs who have signed this deed [i.e. the Kapiti deed] claim Port Nicholson?

310 Wards, *Shadow*, 219.

311 OLC 1/907 (Case 374a), transcript of evidence, 9 June 1842.

A: The Title of former conquest, and the extermination of the former inhabitants.

Q: Do you know how long it is since that conquest took place?

A: No, I do not.

Q: Do you not know that it has been several years an undisturbed possession of the Ngatiawa tribe?

A: I always understood that the Kawia Chiefs allowed a portion of the Ngatiawa Tribe to reside there.

Q: Do you consider that the Ngatiawa Tribe had a right to sell to the Land at Port Nicholson.

A: I do not think any purchase would have been a valid one unless it had been confirmed by the Kawia tribe.

Given that Wakefield operated on this assumption, one objective of the Company's Kapiti deed must have been to extinguish Ngati Toa's title to Wellington, an objective frustrated by Spain's decision that the Company was not entitled to a Crown grant at Porirua, in effect disallowing the Kapiti deed.

6.3. The Kapiti Deed: In early 1841, under settler pressure, Colonel Wakefield sent surveyors to Porirua to begin the surveys for grants to settlers;³¹² and the following year he issued licenses to four settlers to build land on the surveyed blocks. Although Te Rangihaeata had protested about the survey it had been allowed to proceed, but the arrival of settlers was another matter. Burns describes the scene:

On 13 April Te Rangihaeata appeared at the building site at the head of a well-armed band. He had none of his uncle's tolerance of the Pakeha; Te Rangihaeata simply saw in the building the start of a Pakeha takeover of Porirua, and determined to prevent it. He said that the land was his, and had never been sold. He sent the settlers running, "cut the houses down and carried off the nails only, leaving all the rest of the property".

This news created an uproar in Wellington. An anonymous advertisement quickly appeared, calling a public meeting to consider Maori "aggressions" at Porirua, Whanganui and elsewhere and the best way for the colonists to obtain their land against "the alleged claims of the Natives".

The meeting, "very numerously attended", demanded the arrest of Te Rangihaeata, and expressed the settlers' willingness to assist in this. Much of the talk,

312 Burns, *Te Rauparaha*, 219

wrote Edmund Halswell, Protector of Aborigines, was guaranteed "to inflame the minds of both the Natives and the Settlers."

But Michael Murphy, the Chief Police Magistrate, refused to sanction any action until the matter of the ownership of Porirua had been settled by the Land Claims Commission.

Commissioner Spain's principal enquiries into the Porirua or Kapiti deed were conducted on two separate occasions: at Port Nicholson in June 1842, when the deed was produced by William Wakefield, and when evidence was also given by E.J. Wakefield and John Brook, the interpreter; and a year later at Otaki in April 1843 when evidence was given by Te Rauparaha, Te Rangihaeata, Te Whatanui (Ngati Raukawa), Rere Tawhangawhanga (Te Ati Awa), Te Ahu Karamu (Ngati Raukawa) and others. The 1843 Otaki evidence related also to the Company's Queen Charlotte Sound and Manawatu purchases.

Wakefield was examined on 9 June 1842 before Spain by Dr Evans "on the part of the New Zealand Company". After reading out the deed, which purported to cede a vast tract of land - in fact all the land west of a line running from Mokau (Nth. Taranaki) to Pt Tehakakare on the Wairarapa Coast and north of the 43rd parallel in the South Island, perhaps 20-30% of the entire country - and describing the consideration (the usual array of guns, clothes, iron pots, knives, etc.), Wakefield went on to describe what had transpired in October 1839:³¹³

I went to Kapiti some time in October 1839 in the *Tory* for the purpose of treating on the part of the New Zealand Company with the Chiefs of the Kawia Tribes for the purchase of their Lands; at several interviews with Rauparaha, and Hiko who were the acknowledged principal Chiefs of the Kawia Tribe they described to me the properties of the tribe in Cooks Straits; they stated that they had come many years since with Tepahi from Kawia and Mokao and taken possession by conquest, and the extermination of the ancient Tribes of both sides of Cooks Straits within the boundaries named in the deed; after repeated conversations examination of the plan produced which was attached to the Deed they consented to sell me all their possessions with the understanding that a tenth portion of the land produced was to be reserved for the use and benefit of the Native Chiefs and their families; some hesitation seemed to exist on the part of Hiko, which seemed caused by jealousy of Rauparaha. This led to a considerable delay in the completion of the transaction.

313 Evidence of William Wakefield, 9 June 1842, OLC 1/907 (Case 374a), NA, Wellington,

During this time the ship was constantly crowded with Natives - who talked over the affair, and repeatedly described the places owned by them: at last it was decided that they should all come on board on a particular day to receive the payments which had already been fixed upon, and to sign the Deed; they accordingly mustered on board to the number of about one hundred (some time in October) and the distribution of goods was about to begin when Rauparaha and Tunia [i.e. Tungia] seized upon the double-barrelled guns and seemed determined to make a scramble for the rest of the goods, upon this Hiko who was in the act of putting on some of the Cloaths which had been given him as a present, threw them off and calling his boatmen left the ship with his uncle Rangihiroa, in anger at Rauparaha's proceedings; I declined proceeding further in the transaction at that time, notwithstanding the earnest entreaties and finally the threats of Rauparaha, and the rest of the Natives on board; I finally had all the goods repacked and put below, and sent all the Natives on shore.

The next day I had an interview with Hiko who told me that he was not unwilling to sell his land but that he was afraid that Rauparaha and his people would seize upon all the payments. Upon my assuring him that such should not be the case, he went on board with me accompanied by Rauparaha. In the cabin of the *Tory* they went over again the map produced, and enumerated the places possessed or claimed by them, they excepted of their own act the islands of Kapiti or Mana as places where they or some of this tribe resided; and which had been the subjects of previous bargains with the white people, they assured me that they had never parted with any other portion of their lands and that the principal parts of them were entirely uninhabited, and they were not sorry to get rid of them, as they were of no use to them, and they did not know what use they could be to me; a Captain Lewis, an American, who had been residing some time at Hiko's Island, came off with him as his friend on the occasion, at my request Captain Lewis explained to Hiko and Rauparaha, the contents and nature of the deed. He told them that they were parting with all their Land, that they would never get it back again, and that they would never receive any further payment than the one they were just going to receive - he also explained to them the nature of the reserves made for them. They both perfectly understood him, and consented to the deed.

Te Rauparaha was questioned by Spain and Clarke at Otaki on 26 April 1843.³¹⁴ Spain asked him to describe what happened at Kapiti when the *Tory* arrived there in October 1839. Te Rauparaha replied:

314 OLC 1/907, NA Wellington.

When the vessel was at Kapiti Colonel Wakefield sent for me, Tungia, and Te Rangihiroa, and he said to me, "Friend, to whom does Taitapu belong?" I said, "It belongs to me". He said, "Would not you consent for me to have it?" I answered, are you much in want of it. He said "I am". I asked "what payment". He said "I will pay you in pipes, tobacco, knives, scissors, spades, lead". Three casks of powder. One cask of tobacco. Ten iron pots. 2 cases of pipes. 2 cakes of soap. 3 double-barrelled guns. 10 muskets. 20 shirts. Some P. Jackets - and some trousers. Some pair of lead. Some iron pieces. Some beads. Some Jews harps. Some blankets - and other articles. This was for Taitapu alone; and I was dissatisfied with this payment, and I was [] to get more, but Col. Wakefield would not give me any more. He then told me to collect Rangihaeata and others and he would make a request to purchase Wairau and it dropped at that time and I have never seen him since.

Spain asked Te Rauparaha to look at the deed "and tell the Court whether that is your signature - and if you signed it at that time?" Te Rauparaha:

It is, and I signed it at that time, and I was told that if I signed it my name would be showed to the Queen of England and I should be known as the great chief of New Zealand.

Spain questioned Te Rauparaha closely as to the contents of the deed:³¹⁵

Q: Was that deed read over to you and interpreted, and did you understand the contents?

A: No-one interpreted it.

Q: Do you recollect a person named John Brook being there and did he not act as interpreter on that occasion?

A: Yes, he did, but we did not understand him.

Q: Who made you understand what Land Col. Wakefield wanted to purchase?

A: John Brook.

Q: Did not John Brook explain the contents of the deed to you?

A: He was there, but he did not interpret the deed to me.

Q: At the time you signed the deed, did you understand that it purported to convey land to Col. Wakefield?

A: No, I did not. Col. Wakefield said at the time, "Give me a small piece of ground equal to the property that I have given you."

Q: Did you at the time of the sale state to Col. Wakefield the boundaries of the land you claimed?

A: Yes. On the west coast of the Middle Island, from a little Creek called Te Wanganui up to a [] mountain which I agreed to sell to Col. Wakefield.

Q: Did you agree to sell any other land to Col. Wakefield?

A: No.

Spain questioned Te Rauparaha about the payment:

Q: What became of the payment you mentioned that Col Wakefield offered you on board of the "Tory"?

A: It was given to the Natives that were on board the vessel, Ngati Toas and Waikatos and any one that came.

Spain took evidence of Te Rangihaeata, Te Whatanui, Te Ahu Karamu, Rere Tawhangawhanga and others. In his final report on Porirua³¹⁶ Spain concluded, mainly because of his doubts about the translation, that the Comapny was not entitled to a Crown grant of any land at Porirua.

6.4. The Wairau: The most important single episode impacting on relationships between Ngati Toa, Te Rauparaha, the Company and the government occurred not at Porirua but in the South Island in 1843. This was, of course, the battle of the Wairau, when a contingent of Ngati Toa easily defeated an attempt by a posse of New Zealand Company settlers from Nelson to arrest Te Rauparaha for arson (a surveyor's hut had been burnt down by Ngati Toa on the disputed land at Wairau). The battle has been much written about.³¹⁷ Most historians stress Te Rauparaha's conciliatory stance up to the last minute and the illegality and recklessness of the behaviour of the Nelson settlers in proceeding with the survey of the Wairau before Spain had adjudicated on the Kapiti and Queen Charlotte Sound deeds, in attempting to arrest Te Rauparaha, and in their contempt for Maori military abilities. There is no need to traverse the full details here. A quotation from George Clarke's report of 16 August 1843 will suffice for present purposes:³¹⁸

³¹⁶ GBPP 1846/203, 94 (Doc# A32, 98)

³¹⁷ The most vivid account is that of John Miller, *Early Victorian New Zealand*, 70-96. See also Burns, *Te Rauparaha*, 239-43; Ruth Allan, *Nelson: A history of early settlement*, ch. 8. The main source for these accounts is the evidence taken at by the Magistrates of Port Nicholson in June 1843; see BPP 1843/556 (Doc# A30)

³¹⁸ George Clarke jr. to Chief Protector of Aborigines, 16 August 1843, *ibid.*

He [Te Rauparaha] told his men to remain perfectly quiet, and not to interfere until they saw the white people actually dragging him away, when they were to rescue him, but to resort to no violent measures, except in defence of their lives. When the armed force of the Europeans came in sight they divided themselves into two bodies...Several gentlemen, among whom were Captain Wakefield, Messrs Thompson, Tuckett, Cotterell, and Brooks, the interpreter, crossed over the rivulet to the side of the natives in Rauparaha's large canoe, which stretched across from one bank to the other. The natives repeated the usual salutation of welcome, and upon inquiry being made for Te Rauparaha, he rose and said, "Here am I; what do you want with me?" he then held out his hand to Mr Thompson, who pushed it away, but Messrs Tuckett and Cotterell shook hands with them all. Mr Thompson told him he had come to take Te Rauparaha and Rangiaiaata into custody for burning down the house Mr Cotterell had erected at his station, and they must go on board that vessel. He (Te Rauparaha) replied, that he had not destroyed any European property, that the thatch and rushes of which the house was made were his own property were the produce of his own land, and therefore his own property, and he had a right to dispose of it as he pleased; that he was willing to wait till Messrs Spain and Clarke came to settle the question as to whom the land belonged, but that he would not submit to be manacled like a slave, and taken on board the vessel. One of the Europeans then said that Mr. Spain and Mr Clarke were on board, but this was contradicted by another of the bystanders. Mr Thompson told him that he had not come about the land, but to take him on board the vessel, and try him at Nelson for burning down the house of Mr. Cotterell, one of the surveyors; he replied he could not go on board the vessel, but would willingly enter into an adjustment of the difference on the spot, and though it might cause a delay of two or three days, they might settle about the disputed land. Mr Thompson then produced a paper, saying, he had not come to talk about the land, but about the burning of the house; that that was the "book-a-book" [pukapuka] of the Queen, and that he was the Queen. He added, that if he still persisted in refusing to go on board the vessel, he would order the white people to fire upon the natives; at this Puaha jumped up, and holding a New Testament in his hand, told Mr Thompson that the greater part of the natives there had embraced Christianity, that they professed to be bound by the precepts of that book, and did not wish to fight. Mr Thompson pushed him away, and enquired for Rangiaiaata. On hearing his name mentioned, Rangiaiaata, who was sitting behind a bush at a little distance, jumped up, and in the most violent manner and loud tone said, "What do you want with me; what do you want with Rangiaiaata, that you should come here to bind him? Do I go to Port Jackson or to Europe to steal your lands? Have I burned your house? Have I

destroyed your tents, or anything belonging to you?" But he (Te Rauparaha) seeing that the Europeans were not pleased with the violent gestures of Rangiaiaata, ordered him to sit down and leave the management of the question to Puaha and himself. Mr Thompson then, after a short conversation with Captain Wakefield, laid hold of his (Te Rauparaha's) and called the chief constable to produce a pair of handcuffs; but ascertaining his object, Te Rauparaha hastily withdrew his hand under his garment. Mr. Thompson got into a violent passion, and reiterated his threat that he would order his people to fire upon the natives. Te Rauparaha said, "this is the second time you have threatened to fire; you should not be so thoughtless;" and firmly refused to go on the vessel, and be bound like a slave. Mr. Thompson called out "Fire;" but one of the gentlemen said "No, no, the natives are well armed too." Mr Tuckett or Mr Cotterell turned to the natives, and said, they had better retire, or the Europeans would retire; Te Rauparaha replied he would stay where he was; Puaha repeatedly entreated the Europeans to settle the matter amicably, but they would not hear him, and retired, asking him for the canoe, that they might recross the rivulet to the side where the Europeans were stationed.

Shortly after this the Europeans fired the first volley, and three of Ngati Toa fell. What happened then is too well-known to bear repeating. As Wards says:³¹⁹

This brief, inglorious encounter, conducted on the one side with a calamitous lack of comprehension of the issues at stake, of adequate preparation and of any semblance of dignity, on the other with firmness, strict accord to custom and, the final affront, success, brought about the first rush to arms, the first wave of fear, and perhaps the first demonstration to the colonists that arms and official authority without sound leadership, good discipline and a regard to the laws of the colony, could result in very serious trouble for themselves.

The main point to be stressed is that the Wairau affair served to only further entrench the prejudices of the Wellington settlers against Te Rauparaha. Governor Fitzroy, who had learned about what had happened from Gipps at Sydney on his way to New Zealand from England, held a meeting with Ngati Toa at which many people were present in early 1844.³²⁰ Fitzroy concluded that the settlers were in the wrong and that no action should be taken. The Wakefields, whose kinsman, Captain Arthur Wakefield, had been

³¹⁹ Wards, *Shadow*, 78.

³²⁰ The meeting took place at Waikanae on 11 February 1844. See Burns, *Te Rauparaha*, 250-3

killed by Te Rangihaeata after he had surrendered along with twelve others, were incensed, and the affair drove a major wedge between Fitzroy and the Company. The Wairau also meant that Te Rauparaha's attempts to mediate in the gathering crisis which developed in the Hutt Valley from 1844-46 were distrusted by the settler community.

6.5. The Hutt Valley, Ngati Toa, Ngati Tama, and Ngati Rangatahi (1844):

1: Introduction

The complicated situation that had developed in the Hutt Valley by the middle of 1844 derives from the events of the 1830s. The main elements have been well summarised by Wards,³²¹ on which the following analysis is principally based, although the opportunity has also been taken to reconsider some of the archival material afresh. (There is also a clear and detailed narrative in Joy Hippolite's report on Ngati Rangatahi.³²²) The February 1844 'compensation' agreement applied to the Hutt Valley, one of its terms being that all of those who had planted crops in the valley would be given a year in which to harvest and remove. There were, however, a number of Maori groups with interests in the valley. These were:

- (a) Ngati Rangatahi, a Whanganui-Maniapoto descent group, who had assisted Ngati Toa to conquer the valley, led by Kaparatehau; by 1840 or so, after having used the area for birds, eels, and timber, they were living 'more permanently' in the valley. Kaparatehau was closely allied to Te Rangihaeata. In 1846 Kaparatehau, Ngati Rangatahi, Rangihaeata and his supporters received substantial support from Hemi Topine Te Mamaku, of Ngati Hauate-rangi, who brought a large detachment of his Whanganui warriors into the valley to support his Ngati Rangatahi kinsmen;
- (b) Taringa Kuri's section of the Ngati Tama:³²³

A further complication was the arrival of Taringa Kuri and his Ngati Tama from Kaiwharawhara, which they left for the Hutt at the invitation of Kaparatehau on the grounds that their crops were repeatedly destroyed by the unfenced cattle of the Europeans. Taringa Kuri built a pa, Makaenuku, close to the river near to the present Connolly Street sub-station, and soon began clashing with the Company settler

321 Wards, *Shadow*, 223-6.

322 Joy Hippolite, *Ngati Rangatahi*, Wai 366 Doc#A1, Wai 145 Doc#H4, January 1997

323 Wards, *Shadow*, 224, citing NZC 3/2, 59; 612.

Swainson, with, claimed Swainson, disastrous results for the Europeans, for the magistrates insisted they had not the authority or the power to intervene.

However, although Taringa Kuri and Ngati Tama played in an important role in the standoff that developed in the Hutt Valley during 1844-46, they left the valley and went to Kaiwharawhara in February 1846 after Governor Grey had visited the area and proclaimed martial law.

(c) The chiefs of Ngati Toa, especially Te Rangihaeata. On the whole they supported Ngati Rangatahi and Ngati Tama. In fact both groups were very much client groups of Ngati Toa in any case. By early 1844 Rangihaeata had decided to make a stand over the Hutt Valley. It must be stressed that Te Rauparaha and Te Rangihaeata's concerns arose primarily from their resentment over the distribution of the compensation monies decided upon in February: their stance was that the mana over Wellington and the Hutt Valley belonged ultimately to themselves. Te Rauparaha eventually and reluctantly decided to compromise over the Hutt Valley; Te Rangihaeata never did so.

2: Spain's meeting with Te Rauparaha and Rangihaeata, March 1844³²⁴

On 3 February 1844 Te Rauparaha sent a letter to Spain on the subject of the distribution of the compensation payments:³²⁵

Friend - Mr Clarke, Mr Spain, and the Governor, this letter is from me and Rangiaiaata respecting your foolish work in paying for the land. This was the cause of you and us getting wrong at Wairau - the foolishly paying to the wrong parties. Do not listen to strange men - but make haste and make known to us your intentions, that the truth of what you have said may be speedily seen. Friend Clarke make haste. Desist from listening to any men. Son Clarke, and Mr Spain, desist also from carrying your payment to men who have nothing to do with it - but bring it straight to myself and Rangiaiaata.

By us. Signed, Rauparaha, Rangiaiaata.

³²⁴ The main source for this is an OLC file, titled OLC 910-911: Re conference with Te Rauparaha, NA, Wellington.

³²⁵ Te Rauparaha and Te Rangihaeata to Spain, 3 Feb 1844, original in Maori, citing ET on file, *ibid*.

What this means, one assumes, is that Te Rauparaha and Te Rangihaeata were seeking to assert that all of the compensation money should go to them for distribution.

George Clarke replied on 29 February, assuring them that *some* of the compensation money would, of course, be paid out to them:

Friends, Rauparaha and Rangihaeata. I have received your letter concerning my work of paying for the land. It is quite right friends that I have given the payment to the Natives of Port Nicholson - and, Rauparaha, remember well my words that you heard from me - part of the payment for the Natives of Port Nicholson I shall give to you, and part to the Natives here. I will not forget that promise - let not your hearts be dark - I shall continue to think of you - and do you listen to Pomare. He will tell you particulars.

Whether this mollified the chiefs of Ngati Toa in any way is unknown. In any case the question of the quantum of the compensation money to be allocated to Ngati Toa was to be overtaken by the much bigger problem of the Hutt Valley. Spain himself replied proposing a meeting at Porirua so that the settlement "may be just to you and just to the Europeans".³²⁶

The meeting eventually took place at Taupo pa at Plimmerton on the 8 March. Spain, Clarke, Forsaith, some other Europeans, Te Rauparaha, Te Rangihaeata, Te Puaha and about 200 Maori were present. This meeting will be covered in some detail, as it happens to be very well-documented and throws much light on Te Rauparaha's views respecting Wellington Harbour and the Hutt Valley. Spain began by stressing the Queen's concern for the welfare of her Maori subjects and then announced that he had decided that a further payment should be made:³²⁷

I have most carefully and impartially examined and considered all the Maoris have had to say as well as the Europeans about the sale of Port Nicholson, and I am prepared to make my decision which must be binding and conclusive upon all parties concerned and when once given consent cannot be altered.

I have decided that the Natives who owned the Land described in the Port Nicholson deed are entitled to a further payment.

326 Spain to Te Rauparaha, 1 March 1844, *ibid.*

327 Spain's address

Spain urged that all "angry feelings" should "cease between us" and urged everyone present to listen carefully to what Clarke had to tell them. He then left the meeting. Quite what it was that Spain expected Ngati Toa to decide, however, is unclear: the quantum of the compensation and the boundaries of the New Zealand Company's Wellington grant had already been fixed. Spain had no intention of letting these points be discussed further. Essentially Ngati Toa were expected to "decide" to accept the compensation money and to stop making difficulties. Forsaith reported what then transpired:

Mr Forsaith, after returning with Mr Spain to Paramatta, rejoined Mr Clarke, and they used every endeavour to persuade the Natives to accede to the terms offered - reasoning with them till late in the evening, but without success. In the morning (March 9th) they again renewed their arguments, but finding the Natives deaf to all their proposals, Mr Forsaith dispatched a messenger to the Commissioner who had requested he might be sent for when the determination of the Natives should be known. On his return the Commissioner addressed the Natives as follows:

"I have come according to my promise of yesterday when I told you that I should leave you to talk the matter over amongst yourselves and Mr Clarke, and return again to hear the determination you had arrived at. I expected to have received a message from you this morning; but not having done so, I am now come myself to know your decisions."

Rauparaha desired Mr Spain to apply to Rangiaiaata for an answer. Mr Spain said - No, It was in consequence of your letter that came, and I expected an answer from you. It is with you I am come to discuss the matter.

Rauparaha said: "My letter referred to my claim upon Port Nicholson, and I am ready to negotiate the matter, but now you want me to give up the Hutt."

Mr Spain replied - "I came here for the express purpose of satisfying your claim upon Port Nicholson and have decided that you are to receive £300 - and you know that the Hutt is included in that District. Did not Mr Clarke converse with you on this subject at Waikanae - and did you not consent to the terms proposed? I am very much surprised that after coming here according to your own request you should now refuse to accede to the proposals of your friend and Protector Mr Clarke.

Rauparaha said, I understood I was to have a payment for Port Nicholson, and I am now ready to receive it - I had no idea you meant to include the Hutt Valley - If I had so understood Mr Clarke at Waikanae I should not have told him that I would consent.

Spain, obviously nonplussed by this, then asked Clarke to give his explanation as to what had been said.

Mr Spain asked Mr Clarke if he had not conversed with Rauparaha on the subject of receiving compensation for his claim upon the Hutt, and the removal of his party from that River.

Mr Clarke answered, that he had spoken of his claim under the general term of Port Nicholson; but that the Hutt was clearly understood to have been included.

Rauparaha said - I consider Port Nicholson to mean all the land seaward of Rotokakahi, but that beyond Rotokakahi would be retained by the Natives.

As far as Spain was concerned, however, there could be no discussion as to whether the Hutt was to be included within the terms of the agreement:

Mr Spain replied, The Boundaries have already been fixed by Mr Clarke after most careful consideration, and I can by no means listen to any proposal for altering them: if you wish they shall now be read over to you again.

Rauparaha said, I will not hear of any boundaries that include Rotokakahi - the Natives who reside on the spot will by no means consent.

Mr Spain replied, I am quite aware of the cause of your making this objection - That Man (Taringa Kuri, who was sitting near to Te Rauparaha) told me that he had no claim upon the Hutt, and promised to leave it after he had taken off his crop - he also said that he was only sent there by you to keep possession until your claim was satisfied - and now I ask you if you have not within the last 24 hours told "Kuri" that if you chose to sell the land you would turn him off - that as he had no right there he must go to his own place.

Te Rauparaha then said that the "real chief" was a young boy who was present. I am not certain who this could be. It is interesting that Te Rauparaha does not point to anyone else in the room - to himself, or to Te Rangihaeata. One possibility is that the boy was Wiremu Naera Pomare, son of Te Rongo of Ngati Toa, and the adoptive chief of Ngati Mutunga (he was adopted by Wiremu Piti Pomare); if so this would indicate that as far as Te Rauparaha was concerned the mana of the Hutt Valley and Wellington belonged to Ngati Mutunga and Ngati Toa.

Rauparaha said - it belongs to Taringa Kuri - he is the elder man of the resident Natives, and that child (pointing to a boy who was present) is the real Chief of the Place.

Mr Spain said - If you continue to reject my offers I am sorry, but be assured that the boundaries already fixed upon must be considered final - and the sum awarded (£300) will not be increased. Mr Clarke has been specially appointed to arrange these boundaries and they have been fixed upon after much careful deliberation - and I have decided that the sum offered is just and equitable, and more than you are really entitled to.

Rauparaha said, I cannot interfere, and Rangiaiaata will not consent to your proposals.

Spain reproached Te Rauparaha:

Mr Spain replied - Then why did you send for me? Have you not often said you would abide by my decision - and asked me to get things settled for you? Do you not recollect what you said to me at Waikanae: "I am now a Christian, and I want peace." I have done all I can for you - I have no interest in the question - I have tried all the means in my power to arrange this matter and to remove all causes of quarrel between you and the Europeans - I have made my decision and I cannot alter it - I have now nothing to do but to go away - I am sorry for it.

Rauparaha said - detaining Mr Spain, who was rising to leave - Do not go away in anger - I do not wish to upset the arrangement but the boundaries must be altered. Mr Spain said - No. I do not go in anger, I go in sorrow. It is not I that have upset the arrangement. I go in sorrow because you refuse the offer which has been made you. I have decided it according to my conscience and I cannot alter it.

Spain repeated his final decision: £300 plus a further £100 for the crops: "this is my final decision - which will never be altered." The meeting then broke up.

3: Taringa Kuri cuts the line at Rotokakahi

The next step in the drama came later in March 1844, when Taringa Kuri and his people were observed cutting a boundary line at Rotokakahi in the Hutt Valley "on the North Eastern bank of the river some thirty or forty yards broad, and extending nearly a mile in length".³²⁸ Spain and Forsaith went to investigate:

³²⁸ Forsaith to Superintendent, Sthn. Division, 21 March 1844, *ibid.*

We proceeded down the line until we came to the party still at work. On enquiring for Taringa Kuri we were informed that he had returned to his residence; we accordingly retraced our steps and followed him to the Pa, accompanied by several of the Natives who were exceedingly anxious to ascertain the object of our visit. One of them in particular, a person apparently of some authority, but whose name I could not ascertain, assuming a very unwarrantable and disrespectful tone said, "If you are come to make any remark about our cutting this line you may as well return at once, for we will listen to nothing you have got to say on that subject - We have quite made up our minds on the course we intend to pursue, nor will we be deterred from it by you, by the Governor, or by the Queen herself".

Forsaitth and Spain were indignant:

I replied he was offering us a very gratuitous insult - that our object was to see Taringa Kuri, the chief of the party - but as he without reason spoke so disrespectfully of the Governor, Mr Spain and myself should decline holding any further conversation with him.

Taringa Kuri was finally found, but he was scarcely less forceful:³²⁹

We proceeded to the Pa, where we found Taringa Kuri and a few of the Natives who, on hearing our arrival, had returned from their work. Mr Spain requested me to ask Taringa Kuri what was the object of their present undertaking. He replied, "I am cutting a line according to the directions of Rauparaha two divide between the Lands of the Europeans and our own." Mr Spain answered "But you know this is very wrong, this is not the line agreed upon by Mr Clarke and explained by him to Te Rauparaha at Waikanae, and I am very much grieved that you should act in this way as it plainly proves you are not peaceably inclined. It is very wrong and will not be allowed." Taringa Kuri replied, "It is *we* who are peaceably inclined, it is *you* who are not peaceably disposed towards us. You heard at Porirua as well as I that Rauparaha and Rangiheata would not agree to these boundaries, and all I have to say is that if you are determined to insist upon these boundaries you had better return to the land of your birth - Why do you follow us from place to place to take away our Land?"

329 Ibid.

Taringa Kuri declined to stop the work, and told Spain that "you have heard our determination, and I will abide by it, whatever the consequences".³³⁰ Frustrated, Spain then wrote to Te Rauparaha to protest about Taringa Kuri's boundary-cutting activities in the Hutt Valley, taking the opportunity when he did so to administer a lecture on the principles of international law relating to empty lands.³³¹

Here is a vast country whose scanty population is incapable of occupying the whole...In such a case, it is a law with the Natives of Europe that the inhabitants of such a country have no right to appropriate to themselves more land than they have occupied for, or more than they are able to settle and cultivate. Their unsettled habitation in these regions cannot be held to be a true and legal possession.

In any case, Spain insists, in New Zealand the lands have not been taken by force; instead the Natives have been "paid largely and liberally for their land...instead of coming with ships and troops, and taking possession by force, the people of England have bargained fairly and justly with the Natives..." Quite what this attempt to instruct him in the theories of Vattel can have meant to Te Rauparaha is hard to imagine. Te Rauparaha's reply has survived, however:³³²

Friend, Mr Spain, health to you - do not suppose it is I who withhold the land. It is not I but Rangihaeata and Kaiaea (Taringa Kuri) who are withholding the Hutt. I did not advise that the Hutt should be withheld. At our meeting at Porirua some time ago I said to Rangihaeata, surrender up the Wairau while I am well - but Rangihaeata negated my word - and I submitted to him - on this account was the mischief at Wairau.

Te Rauparaha explained the cause of Te Rangihaeata's anger:

Why did you give so large a payment to the Ngatiawa, and offer so small a one to Rangihaeata who holds the land?

Te Rauparaha did not accept that he was to blame for the situation unfolding in the Hutt Valley. He concluded his letter:

330 Ibid.

331 Spain to Te Rauparaha, n.d. on file copy but late March 1844.

332 Te Rauparaha to Spain, 27 March 1844, *ibid.*

Friends, Mr Spain, Mr Clarke, is it the case that I only am to blame - no - we are all to blame together.

By mid-1844 Spain's work was more or less over. The situation in the Hutt Valley remained unresolved. As Wards points out, Te Rangihaeata and Taringa Kuri were not, in fact, claiming the whole of the Hutt Valley, but were willing to share it:³³³

Te Rangihaeata's insistence that the valley be divided between Maoris and settlers is worth more attention, particularly as he was content that the Europeans should receive both the larger and the coastal portion. It places him firmly outside the role usually given him, as implacably anti-European, and makes of him the first, European or Maori, to advocate that a given area of land be suitably shared by both races. The Company had already sold the disputed land, and no attempt was made to explore the possibilities of the situation.

4: Spain's Port Nicholson report

In his final report on Port Nicholson, written at Auckland and dated 31 March 1845, Spain naturally has a great deal to say on the vexed subjects of Te Rauparaha, Te Rangihaeata, Taringa Kuri and the Hutt Valley.³³⁴ Spain thought that the principal basis for a territorial claim to the Hutt by the chiefs of Ngati Toa derived from the original conquests, of which he gives a rather garbled depiction in his report:

I have taken every means in my power to ascertain the grounds of the claim of Rauparaha and Rangiaiaata to the Hutt, which I can only trace to the following circumstances: - Many years ago (I believe I may say from 15 to 20) Rauparaha and Rangiaiaata fought their way from Taranake to Port Nicholson, conquering as they came along, but without sufficient force to keep possession of the places they had taken, which were afterwards shortly afterwards re-occupied by their original proprietors, who have kept possession ever since. Now, according to my opinion of Maori customs with regard to title to land, this would not have given these men a title to the Hutt; and in my judicial capacity, in the exercise of my best judgment, I should have decided against it if it had been brought before me.

³³³ Wards, *Shadow*, 225, fn. 3.

³³⁴ See BPP 1846/203, 4-18 Doc#A32, 66-79.

Perhaps Spain is right in his observation that a mere temporary conquest, following which the land returns to the possession of the original inhabitants, does not confer title to land according to Maori customary law (although it would probably be wise not to be too dogmatic about this). It is, all the same, hard to see what relevance this could have to the circumstances of the Hutt Valley.

As has been noted elsewhere in this report, the actual details of the conquest of Wellington are shadowy in the extreme. It may be that the original take or claim derives from the actions of the original Ngapuhi-Ngati Toa taua of 1819, although for practical purposes the effective conquest of the area was carried out by Ngati Mutunga. How deeply their influence penetrated up the Hutt Valley is hard to say. Ngati Rangatahi seem to have paid a supplementary role to Ngati Mutunga in securing the Hutt Valley. By the time of Spain's award Ngati Ira/Ngati Kahungunu influence in the valley seems to have been over. This point has been considered by Heather Bauchop, who, although noting that Te Ati Awa were wary of advancing into such places as the Wainuiomata Valley due to the risk of being attacked by marauding groups of Ngati Kahungunu, in general there is "no evidence of occupation by Ngati Ira as a hapu in Te Whanganui a Tara after 1840."³³⁵ Although I would not contend that Ngati Ira/Ngati Kahungunu had lost all presence in the valley by 1839, it is straining things greatly to believe that the original inhabitants could be said to have regained possession. It is hard to be certain what Spain was thinking of. In Maori terms, the question is one of ahi kaaroa. Were Ngati Ira's and Ngati Kahungunu's fires burning in the Hutt Valley by 1839? It is impossible to imagine that Te Rangihaeata would have conceded this. It is clear that Te Rangihaeata believed that he had the mana over the valley, and that both Taringa Kuri and Kaparatehau were strongly influenced by him.

I think Spain can be criticised for seeing the situation in the Hutt Valley in simplistic terms. In so doing, he may have set a trend by which Ngati Toa interests in this, as in other areas, were too readily written off because Ngati Toa did not take up occupation and cultivation themselves. Spain's approach is an earlier example of the process of simplification and standardisation of Maori customary practice later to be conducted by the Maori Land Court. Whether, however, there is any direct continuity between Spain's approach to

³³⁵ Heather Bauchop, *Ngati Ira and Rangitane in Te Whanganui a Tara to 1865*, Wai 145, Doc#H5, January 1997, 18.

the Hutt Valley in his report of 1845 and Judge Mackay's decisions in the Wellington and Nelson Tenth's cases in 1886 and 1892 is unclear.

Spain also expressed the view that if Te Rauparaha had attempted to take possession of the Hutt Valley, Ngati Awa would have driven him off:³³⁶

Another strong ground against their claim is, that on the arrival of the "Tory", Colonel Wakefield found the Ngatiawa tribe, of whom he professes to have purchased, in possession of Port Nicholson and the Hutt (and which they had held for nine or ten years), and if Rauparaha at that time had attempted to take possession of the Hutt, he would have been immediately driven away by Warepourī, Puni, and their party.

To which, one might answer, possibly. It is hard to pronounce on whether Te Rauparaha could have enforced a claim to the Hutt Valley and Wellington in the face of armed resistance by Te Ati Awa, or whether he would have wanted to. I would not be as confident as Spain seems to be in assuming that in such an eventuality Te Rauparaha would have been "immediately driven away". In fact it is hard to imagine the situation arising at all, due to the kin connections between Ngati Toa, Ngati Mutunga and Te Ati Awa. The fact is that Te Rangihaeata *did* assert to a claim to mana over the Hutt Valley, and this was without any reference to Te Ati Awa as far as I can judge, whose interests in any case seem to have been mainly confined to the harbour rim.

A close reading of Spain's report shows that he is completely unaware of the existence of Ngati Rangatahi, let alone any awareness that Te Rangihaeata felt under an obligation to protect their interests. Why Spain was unaware of this is a puzzle. He may have simply seen Kaparetahau and Ngati Rangatahi as Ngati Toa (or Ngati Tama, perhaps). Spain's bete-noire is Taringa Kuri of Ngati Tama, and it is clear enough from the report that Spain was still smarting over the latter's rudeness to him:³³⁷

I have the honor to call your Excellency's attention to the enclosed narrative of my journey up the Hutt, where I went in consequence of Taringa Kuri and his people having commenced cutting a line dividing the Upper from the Lower Hutt, and claiming the upper part, although it was included in the Schedule of land adopted by Messrs Wakefield and Clarke. I was very much struck with the tone and the manner of Taringa Kuri, and his party on this occasion, and it was evident to me that he was acting under the direct orders of Rauparaha and Rangiaiaata.

336 Ibid, p 10, Doc#A32, 72.

337 Ibid, 12 (74).

Spain concluded that the grant should be made, despite the objections of Te Rauparaha and Te Rangihaeata:

I have given at length the reasons why I think the ultimate refusal of Rauparaha or Rangiaiaata, or both of them, should be no bar to the issue to the Company of a Crown grant for the whole block agreed upon between Colonel Wakefield and Mr Clarke. including the Upper Hutt; and I cannot for one moment admit that Taringa Kuri, or his people, has or ever had the shadow of a claim to that particular spot.

5: Te Rauparaha attempts to compromise: On 12 November 1844 a deed, drawn up by Clarke, and signed by Te Rauparaha, purportedly paid £400 to Te Rangihaeata and Te Rauparaha as compensation for their interests in the Hutt Valley.³³⁸ The deed states:

We two consent to surrender Heretaunga to the Governor of New Zealand on behalf of the N. Zd. Company. We have received £400 in payment. Hence our names and marks are written below, on this day, the 12th day of November [1844]

Na Te Rauparaha x his mark.

Na Te Rangihaeata x his mark.

The deed was witnessed by Matene Te Whiwhi and Tamihana te Rauparaha, Ngati Toa's principal younger Mihanere chiefs, and it is likely that they were the driving force behind this arrangement. Wards states that "Te Rangihaeata's signature was in fact that of his nephew, who signed in the hope that his doughty uncle would eventually be reconciled to the alienation of the Hutt Valley".³³⁹ Ballara remarks that "Te Rangihaeata's name was forged on the deed of sale by his nephew Matene Te Whiwhi in a misguided attempt to speed settlement."³⁴⁰ Te Rangihaeata never accepted that he had agreed to the alienation of all of Heretaunga.

During 1845 there was a hiatus, an increasingly tense one, in the Hutt Valley, while the colonial government's attention was focused on the northern war with Hone Heke and Kawiti. Settlers continued to move into the valley. One of the odder features of the complex problem was that Maori living in the valley were growing crops for sale in Wellington. It became increasingly clear that the Maori inhabitants of the valley were not going to leave, and if

³³⁸ Turton's deeds, p 98 (Wellington, No. 3).

³³⁹ Wards, *Shadow*, 225.

³⁴⁰ Ballara, "Te Rangihaeata", *DNZB* vol 1, 490.

that if that if they were to be driven out this could only be with the use of military force. It was in this charged situation that Te Rauparaha went to the Hutt Valley in May 1845 in an attempt to persuade Kaparatahau and his Ngati Rangatahi to leave the valley. By now the earlier differences of opinion between Te Rauparaha and Te Rangihaeata had widened into an open breach, and Te Rauparaha's visit was an embarrassing failure. Wards writes:³⁴¹

On 12 May Te Rauparaha arrived in Wellington with the announced intention of exerting his influence in the valley on behalf of the Europeans, but although Richmond had him conveyed in state aboard the *Victoria* to Petone, his visit was a miserable failure and he appeared tamely to submit to insult and opposition.

Kaparatahau knew he could count on the support of Te Rangihaeata; or, perhaps, the situation was rather that Kaparatahau supported Te Rangihaeata and the issue had in part become one of a division within the Ngati Toa leadership. Te Rauparaha's stance has much in common with his later actions respecting the sale of the Rangitikei-Turakina block in 1848; he opposed it at first, but when the younger chiefs such as Matene Te Whiwhi urged that the sale should proceed Te Rauparaha withdrew his opposition. Te Rangihaeata carried on with his opposition to the last minute. He was consistently firmly opposed to land-selling to the Crown. As Ballara puts it, "for the rest of his life Te Rangihaeata was an angry man, totally opposed to the erosion of his authority by means of the creeping European disease of land purchase."³⁴²

Eventually, it took military action to drive Te Rangihaeata, Ngati Rangatahi and their Wanganui allies out of the Hutt Valley in 1846. By May 1846 "Te Rangihaeata was regarded as being in arms against the government although at no time did he attack the troops at Porirua or in the Hutt".³⁴³ The campaign was master-minded by Grey. These events are described fully in Joy Hippolite's report on Ngati Rangatahi, and are the subject of a detailed narrative treatment in Wards' *The Shadow of the Land*. The main engagement in the Hutt Valley, at Boulcott's farm on May 16 1846, involved about 50 men of the 58th regiment commanded by Lieutenant Page, and Te Mamaku and his Whanganui warriors, brought to the valley through kin linkages with Ngati Rangatahi. Major Richmond and Governor Grey decided that the only way to end the stalemate in the Hutt Valley was by means of an attack on Te Rangihaeata's base at Pauatahanui. The links between Te Rangihaeata, Te

³⁴¹ Wards, *Shadow*, 236.

³⁴² Ballara, "Te Rangihaeata", *DNZB* vol 1, 490.

³⁴³ Ballara, "Te Rangihaeata", *DNZB* vol 1, 490.

Mamaku, and Ngati Rangatahi at this confused and critical time are not easy to assess. In early June 1846 there was further fighting in the Hutt Valley, in one of which a group of Ngati Toa were involved against the 58th and 99th regiments. Of Te Rangihaeata's general hostility towards the Crown there can be no doubt, but Te Rauparaha's own stance in these critical days of the winter of 1846 is much harder to assess. Te Rauparaha, while, in Ian Wards' words, "not strong in active opposition to Te Rangihaeata",³⁴⁴ nevertheless took no active part in the fighting and seems to have "remained friendly" to Grey and the government. Te Rauparaha's relationship with Te Rangihaeata seems to have been a complex one. Te Rauparaha often seems to have disagreed with Te Rangihaeata, but having made his views known would usually not interfere further with Te Rangihaeata's plans. This seems to have been the case at the battle of the Wairau, with the fighting in the Hutt and Pauatahanui in 1846, and with the question of acquiescence in land-selling by Ngati Apa in 1848.

6.6. The background to the 1847 deeds: Ngati Toa interpretations: The Tribunal will be familiar with the history of the alienation of Maori lands at Wellington itself. For the purposes of completeness the main transactions relating to Ngati Toa's lands at Porirua, in the South Island and other areas will now be described. Obviously these areas require some more detailed research. The very complex history of the reserve areas at Porirua, for instance, has not been investigated in detail. The main point that can be made is that despite Spain's rejection of the New Zealand Company's Porirua deed, by 1853 Ngati Toa's interests in the region had nevertheless been fairly comprehensively extinguished by the Crown in any event. The process of extinguishment was the familiar and standard one of Crown purchase by deed, allocation of reserves, and then investigation of title to the reserve areas by the Native Land Court. There were some Ngati Toa lands left unextinguished by the time of the advent of the Native Land Court in 1865, including Rangitoto (D'Urville Island), Kapiti Island, and the coastal strip from Porirua north to Waikanae. There has been insufficient time to investigate in detail the process of Native Land Court investigation and alienation of these areas, which include many places of particular importance to Ngati Toa (such as Kapiti itself).

³⁴⁴ Wards, *Shadow*, 276.

On 23 July 1846 Grey launched a pre-emptive strike on Ngati Toa, arresting Te Rauparaha and then detaining him for over a year. The Te Kanae manuscript describes this event in the following way:

In 1846, Te Rauparaha and his people were still residing at Porirua in their pa at Taupo. Their occupation was cultivating food. One day in June, Te Rauparaha and his people went to Kapiti to fish. When finished their fishing they returned to Porirua to their pa at Taupo. When the Europeans knew that Te Rauparaha and his people had returned, there came the armed party of Sir George Grey, Governor of New Zealand, to arrest Te Rauparaha and his nephews aboard the ship *Calliope*. Ngati-Toa did not know the reason why Te Rauparaha and his nephews were then arrested, even so until this day.

Years afterward the event still caused bewilderment. Matene Te Whiwhi told the Native Land Court in 1872:³⁴⁵

I don't know the reason Rauparaha was taken prisoner by the Europeans.

Perhaps one reason for Grey's actions was to attempt to deprive Te Rauparaha of his mana. But this was probably not successful. Questioned in the Native Land Court as to whether his father's capture and detention meant that he had lost his mana over the lands conquered by Ngati Toa, Tamihana Te Rauparaha said that he did not think so:

I don't know whether my father's 'mana' went when he was taken - he was taken at night.

After the capture, or kidnapping of Te Rauparaha government troops and Maori allies advanced on Te Rangihaeata's pa at Pauatahanui. Ngati Toa were split, some of them fighting with Te Rangihaeata, and others led by Puaha fighting with the government and Te Ati Awa, although Wards is of the view that Ngati Toa on both sides of the conflict were extremely reluctant to kill kinsmen.³⁴⁶ Te Rangihaeata then withdrew up the Horokiwi Valley, and a series of running battles were fought along the valley in August 1846. Te Rangihaeata managed to escape and withdrew to Poroutawhao in the Manawatu, where his Ngati Huia (Ngati Raukawa) kinsmen held the land.

³⁴⁵ (1872) 1 Otaki MB 151.

³⁴⁶ Wards, *Shadow*, 284

After the fighting was over Te Rangihaeata remained at Poroutawhao, where Eyre, Richard Taylor and Grey went on occasions to visit him.³⁴⁷

According to Ngati Toa sources, Ngati Toa sold the Wairau block to the government as a consequence of moral pressure from Grey. During the time of Te Rauparaha's detention in Crown custody the senior chief of Ngati Toa was Rawiri Puaha. Grey spoke to him and asked for the Porirua block and at the same time demanded the Wairau.³⁴⁸

Sir George Grey asked Rawiri Puaha and his people to sell Porirua to the Queen. The chiefs of Ngati Toa agreed and the area for sale was partitioned off, and the part set aside where he now resides. In 1847 Sir George Grey asked Rawiri Puaha and his people to give over Wairau, the place where Wakefield and his comrades died, to the queen in compensation for her dead. This was the word of Sir George Grey: "Give me the land where my dead died." Rawiri Puaha and his tribe agreed and so passed Wairau even unto Kaikoura on account of the dead who died in the conflict at Wairau.

This may be reinterpreting events in a distinctively Maori idiom, or it may well be that Grey did indeed play on Maori customary practice in the way that this important text suggests. In either event giving up the Wairau to the Crown as *utu* was something that in its own terms perhaps made sense to Ngati Toa. The other important factor, mentioned in the same document, was the government's detention of Te Rauparaha and the other Ngati Toa rangatira arrested and detained in July 1846. Grey's real reasons for acquiring the Wairau block had, needless to say, nothing to do with *utu*.

6.7. The Wairau deed: The Wairau deed is dated 18 March 1847.³⁴⁹ There were only three signatories: Rawiri Puaha, Henere Matene te Whiwhi, and Tamihana Te Rauparaha. It is notable that the latter two signatories were both self-consciously younger, Christian chiefs, who were under pressure from their CMS advisers to agree to the sale of land. The deed itself is very brief. It describes the boundaries of the land sold to the government in a very general way ("beginning at Wairau, running along to Kaparatehau (Te Karaka) or Cape Campbell, running along to Kaikoura until you come to Kaiapoi/ko Wairau haere atu Kaparatehau, te Karaka, haere rawa atu Kaikoura, Kaiapoi

³⁴⁷ See Taylor's description in *Te Ika a Maui*, 339-40.

³⁴⁸ Te Kanae manuscript, Graham trans., APL.

³⁴⁹ Relying on the printed text of the deed in Alexander Mackay, *A Compendium of official documents relative to Native affairs in the South Island*, Wellington, 1873, vol. 1, at 204.

atu".) Certain reserves at Wairau and other places, including the Kaituna Valley and Te Hoiere (Pelorus) are excluded as reserves, described in a very confusing way in the deed.³⁵⁰ The area of reserved was in fact quite substantial: 117,248 acres.³⁵¹ In exchange for the Wairau Ngati Toa received a payment of £3000, spread over a period of six years from April 1847 to April 1851. The deed was not drawn up in the South Island or at Porirua but, in fact, at Wellington ("Port Nicholson/Poneke"). The purchase money was also paid out at Wellington and the receipts for the annual payments, signed in each instance by Matene te Whiwhi, Rawiri Puaha and Tamihana Te Rauparaha, were also signed there. The block was not surveyed off until 1851, and when the survey was eventually carried out by Charles Brunner and witnessed by Ngati Toa representatives, Wi Kanae, Haka, and Hakaraia Kaikoura, who were present to make sure that the area surveyed conformed to the 1847 agreement.³⁵²

This transaction has been debated frequently in the secondary literature and in a number of unpublished reports.³⁵³ The obvious question is why Ngati Toa parted with the Wairau in 1847 after having so tenaciously defended it in 1843. Most writers point to the fact that at the time of the sale Te Rauparaha was in custody and Te Rangihaeata in hiding at Poroutawharo. As noted above, younger 'Mihanere' chiefs were prominent in this sale. Matene Te Whiwhi, in particular (who was Ngati Raukawa as much as he was Ngati Toa), was shortly to play an important role, under missionary advice, in persuading Ngati Raukawa to allow Ngati Apa to sell the Rangitikei-Manawatu block to McLean. Ruth Allan, in her history of Nelson, thinks that although it is possible that that Te Rauparaha himself might have agreed to the sale if the price was right, it is safe to assume that Te Rangihaeata would not have done so.³⁵⁴ This, I would argue, is very plausible if the evidence over the Rangitikei-Manawatu block is concerned: Rauparaha

350 The English text reads: "...with the exception of one and one only reserve of these lands that are kept for us, of which these are the boundaries: running from the north of the River Wairau until you come to Waikakaho, then the boundary takes a straight course along that river and into that river: but neither Kaituna nor Te Hoiere have been given up by us. The frontage of the part of Wairau is reserved for us, with the exception of what belongs to the Governor, the extent of which is half a mile in front, which goes to him. The mouth and entrance of the river of Tua Marina belongs to the Governor, according to the plan laid down on the map."

351 Phillipson op.cit., 91, citing 1874 AJHR G-6.

352 Wi Kanae, Haka and Hakaraia Kaikoura to Richmond, 14 May 1851, Maori original and ET in Mackay, op.cit., 206.

353 For a particularly clear and comprehensive analysis see G.A. Phillipson, *Northern South Island District Report* (Rangahaua Whanui series), June 1995, 85-95.

354 Ruth Allan, *Nelson: A history of early settlement*, 46.

and Rangihaeata both strongly opposed the sale initially, but once the younger chiefs had agreed to it Te Rauparaha took no further steps to prevent the transaction from proceeding, while Rangihaeata pulled out every stop to oppose it to the last minute. Patricia Burns, in her biography of Te Rauparaha, sees Grey as having coerced Ngati Toa into the transaction by indicating in some manner that agreeing to the sale was 'a condition of Te Rauparaha's release':³⁵⁵

In a furiously indignant letter to the Rev. Henry Williams, George Clarke wrote that the Wairau had been "*wrung* and *wrested*" from Ngati Toa, when they were told that the sale alone would obtain Te Rauparaha's release. Henry Kemp and Henry Clarke had been witnesses to this "disreputable bargain". When Grey was told that the sale would not be complete without the consent of Te Rangihaeata, "the Govr. said he was a rebel, and would not treat with him".

Grey's own account of the transaction, of course, says nothing at all about any of this. Anxious to show that he had not been prodigal with the Crown's money Grey stated that the area purchased (in fact about 608,000 acres) was 'so large that, in reference to its quantity and value, the payment made for it cannot but be regarded as small'.³⁵⁶

6.8. The Porirua Deed. The other main transaction between the Crown and Ngati Toa in early 1847 was the sale of the Porirua Block. The deed is dated 1 April 1847.³⁵⁷ By this transaction Ngati Toa sold a substantial area of coastal land to the Crown, stretching from Ohariu to Wainui (Paraparaumu). The plan of the block notes that "the eastern boundary is the line determined by Mr Commissioner Spain for the Port Nicholson block". There were three reserves made for Ngati Toa within the block. The price paid for this substantial parcel of land was £2000. The combined effect of this deed and the Wairau deed was that the Crown acquired Ngati Toa's most prized lands. As noted above, Ngati Toa sources stress Grey's demand for the Wairau based on a kind of *utu*, but this does not itself explain why Porirua was sold as well; the most likely explanation is that Grey held the trump hand of Te Rauparaha's detention.

³⁵⁵ Burns, *Te Rauparaha*, 284.

³⁵⁶ Grey to Earl Grey, 26 March 1847, Mackay vol 1., 202.

³⁵⁷ *Turton's Land Deeds of the North Island*, No 22. p 127. The original is numbered Wellington 144D.

Although it is Lieutenant-Colonel William McCleverty's name who appears on the deed, the purchase - like the Wairau purchase - was in fact negotiated by Grey himself, who visited Wellington in February 1847. As noted above, Grey's own words in relation to the Wairau certainly made an impression on Ngati Toa. Grey was himself strongly influenced by the events of 1846 and saw the acquisition of Porirua as necessary to safeguard the settlement at Wellington from "evil disposed natives".³⁵⁸ For Ngati Toa the deed was signed by Rawiri Kingi Puaha, Te Watarauhi Nohorua, Mohi Te Hua, Matene Te Whiwhi, Tamihana Te Rauparaha, Nopera Te Ngiha, Ropota Hurumutu and Paraone Toangina.

The reserve areas within the Porirua block have their own complicated histories. One of them, the second of the reserve areas, was itself partly purchased in 1865 (as the Papakowhai Block), and the remaining area of reserve was then split into two areas, called for some reason Schedule D (the northern part, also known as the Okawhai Block), and Schedule C, the southern section, then became known (as it still is today) as the Aotea block. Title was investigated in 1869 and the blocks were formally partitioned in 1881.³⁵⁹ After that the blocks were sold by the Ngati Toa grantees privately. The other main reserve area was Whitireia, famous in New Zealand legal history for the much-litigated gift of land to the Church of England for a school.

6.9. Ngati Toa and the Rangitikei transactions: In 1848 the young Donald McLean scored his first big success at Wanganui, sorting out complex problems relating to boundaries and reserves and drawing up a new Wanganui deed which was executed at an elaborate ceremony in May.³⁶⁰ Lieutenant-Governor Eyre and the Colonial Secretary were both delighted with this apparently skilful resolution of a particularly difficult problem, and McLean, who still at this time signed his official correspondence as a mere 'Inspector of Police' was then entrusted with the task of buying the land in the Rangitikei and Manawatu areas. The Rangitikei-Manawatu was bitterly contested, and it was in fact this area, rather than the lands around Wellington, which was to become the major Maori land headache for the future Wellington Provincial government. The principal issue was whether

³⁵⁸ See Jane Luiten, *Whanganui ki Porirua: an exploratory report on early Crown purchases*, 5 March 1992, Wai 52 Doc#A1, 8, citing Grey to Earl Grey, 26 March 1847, G30/12, 47/26, NA Wellington and J. Pyatt, "The McCleverty Commission, 1846-7" (no page ref. given).

³⁵⁹ (1881) 1 Wellington MB, (2 July 1881)

³⁶⁰ Luiten, *Whanganui ki Porirua*, 12-13.

Ngati Apa had rights to sell, and, if so, to where; their assertions were resisted, mainly by Ngati Raukawa but also by Ngati Toa.

McLean's initial instructions reflected the government's view that the less precision the better: "it is considered preferable thus to negotiate for the whole claims without attempting to define their exact inland extent".³⁶¹ An important meeting discussing the block took place on 15-16 March 1849. According to one source, both Te Rauparaha and Te Rangihaeata were present at this meeting, which, if correct, indicates that these two Ngati Toa rangatira considered that they had interests to safeguard in lands many miles away from Porirua.³⁶² McLean himself states that Te Rangihaeata was instrumental in calling the meetings at which the Rangitikei purchase was to be discussed, but that in the end neither he nor Te Rauparaha was able to attend. On instructions from Te Rauparaha his son Tamihana Te Rauparaha and the chiefs 'Martin' (Matene Te Whiwhi), Hakaraia and Taratoa, the Ngati Raukawa 'chief of Manawatu' were deputed to oppose on Ngati Toa's behalf Ngati Apa's right to sell land south of the Rangitikei.³⁶³ This was, in the end, Ngati Raukawa's stance as well. Te Rangihaeata himself, however, had contested Ngati Apa's right to sell *any* land south of the Whangaehu, following an initial request from Ngati Raukawa for his assistance in blocking the sale. According to McLean:³⁶⁴

Rangihaeata who had been for some considerable time preparing large quantities of food for the Ngati Toas and other Natives who were invited by him to the meeting, was evidently calculating on their co-operation in opposing the right of the Ngati Apas to sell any land south of the Wangaeahu river. This Chief had also been led to expect that the Ngati Raukawas of Otaki and Manawatu would unite with him in opposing the sale of land as several of the influential members of the above tribe solicited Rangi's influence in preventing the Ngati Apa sale and requested him and his followers to sign a document embodying their determination to retain possession of all their lands.

Te Rangihaeata was embarrassed to find that most of the Ngati Raukawa rangatira and even some within Ngati Toa itself were willing to allow Ngati

361 Richmond to McLean, 31 July 1848, NM 10/9, NA Wellington, cited Luiten, *Whanganui ki Porirua*, 13-14.

362 See Wilson, *Early Rangitikei*. 26-32. Buick (*Early Manawatu*, 170) states

363 McLean to Col. Secretary, MS 32/3, ATL Wellington [document transcribed in Appendix]

364 Ibid.

Apa the right to sell the land between the Whangaehu and the Rangitikei.³⁶⁵ While the older generation of rangatira, Rauparaha and Rangihaeata especially, insisted on what they saw as a strict application of Maori custom and denied that Ngati Apa had any rights to sell, a younger generation of missionary-influenced chiefs were willing to be somewhat less uncompromising. The lines of debate were explained by Rawiri Te Whanui (Ngati Raukawa) to the Native Land Court in 1868:³⁶⁶

Mr McLean spoke of his having been to Ngati Apa to hear about the sale of land from the other side of Rangitikei to Manawatu. Rauparaha was annoyed with McLean. "What - did you go to those slaves to talk about a sale?" - meaning Ngati Apa. He said they were people whom he had spared and they had no voice in such a matter. Ngati Raukawa agreed. After Mr McLean left [there were] runanga of Ngati Raukawa. At these meetings was fixed the boundary of the land not to be sold at Whangaehu. Opinion was divided. Some said at Whangaehu, some Turakina. Rauparaha said let it

365 Ibid.

366 Evidence of Rawiri Te Whanui, Himatangi case, (1868) 1C Otaki MB 231-2. The same transaction was also described by Tamihana Te Rauparaha, in cross-examination, at *ibid*, 386-7:

Muaupoko have no mana this side of Manawatu except within their fences - at Horowhenua only - Te Rauparaha arranged this boundary - he arranged it in 1840 at the time of the Treaty - he and Ihakara. Tell the Court that he and Mr McLean had [386.] had arranged that boundary. That was at the time of the purchase of Awahou. It was then that I and Matene, Rawiri Puaha, Hukiki with Ihakara arranged that boundary. The 'mana' of Tamihana Te Rauparaha is from Manawatu to Kukutauaki on this side of Waikanae. My mana did not cross Manawatu. The reason was because the great chiefs of Ngati Raukawa and Ngati Toa had returned that land to Ngati Apa in open day. It was done at the time of the Rangitikei block. I was present at Te Awahou. It was then that Ngati Raukawa and Ngati Toa returned to Ngati Apa the land on the other side of Rangitikei and this side of Rangitikei up to Manawatu. [I] went to Te Awahou (pa) with Nepia, Hukuki, and other chiefs. Left Rauparaha at Otaki. Rauparaha and Rangihaeata were anti land-sellers at that time. The thought of Nepia and Hukiki and the chiefs at that time was to sell all the land to the government.

Rauparaha and Rangihaeata said: "I will hold the land." It was not Ngati Raukawa who held the 'mana' of the land holding, it was Rangihaeata. I, Matene, Ihakara and Hakaraia supported the anti land-selling party. [We] reached Awahou. [We] found Ngati Apa and Mr McLean, Commissioner. Spoke about keeping the land and giving [387.] Ngati Apa the other side for them to sell. I spoke, and said, "Keep this side". Hori Te [Arana?] said, "Will you let the 'mana' of this be with Ngati Apa and you?". The great chiefs said, "Yes!" Therefore, I know the mana of Ngati Apa chiefs is great over this land. All the land and 'mana' went back to Ngati Apa then. There was a little bit left for Ngati Raukawa - just their clearings and 'mahinga kai'. The whole land was given back to Ngati Apa and Rangitane and Pane [iri?]. No exception of cultivations was made. I heard the majority of the owners assenting. I said nothing. I heard Ngati Raukawa giving back the land. 100 of us, and that 100 assented. I was silent myself. I listened to Ngati Raukawa bidding farewell to their lands - consented by silence. Ngati Raukawa gave assent. They occupied afterwards as 'mokais' of Ngati Apa.

be at Whangaehu - he and other chiefs. The point was not decided. [There was] another meeting afterward and discussion about the boundary, Whangaehu and Turakina. The young men, such as myself, Hakaraia and Matene Te Whiwhi, wished to follow advice of missionary [sic] and take the boundary to Turakina, and, after, to Rangitikei. [It was] proposed to fix Rangitikei as the boundary of Ngati Apa's sale - old men still urged that [sic] - Matene and Hakaraia pressed their point and it was at last agreed to.

These interesting remarks make it clear that missionary advisers were influential in persuading the rangatira of the coalition tribes to abandon notions of 'slave' tribes and conquest, and to acquiesce in land-selling.

It probably makes best sense to see Te Rangihaeata's efforts on this occasion as arising out of his recognised leadership of the anti-government non-selling factions within all the tribes in the coalition rather than as the champion of a specifically Ngati Toa interest, although no doubt the two roles overlapped. As late as 1849 Te Rangihaeata was still a formidable figure, and many outside of Ngati Toa still looked to him for leadership.

At the meeting of May 1849, then, McLean obtained the assent of Ngati Raukawa and Ngati Toa that Ngati Apa could sell the land between the Whangaehu and the Rangitikei. There was also agreement that Ngati Apa would be entitled to interests in some restricted areas on the south side of the Rangitikei. According to Buick, Matene te Whiwhi (Ngati Toa/Ngati Raukawa) and Rawiri Te Whanui worked out a trade-off by which it was agreed Ngati Apa could sell "conditionally upon their undertaking never to question the Ngatiraukawa title to the district south of the Rangitikei river".³⁶⁷ As far as Ngati Raukawa and the moderates within Ngati Toa led by Rawiri Puaha were concerned, allowing Ngati Apa to sell the Rangitikei Block was a generous concession, not a recognition of a claim of right. According to Matene te Whiwhi:³⁶⁸

The Ngatiapa and Rangitane had lost all authority over these lands as far as the Wairarapa long before the Treaty of Waitangi came in 1840. At the time the treaty was signed they had no authority over the land. The Ngatiraukawa quietly handed over the other side of Rangitikei to Ngatiapa to sell to Mr. McLean, which made that sale complete.

³⁶⁷ Buick, *Old Manawatu*, 170.

³⁶⁸ Cited Buick, *Old Manawatu*, 171 [no source given].

No doubt Ngati Apa today would not agree. It is significant, however, that McLean thought it essential to obtain Ngati Toa and Ngati Raukawa assent before proceeding with the Rangitikei deed, which was then drawn up by McLean and signed by 200 people of Ngati Apa at Wanganui in May 1849. Te Rangihaeata was still far from happy, and tried up to the last minute to dissuade Ngati Apa from selling, to no avail.³⁶⁹ That left the southern section, the Rangitikei-Manawatu block, which was to be the subject of much dissension and litigation in the future.

6.10. The Waikanae Block: In 1852 Grey tried to persuade Te Rangihaeata to sell Waikanae to the government, but Te Rangihaeata was far from willing; he 'flatly and rudely refused' and said that 'you have had Porirua, Ahuriri, Wairarapa, Wanganui, and the whole of the Middle Island given up to you and still you are not contented. We are driven into a corner.'³⁷⁰ However by 1858 Ngati Toa had decided to sell some land at Waikanae. This block was sold to the Crown on 20 April 1858 and was a joint transaction in which Ngati Toa and Te Ati Awa were co-vendors.³⁷¹ The deed states that a cash advance of £140 was to be paid immediately; "when this land is surveyed the final payment to us will be decided upon." The deed was drawn up by W.N. Searancke and was signed on behalf of the vendors by Matene Te Whiwhi, Nopera, Hori Tumu, Mohi Tiaho, Poihipi Te Ono, Tiaho, Hemi Wakata, Tamati, Rawiri Puaha, Heruwini Te Tupo, Ropata, and Teira. By this time the Te Ati Awa community of Kenakena at Waikanae had long been abandoned, Te Ati Awa having mostly returned to Taranaki in 1848. A few Te Ati Awa stayed on in the area, however, most notably Metapare Waipunahau, the widow of a whaler, and her two sons Hemi Matenga and Wi Parata - both of whom are also regarded as Ngati Toa.³⁷² Charlotte Godley passed through Waikanae in 1850 and found it deserted (the 'most desert-looking place that perhaps ever was seen'³⁷³). Four years later Richard Taylor went to look for the large decorated church built under Octavius Hadfield's supervision by Ngati Toa and Te Ati Awa in 1843 and found it empty and in ruins: a 'most melancholy' scene Taylor thought.³⁷⁴

³⁶⁹ McLean to Principal Agent, NZ Co, Wellington, 12 April 1849, in NZ Co 3/10, NA. Wellington (copy in Luiten, *Whanganui ki Porirua*, Document Bank, II, 377-80.

³⁷⁰ Richard Taylor, *Te Ika a Maui*, London, 1855, 339.

³⁷¹ *Turton's Land Deeds of the North Island*, No 23. p 128-9.

³⁷² C. and J. Maclean, *Waikanae past and present*, Whitcombe Press, Waikanae, 1988, 22.

³⁷³ Charlotte Godley, *Letters from early New Zealand*, Whitcombe & Tombs, Christchurch, 1951, p. 106.

³⁷⁴ Taylor, *Journal*, 4 April 1856, Vol. 8, ATL, p. 174.

Waikanae when I first visited it contained 6 or 7000 persons and I could scarcely reach Mr Hadfield's house for the press. The buzz of man has given way to the dash of the ocean waves.

6.11: The Te Waipounamu deed 1853 and related transactions: The Te Waipounamu deed was a transaction by which Ngati Toa agreed to cede to the Crown their remaining interests in the South Island, although as with the 1847 Wairau deed provision was made for reserves. The 1853 deed was part of a complex chain of transactions carefully negotiated by Donald McLean with all the tribes, Ngai Tahu excepted, who claimed lands in the Upper South Island. McLean's objectives were generally to extinguish all claims in return for cash and the allocation of reserves. By far the largest single payment was made to Ngati Toa, reflecting McLean's perception, one assumes, that they had the most significant claim according to Maori custom. Rangatira of other tribes accepted that while Ngati Toa had direct ownership of the Wairau-Cloudy Bay region and Te Hoiere (Pelorus Sound) they had 'mingled' claims with the other tribes in the rest of the region:³⁷⁵

The land at the Wairau belonged to Ngati Toa...I admit that Ngati Toa had mingled claims to the land together with the other hapus and that was the reason why they were paid part of the purchase money.

The main steps in this sequence of transactions are as follows:

Date	Transaction	Price etc
10 August 1853	Ngati Toa deed of sale ceding all remaining interests in Te Waipounamu	£5000
2 March 1854	Ngati Awa deed of sale ceding land in Queen Charlotte Sound and the Wairau	executed at New Plymouth as by this time Atiawa have returned to Taranaki. Price £200.

³⁷⁵ Evidence of Taka Herewine Ngapiko (Ngati Rarua and Ngati Tama), Nelson Tenth's case, (1892) 2 Nelson MB 178.

10-13 Nov 1855	Ngati Rarua and Ngati Tama Executed at Nelson. Price deeds ceding all claims to £600. land in the South Island
1 Feb 1856	Rangitane are paid £100 to extinguish all claims to land in the S. I.
9 Feb 1856	Ngati Awa deed of sale £500 conveying all claims to land in the South Island to the Crown
16 Feb 1856	Ngati Kuia deed of sale £100 which cedes claims to Kaituna, Te Hoiere, all other S.I. claims
5 March 1856	Ngati Koata deed of sale £100 ceding claims in Nelson province
10 March 1856	Ngati Tama deed ceding £60 claims at Motupipi and Takaka in Nelson province
7 March 1856	Ngati Tama deed ceding £110 claims in Massacre Bay
7 March 1856	Deed with Ngati Tama and Ngati Rarua ceding claims to land at and adjacent to Separation Pt, Nelson. £150

The negotiations relating to the Te Waipounamu deed and its aftermath are described were described by Mackay in the introduction to his *Compendium* (1873).³⁷⁶ Relying on Mackay's narrative, it appears that the initial negotiations were conducted between Ngati Toa and Sir George Grey, with Donald McLean's assistance. With Grey's departure to England in 1853 the task of finalising the arrangements was left to McLean. In November 1854 the government surveyor, Charles Brunner, went to the South Island to survey off

³⁷⁶ A. Mackay, *A Compendium of Official Documents relative to Native Affairs in the South Island*, vol 1, 1873, 14-15.

the reserves agreed to in the deed. In December 1854 there was a large meeting of Maori from Nelson province held at Porirua "on one of their periodical visits".³⁷⁷ (Porirua seems to have been the gathering place not only of Ngati Toa but of all Ngati Toa's allied and vassal tribes.) It was originally assumed that Ngati Toa would be responsible for distributing appropriate shares of the £5000 cash paid for Te Waipounamu to the other tribes, but at the December 1854 Porirua meeting matters were rearranged:³⁷⁸

"...Advantage was taken by Mr Commissioner McLean of the presence of so many influential representatives of the various tribes, to discuss with them the merits of their respective claims, and a unanimous desire was expressed on the part of the assembled tribes to have the second instalment paid to them at Porirua, instead of Nelson; and, in order that the whole might participate to a greater extent than the distribution of a single instalment would permit, the natives present requested that some of their chiefs had recently died, while others who had taken a prominent part in the conquest of the land were in a precarious state of health...Besides the sum of £5000 first agreed on, it was considered necessary, on visiting the districts comprised in the purchase, to augment that amount by an additional sum of £2000...

The additional payments made in the later deeds are presumably the components of the additional £2000 McLean is referring to. The deed of 1853 should basically be read as a general extinguishment of undefined claims rather than a "sale" as such. There are 73 names on the deed. They included Rawiri Puaha, Tamihana Te Rauparaha, Hohepa Tamaihengia, Matene Te Whiwhi, Te Hiko and Tungia. Many of the important details of the arrangement as a whole are not included in the text of the deed. Reserves are not described in detail. The deed states merely:³⁷⁹

Now, certain places are agreed to by the Queen of England to be reserved for our relations, residing on the said land, which has been sold by us, but the Governor of New Zealand reserves to himself the right of deciding on the extent and position of the lands to be so reserved, and certain other portions of land have also been agreed upon by the Governor of New Zealand to be granted to some of our chiefs.

377 Mackay. *ibid.*

378 *Ibid.*,

379 Using English translation in Mackay, *Compendium*, vol 1, 308.

There is a memorandum in the printed correspondence from McLean which gives some indication of the reserves to be made in the Wairau area:³⁸⁰

The fishing reserves for the Natives of the Wairau District is bounded to the North by Te Akiroa on to the range above the bay, and descends to a red cliff called Te Karaka where there is a small stream of water. The boundary is to run back so as to include some land behind this reserve until it reaches the Pukaka stream, where they desire to fish eels and plant potatoes.

Te Kana Pukekohatu and Wiremu Nera [sic] Te Kanae are to have 50 acres each at Wairau. Pukekohatu's land has been laid off by Mr Budge, who was instructed also to lay off Te Kanae's.

As well as the to 50-acre sections for Te Kana Pukekohatu and Wiremu Neera te Kanae a further 2939 acres were ultimately reserved in the Wairau district.³⁸¹ There seems to have been some difficulties involved in resurveying the reserves in Marlborough, difficulties which are hinted at in a letter from Wiremu te Kanae (who seems to have exercised primary responsibility for monitoring the surveys) to Richmond dated 24 February 1855:³⁸²

Friend Richmond,

Salutations to you. We have received a letter from Mr McLean and Rawiri Puaha concerning the coming here of Messrs Brunner and Jenkins to lay off the Reserves, and of my sending them away without allowing them to complete their work. As we have only just now got a proper understanding concerning the land here, I would inform you that you can use your own discretion in the matter of sending Mr Brunner to assist me in laying off the lands for the Maori and the Pakeha.

This is all.

From your loving friend,

Wiremu te Kanae.

The statement in the deed that "certain other portions of land have been agreed upon by the Governor of New Zealand to be granted to some of our chiefs" relates to a separate arrangement by which a number of Ngati Toa

³⁸⁰ Memorandum of instructions from Donald McLean, 24 April 1856, in Mackay, *Compendium*, vol 1, 306

³⁸¹ A Mackay to Under-Secretary, Native Department, 1 October 1873, MA 13/17, National Archives, Wellington.

³⁸² Wiremu te Kanae-Richmond, 24 Feb 1855, MA 13/51 [Nelson transactions], original in Maori, citing English translation on file.

chiefs were to be individually granted 200 acres of land each within the boundaries of the Te Waipounamu purchase; some were in addition to be entitled to a grant of Crown land in other parts of the country. McLean explained the situation in a report to the Civil Secretary in 1853:³⁸³

In addition to the lands to be reserved, his excellency [i.e. Grey] agreed that certain chiefs, whose names are furnished in the accompanying list, shall receive grants of 200 acres of land each, in such parts of the purchase as his Excellency may appoint, and that those chiefs 15 in number, more particularly interested in the the sale of the Pelorus or Hoiere, a district they had a great reluctance in ceding, shall be entitled with unlimited rights of selection in any Crown lands within the six provinces of New Zealand to 50 acres of scrip each.³⁸⁴

It seems to be the case that the Te Waipounamu transactions coincided with the decision of Ngati Tama and other groups to return to North Taranaki.

³⁸³ McLean-Civil Secretary, 11 August 1853, copy on MA 13/17, National Archives, Wellington.

³⁸⁴ The 26 individuals were:

1. Te Wahapiro
2. Nopera te Ngiha
3. Ropata Wainui
4. Whawharoa
5. Hohepa te Maihengia
6. Mokau (Te Rangihaeata)
7. Te Hiko
8. Rawiri Puaha
9. Wi te Kanae
10. Horomona
11. Rawiri Hikihiki
12. Te Hua
13. Tungia
14. Pitiroi Paea
15. Tamati Hauhau
16. Te Waka te Kotua
17. Tamihana Rauparaha
18. Matene te Whiwhi
19. Hoani te Okoro
20. Horopapera
21. Riwai te Ahu
22. Hohai (Hohaia)
23. Te Karira
24. Rawiri te Ouenuku
25. Eraia te Hunga
26. Pehi te Ranoterangi

Herewine Ngapiko of Ngati Tama/Ngati Rarua said he returned to Poutama in 1857 "about the time of the Aorere diggings".³⁸⁵

³⁸⁵ (1892) 2 Nelson MB 186 (referring to the Collingwood gold rush).

7. Ngati Toa and the Wellington Tenths Litigation

7.1. Ngati Toa Affairs after 1870

In the 1860s and 1870s Ngati Toa were involved in a number of Native Land Court investigations of title to blocks of land north of Porirua (Hongoeka, Pukerua etc.) It was in the 1870s that the long struggle over the Anglican church lands within the Whitireia reserve at Porirua was beginning.³⁸⁶ Reserved lands at Takapuahia had been leased for timber-cutting; the rent was paid to N. Tunga and W. Neera.³⁸⁷ By this time few Te Ati Awa were left in the region; most had gone home to Taranaki, although there were some Ngati Awa remaining at Waikanae (47), Port Nicolson (88), and Queen Charlotte Sound (138).³⁸⁸ Ngati Mutunga and Ngati Tama had also returned to North Taranaki from the Chatham Islands (Ngati Mutunga re-emigrated there in the 1880s). The 1874 census reveals that Ngati Toa were living at Waikanae (34 people, along with 47 of Ngati Awa), at Wainui (6), Porirua (60), the Wairau Valley (83 people of Ngati Toa/Ngati Rarua/Rangitane) and Pelorus Sound (where a mixed group of 63 people of Ngati Toa/Rangitane were recorded). There were 48 people of Ngati Koata living at Croizelles and D'Urville Island, 42 Ngati Rarua/Ngati Awa people living at Motueka. In fact by this time the greater number of the descendants of the Kawhia descent groups were living in the South Island, although the centre of Ngati Toa tribal life continued to be Porirua. About 120 Maori people lived at Wellington by this time, classed as Ngati Awa, Taranaki, and Ngati Manui. By far the biggest group in the region was Ngati Raukawa, living at Ohau, Otaki, Waikawa, Poutu and other places (about 750 people).

7.2. The Wellington Tenths in the Native Land Court: This report has focused on the history of Ngati Toa. Certainly Te Rauparaha and Te Rangihaeata regarded Ngati Toa as having interests in Whanganui a Tara at

³⁸⁶ This convoluted affair would probably require a separate report to the Waitangi Tribunal in its own right. It concerned a 500-acre block near Porirua. See *Wi Parata v Bishop of Wellington*, 3 NZ Jur NS SC 72, *The Bishop of Wellington v The Solicitor-General*, (1901) 19 NZLR 214, *Solicitor-General v Bishop of Wellington*, (1901) 19 NZLR 665, *Hohepa Wi Neera v The Bishop of Wellington* (1902) 21 NZLR 655, *Wallis v Solicitor-General*, (1902) [NZPCC] 23.

³⁸⁷ 1878 AJHR G-6A.

³⁸⁸ See (1874) AJHR G-2. Of course census records at this time are notoriously unreliable. As these descent groups were living for the most part in readily accessible villages in a long-settled area the records for the Wellington region may, however, be somewhat more reliable than most.

1840, and the events in the Hutt Valley in 1844-46 show that some of Ngati Toa were willing to defend their interests in the Hutt Valley against military attack.

Mackay's decision in the Wellington Tenths case³⁸⁹ is something of a puzzle, as there is strangely little evidence actually recorded in the Minute Books. The evidence is mainly that of Kere Ngataierua and Mahini of Ngati Tama. Hohepa Horomona, who was undoubtedly Ngati Toa, did hand in a list of names to Mackay, and he did cross-examine the Ngati Tama claimants. but to date I have been unsuccessful in locating any records of Ngati Toa evidence given in this hearing. Judge Mackay described the objectives of the hearing as follows:³⁹⁰

The object of the inquiry which has taken place has led to an investigation of the claim preferred by [Rere Ngataierua?] and others being members of the four hapus known as Ngati Tu, Ngati Ronganui, Ngati Rangitahi, Ngati Uru, to the joint ownership of the tract of land known as Port Nicholson Block sold by the Natives in 1839 to the New Zealand Company, who to ascertain who were the bona fide owners of that block at the aforesaid date, and for this purpose an inquiry was instituted in respect of the persons who occupied the various native settlements round the harbour (Wanganui-a-te-ra) viz, at Te Aro, Kumutoto, Pipitea, Tiakiwai, Pakuae, Kaiwharawhara, Ngaurang, Pitoone, and Waiwhetu, inclusive of others living at Ohariu and elsewhere on the western side.

In the course of the inquiry it was alleged by Rere Ngataierua that at the time the Company bought the land in 1839 the 84 persons enumerated by him were residing at Tiakiwai and belonged to these hapus and he claims on their behalf that [131.] they were joint owners of the territory sold to the Company by the other hapus.

To deal with this question Mackay insisted that it was necessary to consider the tribal history of the Wellington region:

For the purpose of determining the matter it is necessary to start from the period of time when the northern tribes made their first inroads over this part of the North Island. It has been ascertained from other sources that the first body of the Northern natives who came south was a marauding party of the Ngapuhi and Ngati Toa under Wakan Nene, Patuone, Te Rauparaha and other leaders. The first conflict

389 Commencing at (1888) 2 Wellington MB 99.

390 Ibid, 130.

that took place on the way south was with the Ngati Ruanui and after fighting their way down the coast they ultimately reached Otaki where they rested for a while.

The hostile party then continued its course destroying numbers of residents on the way and ultimately reached Wanganui a Tera then occupied by the Ngati Kahungunu who, alarmed at the approach of the invaders, had fled to Wairarapa where they were pursued and slaughtered in large numbers, the fugitives escaping to Ahuriri from whence they finally took refuge at Nukutaurua on the Mahia Peninsula.

Following this preliminary foray came the main migrations:

[132] After the raid was over the war party returned North but Rauparaha, who had perceived the value of the country, had conceived an idea of leaving the ancient possessions of his people at Kawhia for the purpose of settling at Kapiti. After a period of repose and rest in commemoration of the southern victories Rauparaha began to prepare his plans for returning to Kapiti. After making the necessary arrangements he started south and was joined by a party of Ngati Awa under Wi Kingi Rangitahi, Rere Te Wangawanga [sic] and ultimately settled down at Kapiti about the year 1820. About six years (1826) after this Rauparaha was attacked at Waiorua (Kapiti) by a large party of the former owners as well as members of other hapus. A number of tribes joined in the attack including people from the South Island. The attacking party were repulsed with great slaughter and no further attempt was made after this to dislodge Rauparaha's party.

For many years until the [133] arrival of additional migrations from the North Island about 1827 the country south of Kapiti was not much occupied by the invaders. The first people to take possession of the Port Nicholson District were the Ngati Mutunga. About this time also the Ngati Tama and Ngati Awa settled at Ohariu and other places on the coast south of Porirua.

A few years before Ngati Mutunga migrated to the Chathams, Patukawenga, one of their principal men, made a present of part of the Hutt District about Whaiwhetu [sic] to Te Matehou in payment for revenging the death of some of the Ngati Mutunga killed by Ngati Kahungunu and on the Ngati Mutunga leaving for the Chathams in 1839³⁹¹ the Ngati Awa who had been living for some time in the Wairarapa where they had gone on a fighting expedition returned to Wellington and took possession of all the district formerly owned by the Ngati Mutunga and were found in possession by the New Zealand Company to whom they sold [134.] this territory in the same year.

391 Sic. The usually accepted date is 1835.

Mackay thought that the only other group, apart from those who sold the harbour in 1839, who could plausibly advance a claim, would have been Ngati Toa themselves.

The only hapus who would have been justified in making a claim to the territory sold by the Ngati Awa in 1839 were the Ngati Toa but the only part of the [] [] they preferred a claim to was the Porirua district for which [137.] they received a final payment in 1847. It will be seen therefore that although Ngati Toa and the other hapus conquered the district in 18[] that they made no attempt to make a claim to the land against the resident hapus at the sale to the Company in 1839, but allowed them to sell such portions as they were considered to be entitled to. The Court is therefore of opinion that the Port Nicholson Block at the time it was sold was the property of the hapus of Ngati Awa and Ngati Tama then in occupation and that the four hapus, viz, the Ngati Tu, Ngati Ronganui, Ngati Rangitahi, and Ngati Uru had acquired no rights of ownership through residence over the land in question that would now justify a claim being now preferred on their behalf.

The 84 names submitted by Kere Ngataierua, subject to the elimination of any bona fide claimants who have been included, will have therefore to be withdrawn from the list of original owners.

In making these observations, Mackay was obviously unaware of Ngati Toa's participation in the compensation for Wellington negotiated in early 1844, of Spain's meetings with Te Rauparaha and Te Rangihaeata in 1844, and (most surprisingly perhaps) of the fighting in the valley from 1844-46.

8. Conclusion

8.1 General conclusions: This report is based on the direction commissioning research dated 28 August 1996. This raised a number of issues relating specifically to the Wellington Tenth's claim currently being heard by the Waitangi Tribunal, but it will be apparent that this report has not narrowly confined itself to those issues alone, but has instead attempted to provide a reasonably comprehensive account of Ngati Toa's circumstances and the land transactions with which this iwi was involved in the course of the nineteenth century. This was done because of the likelihood that this report, being the first occasion on which any publicly funded research focusing specifically on Ngati Toa has been commissioned, will have relevance beyond the narrow confines of the Wellington Tenth's case. Secondly, it is my view that Ngati Toa's interests and concerns with regard to Wellington cannot be properly grasped without some comprehension of events which took place on the West Coast and in the South Island (it is noticeable that other research reports written for the Wellington Tenth's claim have not confined themselves narrowly to Wellington/Heretaunga either).

It has to be admitted that Wellington and the Hutt Valley was not *the* primary area of interest and concern to Ngati Toa (the same goes, of course, for Ngati Tama and Te Ati Awa). Ngati Toa's principal "core" zone (meaning lands settled by and belonging *exclusively* to Ngati Toa) was (a) Porirua, this meaning in its broadest sense both arms of the harbour, the surrounding land, and Mana and Kapiti Islands, and (b) certain areas in the South Island, most notably the Wairau Valley. Another, somewhat distinct, "core" area was Rangitoto (D'Urville Island) which was claimed by Ngati Koata, one of Ngati Toa's three main sub-tribes (Ngati Koata still live on D'Urville today). Beyond these was a zone in which Ngati Toa interests of various kinds were insisted on by Ngati Toa themselves and to varying degrees accepted by other iwi. One such area was the Rangitikei/Manawatu, where, as described in this report, Ngati Raukawa non-sellers sought the support of Te Rangihaeata to oppose the alienation of the Rangitikei Block by Ngati Apa to the Crown in 1849. Without wishing to overcolour the situation or strain the evidence, it seems to be the case that Wellington and the Hutt Valley was in a rather similar position: Ngati Toa regarded themselves as having rights and

interests, which to a degree were accepted by other iwi. Mahini of Ngati Tama put it this way in the Wellington Tenths case.³⁹²

My claim is not ancestral. It is through the migration that came subsequent to Rauparaha. That is the case with all the hapus. Rauparaha was the first migration and first conquest. [103.] He conquered the inhabitants. Rauparaha's conquest extended as far as the South Island. Can't only speak as regards my own tribe who migrated subsequent to Rauparaha. Ngati Tama under Rangikatutu and Ringa Kuri and Ngati Raukawa, we came after Rauparaha had swept away all the Natives to occupy the land. We occupied from Ohariu to Tiakiwai. With respect to new arrivals, Rauparaha did not order them off - offered no objection to people occupying and they remained until [the] arrival of Captain Wakefield.

Lastly, the point insisted on in this report generally, the criss-crossing interconnections between the various immigrant iwi by marriage, must not be lost sight of.

Issues Raised in the Direction Commissioning Research, 28 August 96:

8.2. An examination of the circumstances of Ngati Toa's arrival in the Cook Strait region, principal places of occupation and settlement, and relations with other Maori groups in the area.

This has been by far the largest and most demanding of the research tasks listed in the commission, and it has occupied the greater part of this report. This has been described fully in the text. My principal conclusion is that the attempt to construct a revisionist account of these events which seeks to downplay the role of Ngati Toa themselves and dramatise the role of Te Ati Awa is misconceived. I do not mean to suggest, of course, that Te Ati Awa played no role in the conquests, or that they were not an important part of the coalition. However, it seems to me that it is important not to conflate references to "Ngati Awa" in the Minute Books and other primary sources to the descent groups classed as "Te Ati Awa" today. Typically Ngati Mutunga were usually included in 19th-century sources within the term "Ngati Awa"; but whether Ngati Mutunga and Te Ati Awa should be seen as the same iwi today is a moot point. In fact Ngati Mutunga's closest connections seem to be with Ngati Toa, so much so that these groups are very difficult to disentangle

³⁹² (1888) 2 Wellington MB 102-3.

at the present time. Relations between Ngati Mutunga and Ngati Toa have always historically been very close (as are the links between Ngati Toa and Ngati Tama, and Ngati Tama and Ngati Mutunga).

I am deeply sceptical of attempts to demonstrate that the victory at Waiorua was as much the achievement of Te Ati Awa as it was of Ngati Toa. There is no convincing evidence for this. According to Wi Parata "Ngati Awa" was not there at all, but learned of the battle after they had gone home to Taranaki. The various and detailed accounts of Matene Te Whiwhi, Tamihana Te Rauparaha and other Ngati Toa chiefs give no hint that North Taranaki descent groups played any role in the battle. Wi Parata says that the pa at Waiorua was defended by Ngati Haumia and Ngati Koata. Perhaps the reference to Ngati Haumia is the source of some of the confusion. It is possible there were two groups with this name. Certainly some witnesses in the cases in the Wellington Minute Books describe themselves as belonging to "Ngati Haumia" of Taranaki; and there was a detachment of Ngati Haumia who accompanied the Kekerewai, Ngati Mutunga, and Ngati Tama to the Chatham Islands in 1835. But there is undoubtedly a Ngati Toa descent group known as Ngati Haumia; their presence is well-attested in primary sources and by secondary authorities such as Carkeek, and is, so I understand, still to be found at Paekakariki. And even S.P. Smith, often cited as a main source for crediting Te Ati Awa with a major role at Waiorua, stresses that most of the North Taranaki groups had gone home, partly because of anxieties of an attack on their home territories by Waikato, and partly because they were tired of being ordered about by Te Rauparaha. After Waiorua the prestige of Ngati Toa and Te Rauparaha really does seem to have soared to great heights, and it was after this impressive victory that the main migrations from North Taranaki seem to have occurred. The invasions of the South Island which followed were launched under Te Rauparaha's authority and direction: "he was the ariki o nga tangata."³⁹³ However the most important secondary migration, in my opinion, was not that of Te Ati Awa, Ngati Mutunga or Ngati Tama, but, in fact, that of Ngati Raukawa. Many hapus of Ngati Raukawa came south under the leadership of their great chiefs Te Ahu Karamu and Te Whatanui. I am not certain of the relative numbers of the various tribes, but it is possible that the Ngati Raukawa migration was in terms of actual numbers of people actually the largest of all. It was also one of the most durable. Like Ngati Toa Ngati Raukawa came south to stay - although of course many remained behind. This led to the situation that

³⁹³ Herewine Ngapiko (Ngati Rarua), Nelson Tenth case, at (1892) 2 Nelson MB 184.

prevails today whereby Ngati Raukawa have a dual presence hundreds of miles apart - around Tokoroa, and around Otaki. By the 1870s and 1880s Ngati Raukawa was by far the biggest tribe in Wellington region. The Raukawa connection was a critical one for Te Rauparaha, who had unquestioned status as a Ngati Raukawa rangatira in his own right, as did Te Rangihaeata, Matene Te Whiwhi and a number of other "Ngati Toa" chiefs. One Raukawa descent group, Ngati Huia, preserves to this day a strong sense of identification with Te Rauparaha.

So Ngati Toa's special position and strength can in part be understood as an outcome of certain historical events: the move south, the stunning victory at Waiorua, the successful invasions of the Upper South Island and of Wellington by the tribes of a coalition which was dominated by the skill and leadership of Te Rauparaha, and the accession of a new body of strength and power to Te Rauparaha's position with the arrival of Ngati Raukawa. Their position can also be explained analytically, stressing Te Rauparaha's personal mana and authority, Ngati Toa's record of military successs, the dense kin links with Ngati Tama, Ngati Mutunga and Ngati Raukawa, and Ngati Toa's strategic position and commercial success.

8.3. An account of Ngati Toa's economic and other interests in Te Whanganui a Tara and Heretaunga, from the 1820s through to the 1840s, as outlined in both written primary sources and oral sources.

While the preceding part of the direction focused on the "Cook Strait region", this focus specifically on Te Whanganui-a-Tara and Heretaunga. Some care needs to be taken with these terms. Te Whanganui a Tara - that is, Wellington harbour - was of little or no economic interest to Ngati Toa. There is no documentary evidence of Ngati Toa settlement around the harbour, or of Ngati Toa cultivating around Wellington harbour, or of Ngati Toa using the harbour for fishing or navigation, although this may be qualified by oral evidence. It should also be noted that the inner harbour and its shoreline should not be conflated with the external coastal shoreline from Ohariu to Terawhiti to Ohiro Bay and the harbour entrance: discussions the writer has had with Ngati Toa witnesses give the impression that Ngati Toa fishing parties ranged the shoreline of what is fact a huge area of coast for fishing and resource gathering. Nevertheless, Te Rauparaha and the leadership of Ngati Toa saw that in fact the most valuable district in the region was Kapiti and Porirua, which was where the tribe settled (and where they are, of course, still

to be found). Te Whanganui-a-Tara was a backwater, visually impressive, but of little commercial value. Whaling ships seem never to have gone there. Te Atiawa had the second-best place, at Waikanae; and Dieffenbach's guess that one reason for the continuing friction between Ngati Raukawa and Te Ati Awa was the former's jealousy at the latter's closeness to Kapiti and its lucrative commerce is likely to be correct.

There seems to be little doubt that Te Rauparaha and Te Rangihaeata regarded Te Whanganui-a-Tara as falling under their mana and that of Ngati Toa. Colonel William Wakefield seems to have believed that his 1839 Port Nicholson deed would have meant nothing unless Te Rauparaha's and Ngati Toa's title was separately extinguished - a principal reason for the Kapiti deed. The details of the actual conquest of Wellington are shadowy in the extreme. I have seen no evidence which indicates that Te Rauparaha played an important part in personally subduing the tribes of Port Nicholson and Heretaunga. My impression is that his attention was fixed much more closely on the Kapiti, Horowhenua and Manawatu districts, and then on the South Island. Wellington offered neither trade with the Pakehas, or the prized pounamu, or anything else of compelling interest to Te Rauparaha - he must have been puzzled as to why such large numbers of Europeans came to settle in such an unlikely place. Peace was made between Ngati Kahungunu of the Wairarapa and Ngati Toa shortly after Waiorua. All the indications are that the task was the primary responsibility of Ngati Mutunga, who could be relied on as an effective and well-disposed group to occupy a buffer area that was of peripheral importance. However, unlike some other commentators, I would lay considerable emphasis on the very strong links of kinship, marriage and adoption that existed between Ngati Mutunga and Ngati Toa. I must also confess to a degree of scepticism concerning the alleged panui of Ngati Mutunga granting Te Whanganui-a-Tara to the Ngamotu and other North Taranaki groups on the eve of the departure for the Chathams. There is only very fragmentary evidence for this panui, and there does not even seem to be a consistent Te Ati Awa tradition of its existence. Ngati Toa and Ngati Mutunga sources never mention it.

8.4. The role of Ngati Toa in the New Zealand Company transactions of 1839.

This has been described fully in the report. Ngati Toa's main involvement was via the New Zealand's Kapiti deed, investigated by Spain in 1842 and 1843, taking evidence from Captain Wakefield, Te Rauparaha and Te Rangihaeata and others, and ultimately disallowed. The lands involved were nevertheless subsequently acquired by the Crown, two of the main deeds being signed while Te Rauparaha was in detention, and the other after he had died.

8.5. The rights of Ngati Toa, as explained by Ngati Toa and other witnesses to the Spain Commission, and the implications for Ngati Toa of Commissioner Spain's decision with regard to the Wellington Purchase.

The evidence of Te Rauparaha and Te Rangihaeata with regard to the Kapiti deed is discussed above in para 6.3. I would not regard the evidence of the witnesses to the Spain commission as a particularly valuable source of information as to the rights of Ngati Toa, at least when compared to the abundance of detail found in the Minute Books of the Native Land Court, which have been the main source for the reconstruction of the traditional history attempted in this report. Spain's enquiries tended to be quite focused, and concentrated on the precise circumstances of the signing of the various deeds. Occasionally there are comments of more general interest. One is the following exchange between Wakefield and Spain in the course of the enquiry into the Kapiti deed.³⁹⁴

Q: Do you know what Title Rauparaha, or any of the Chiefs who have signed this deed [i.e. the Kapiti deed] claim Port Nicholson?

A: The Title of former conquest, and the extermination of the former inhabitants.

Q: Do you know how long it is since that conquest took place?

A: No, I do not.

Q: Do you not know that it has been several years an undisturbed possession of the Ngatiawa tribe?

A: I always understood that the Kawia Chiefs allowed a portion of the Ngatiawa Tribe to reside there.

Q: Do you consider that the Ngatiawa Tribe had a right to sell to the Land at Port Nicholson.

A: I do not think any purchase would have been a valid one unless it had been confirmed by the Kawia tribe.

³⁹⁴ OLC 1/907 (Case 374a), transcript of evidence, 9 June 1842.

However, on the whole the main approach taken in this report has been to rely on the Minute Books, supplemented by points made in the Spain Commission evidence where appropriate. The whole needs to be read together and there seems to be little point in disentangling specifically from the Spain commission material alone a view of "Ngati Toa rights".

What were the rights of Ngati Toa in any case? This is the key question at stake in this report. Ngati Toa had, of course, their rights of residence and occupation in their core territories, Porirua, Mana, Paremata, Pauatahanui, Pukerua, Kapiti, Paraparaumu (Wainui), Wairau Valley, and Te Hoiere (Pelorus Sound). This is not problematic. Much more difficult is the question of Ngati Toa "rights" with regard to territories such as Waikanae, the Rangitikei, the Hutt Valley, Wellington, or the Marlborough Sounds which were settled by other tribes of the coalition. It seems clear that within all these territories Te Rauparaha in person and Ngati Toa in general had a kind of predominance and special status, which other chiefs struggled to describe when the point came up in cases in the Land Court. In part "Ngati Toa" rights blend in to the rights of other tribes, especially Ngati Raukawa. Te Rauparaha was a Ngati Raukawa chief. It was not just, or not only, a matter of Ngati Toa mana vis-a-vis Ngati Raukawa, because the undoubted leader of the coalition, the 'tino rangatira' himself belonged to Raukawa. There seems to have been a similarly close linkage with Ngati Mutunga; certainly the links are very close and important today. These linkages did not, however, involve Te Rauparaha and Te Rangihaeata; rather the connections radiated from Te Rau o te Rangi, her daughters, and Wi Naeara Pomare. Many in Ngati Mutunga married into Ngati Toa, or adopted heirs from within Ngati Toa who also had kin connections. The kin connexions with Ngati Tama were equally close and important. Ngati Toa and Ngati Tama were ancient allies. Ngati Tama and Ngati Mutunga were also extremely densely interwoven: Taringa Kuri told Spain that Ngati Tama and Ngati Mutunga "form one tribe".³⁹⁵ Ngati Tama and Ngati Mutunga jointly invaded the Chathams in 1835, and although once in the Chathams the invaders (Ngati Tama, Ngati Mutunga, Kekerewai, Ngati Haumia) began fighting amongst themselves, Alexander Shand thought that all the hapus were so closely interconnected that such distinctions probably did not mean much. "It was really a fight between relatives" said Shand.³⁹⁶ It should be added, however, that some of the most significant conflicts

³⁹⁵ Evidence of Taringa Kuri, OLC 1/906, 28 May 1842.

³⁹⁶ Ibid, 53.

within early nineteenth Maori society were in fact "intra-tribal", such as the Kai Huanga - "eat relatives" feud within Ngai Tahu, which broke out in about 1824.³⁹⁷

So, rather than a matter of "Ngati Toa rights", the situation is much more of a dense web of seemingly carefully fostered kin connexions, crossing back and forth between the various groups. Added to that was Te Rauparaha's sheer personal prestige, mana, and capabilities. That he was someone of exceptional personal force seems to be a widespread impression. When Octavius Hadfield met him for the first time he thought Te Rauparaha "certainly looked more like a chief than any man I have yet seen".³⁹⁸ Even after his return from captivity, William Fox thought although Te Rauparaha's "direct influence had, by his age and imprisonment, been nearly annihilated", nevertheless "the mere shadow of his name was something...It was a tocsin, to the sound of which, in the case of disturbances elsewhere, the natives might yet have responded."³⁹⁹

When it comes to the implications of Spain's report on Wellington, my conclusions on this are set out above in para 6.5. (D), above. In this report Spain makes a number of points about Te Rauparaha, Te Rangihāeta and the Hutt Valley (he does not discuss Ngati Toa interests specifically in Wellington harbour, leading to the conclusion that he thought that they had none, or that the matter had been resolved by agreement). It might be noted here that Spain seems to be under the firm impression that the money paid to Ngati Toa was intended as compensation for the *Hutt Valley*, whereas at the meeting between Spain and Ngati Toa in March 1844 Te Rauparaha saw the money as compensation for Ngati Toa's interests in *Wellington* and that the Hutt Valley had to be the subject of a further agreement.

10.6. An account of Ngati Toa's relationship with the Wellington settlement, 1840-1860, and of any complaints made at the time by Ngati Toa about Commissioner Spain's decision, and/or about the vesting, beneficial ownership and use of the Wellington Tenths.

Ngati Toa's relationship with the Wellington settlement 1840-1860 was, I suppose, primarily commercial. Changes to the human geography of the Porirua basin after 1840 are described above. I have not been successful in uncovering much evidence about the commercial and economic relationships

³⁹⁷ See generally Evison, *Te Wai Pounamu*, 35 et seq.

³⁹⁸ Hadfield, diary, reprinted in Macmorran, *Octavius Hadfield*, 158.

³⁹⁹ Fox, *The Six Colonies of New Zealand*, 74, cited Burns, *Te Rauparaha*, 285.

between the new settlement and Ngati Toa. There is nothing to show that Ngati Toa became wealthy as a consequence of the growth of the new town of Wellington. Probably the establishment of Wellington, and the consequent shift of economic gravity from Kapiti-Porirua to Port Nicholson was economically deleterious to Ngati Toa. There seems to be little hope of analysing this comprehensively or attempting to provide quantifiable data without the most extensive and time-consuming study.

Ngati Toa certainly experienced massive social and economic change in the years 1840-1860. They lost most of their land, for one thing. How the cash payments were distributed seems impossible to know: I know of no information on this. Ngati Toa were never a very large group. By the 1870s the population was about 250 or so, many of whom lived in the South Island. Ngati Raukawa, on the other hand, was (and is) quite a large tribe; by the 1870s the largest concentration of Maori settlement in the lower North Island south of Wanganui was around Otaki.

When it comes to complaints about Spain's decision, one might say that Te Rangihaeata and his supporters "complained" about it. Te Rangihaeata consistently took the stance that the Upper Hutt was still his and resisted the implementation of the award and the grant. It took the presence of a substantial military involvement to induce the Maori of the valley to leave, which was followed by a fairly serious military conflict between Crown forces and Te Rangihaeata in 1846. Te Rangihaeata complained not with petitions and letters but by building fortresses and resisting at gun-point. He never conceded anything over the Hutt Valley and remained adamantly opposed to selling land to the Crown, as is shown in the text of this report. Not all of Ngati Toa agreed with his stance, of course. Research to date has not revealed any later Ngati Toa petitions or civil actions over the Wellington Tenths. The tribe had, one assumes, enough problems with the reserves within the Porirua purchase of 1847, particularly with the endowed lands at Whitireia.

10.7. An account of the role of Ngati Toa in the Native Land Court proceedings which led to the legal allocation of beneficial interests, and of any Ngati Toa protest about the court's decisions, either at the time or since.

The Wellington Tenths decision of 1886 is discussed above. As noted, the case is somewhat puzzling, and I am uncertain why it is that the only issue of real substance that Judge Mackay was concerned about was a claim by a Ngati Tama group (which was rejected). Mackay did say that the only valid claim,

apart from that of the descendants of the original vendors, would have been by Ngati Toa. Hohepa Horomona was present in Court to cross-examine. Nevertheless no award appears to have been made separately for Ngati Toa. There seems to have been a similar outcome with the allocation of the beneficial interests in the Nelson Tenths case in 1892, also heard by Judge Mackay. Hohepa Horomona also appeared on that occasion, to appear for Ngati Koata, "also for a section of the Ngati Toa, a section of the Ngati Tama, and a section of the Ngati Awa" but as only "a short notice had been given" he asked for an adjournment, which was refused. Ngati Koata gave evidence, and Hohepa Horomona was present to cross-examine, but no Ngati Toa evidence was called. There was no allocation of beneficial interests to Ngati Toa in the Nelson case either.