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# Te Whanganui-a-Tara

Customary Tenure 1750-1850

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Te Roopu Whakamana  
Te Tiriti o Waitangi

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A  
Report Commissioned  
by the  
Waitangi Tribunal

December 1992  
Waitangi Tribunal Division  
Department of Justice  
Wellington

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# Introduction

My name is Penelope Ehrhardt. I graduated with a BA(Hons) first class in history from Victoria University in 1990, in which I specialised in New Zealand and Pacific history. I have also partially completed an Llb.

I have been commissioned by the Waitangi Tribunal to write a report from written and secondary sources on customary land tenure of Te Whanganui-a-Tara (Wellington) region between 1750 and 1850. The area under review is roughly defined by the boundaries of the New Zealand Company purchase.<sup>1</sup>

# Literature Survey

I have based my research on primary and secondary material written in the English language. The primary sources I have used mostly are the minutes of the Spain commission's Old Land Claims investigation into the New Zealand Company's claim to Wellington, and Native Land Court minute books, primarily the Wellington books 1c, 2 and 3, and the Otaki books 1d and 10.<sup>2</sup>

## 1.1 Primary Sources

These records contain a quantity of historical information, but it must be used with caution. First there is the question of the accuracy of the translation and transcription. In the Old Land Claims material the minutes are written in Maori with English translation underneath. I have based my research on the English version, but a reading of the Maori text would almost certainly reveal discrepancies between the two.

In the Native Land Courts the evidence of Maori witnesses was generally given in Maori. For the most part the Minute Books consist of English translations only. These translations probably contain inaccuracies, for example terms denoting kinship appear to have at times been misinterpreted. Some minutes, notably much of Wellington minute book 1h, are recorded in Maori, without English translation. I have not considered this material, although it could well contain relevant information.

The Native Land Court minute books generally contain only witnesses answers, without recording the questions they are responding to. For this reason, the context in which a statement is made is often not apparent. The evidence contains a number of unintelligible statements, which may be a result of the lack of context, or of poor translation.

There are times when these hand written records become illegible. It is particularly difficult to decipher the spelling of proper names, and as a result inaccuracies or discrepancies may occur.

Secondly, the evidence contained in Old Land Claims and Native Land Court records was given in the setting of a commission of inquiry and a court, respectively. Questions were asked according to what was thought to be relevant to the case, and witnesses replies were partially determined by their own agendas. These agendas included their interests in the case at hand, maintaining their mana and that of their allies, and continuing traditional disputes. All of which may have induced them to give a particular slant to their evidence.

At the Spain commission (recorded in the Old Land Claims) the chiefs of the pa around Te Whanganui-a-Tara at the time of the New Zealand Company "purchase" were called to give evidence. They were of Te Ati Awa (Ngati Tawhirikura, Ngati Te Whiti and Te Matehou), Ngati Tama and Taranaki. Te Rauparaha of Ngati Toa also brought his claim before Spain. If other tribes had claims to the area, they either were not given a chance, or did not take the opportunity to be heard.

At the Wellington hearings of the Native Land Court, the majority of cases were disputed between members of the same tribe, or even the same hapu. They were sometimes supported by witnesses from other tribes, but there is not a simple correlation between tribal or hapu affiliation and the side taken in a case. A number of other factors, such as places of residence and marriage connections between individuals of different hapu could determine the bias of witnesses. Most claimants were of Taranaki, Ngati Tama and Te Ati Awa. Again claims of other tribes to Te Whanganui-a-Tara are not recorded in this evidence.

Evidence in the Otaki minute books provides information relating to the circumstances of the heke down the west coast, and the wider political situation in which tribes from Taranaki arrived in Te Whanganui-a-Tara.

The limitations of these primary sources do not render them useless. Many of the witnesses took part in the events they were describing. On many points a number of witnesses, who may be of different hapu, agree. On other occasions their evidence is reconcilable.

However, much of the evidence is contradictory. This probably reflects the reality that in the first half of the nineteenth century interests and rights of different groups in Te Whanganui-a-Tara competed against each other. Before the New Zealand Company "purchase", no one group or individual had unchallenged rights to the whole of Te Whanganui-a-Tara (although some had gained practical control of different areas). It is common for people to have different perceptions of the same event, according to their allegiances and place within a society.

These court and commission records are a useful source of information regarding events after Te Ati Awa and their allies arrived in the region, but they do not cover the earlier time. For this, secondary accounts which are based on a variety of sources, including Native Land Court records from other areas, and ethnographical interviews with Maori informants, are useful.

## 1.2 Secondary Sources

Secondary sources also add another dimension both by using other sources of information, including information supplied to ethnographers by Maori informants and traditional historians, and by interpreting events.

Ethnographers looking at the history of Te Whanganui-a-Tara include Elsdon Best, S Percy Smith and Andrew Shand.<sup>3</sup> Their perceptions as turn of the century Pakeha scholars must be considered when using this material. This formed their assumptions about the nature of Maori society before contact with Pakeha, as they attempted to understand it in terms of European social structures, especially from feudal times. They also tended towards the view that the arrival of Europeans with muskets unleashed the means for Maori to destroy each other. Hence their accounts emphasise wars and slaughter.

In the first chapter of *Miramar Peninsula*, John Struthers summarises a number of ethnographers accounts of the phases of occupation of Te Whanganui-a-Tara.<sup>4</sup>

Two recent works by Angela Ballara are relevant to a discussion of the customary tenure of Te Whanganui-a-Tara. Te Whanganui-a-Tara is on the edge of the area considered in her PhD thesis "The Origins of Ngati Kahungunu."<sup>5</sup> The main relevance of this thesis to this research, is its discussion of Maori social structures, including customary tenure. Ballara bases this research on a close reading of the Native Land Court minute books from the

Wairarapa and the Hawke's Bay. The thesis also sets Ngati Ira and contemporary and earlier tribes in the context of their origins on the East Coast and their links to the Wairarapa.

This information is condensed in her chapter "Te Whanganui-a-Tara: Phases of Maori Occupation of Wellington Harbour, c 1800-1840" in *The Making of Wellington*, edited by David Hamer and Roberta Nicholls.<sup>6</sup> The part of the chapter dealing with Ngati Ira, also looks at intermarriages with other tribes and discusses descendants of Ira who were also descended from other tribes and took new names, most notably Rakai-whakairi and Ngati Kahukuraawhitia in the Heretaunga (Hutt valley). Ballara mentions the sites they occupied at Te Whanganui-a-Tara.

One helpful point which she makes is the tendency of the northern invaders — and Europeans — to refer to all of the tangata whenua descent groups of Te Whanganui-a-Tara and the Wairarapa as "Ngati Kahungunu", while the Te Whanganui-a-Tara people tended to call all those from Taranaki "Ngati Awa" or "Te Ati Awa."<sup>7</sup>

The chapter aims to consider the transformation in the occupation of the region sparked by the arrival of the northern heke. Ballara argues that although events appear at first glance to fit the common theory that the introduction of muskets allowed those tribes (the more northern ones) who first had access to them to overrun the more southern tribes who were unfamiliar with them, this does not satisfactorily explain what took place. She argues that Maori codes controlling intertribal relations led to cycles of conflict in which ever widening networks of kin and allies were drawn in. In warfare against non-kin, traditional society had few mechanisms to limit hostilities. The arrival of muskets merely exacerbated these factors, rather than causing them.<sup>8</sup> Furthermore, she argues that the Nga Puhi taua and the Amiowhenua expedition did not cause the massive destruction at Te Whanganui-a-Tara that some assume. She also believes Ngati Ira's expulsion from the harbour by Ngati Mutunga and Ngati Tama was a "gradual untidy affair" rather than a case of sudden massacres and expulsions.<sup>9</sup> Thus in this chapter she aims to revise the common perception of these events given in accounts by early ethnographers and show the complexities of the actual events. A recent example of the version of events which Ballara seeks to modify is in *Petone: A History* by Susan Butterworth.<sup>10</sup>

Ballara argues that the Taranaki tribes which came to the area were under Te Rauparaha's mana. She states that the battle at Waiorua was "regarded as his decisive victory over the local tribes" even though he had little or no involvement in the actual fight.<sup>11</sup>

She sees Te Ati Awa's moves into Te Whanganui-a-Tara as the acquisition of three "footholds." The first was the arrival of Ngatata-i-te-rangi with Ngati Mutunga. The second was when Te Mana of Ngati Mutunga invited his Te Ati Awa kin to settle at Pito-one. And the third was when Ngati Mutunga made Waiwhetu and Whiorau (Lowry Bay) tapu to Ngamotu (the people of the Tama-te-uaua heke) in acknowledgement of their attack on the Heretaunga (Hutt valley) people to avenge the death of a Ngati Mutunga chief.

Ngati Mutunga's decision to abandon the harbour is attributed to their fear of Te Rauparaha and Ngati Raukawa as a result of events around the Haowhenua battle. When Ngati Mutunga left, they handed over their lands to Taranaki and Te Ati Awa. Native Land Court records give conflicting accounts of the meeting at which this was done, and who received what land. Ballara simplifies this evidence into a single narrative.

She argues that Te Ati Awa remained insecure in the area, noting that they also tried to hi-jack a ship to take them to the Chatham Islands. Their fear of Ngati Raukawa and Te Rauparaha, as well as "Ngati Kahungunu" (the tangata whenua tribes) contributed to their willingness to sell land to Colonel Wakefield. Nevertheless, she believes that after three years occupation, they did have rights to the land gifted to them by Ngati Mutunga and to the land they took from Ngati Haumia of Taranaki.

This chapter does not consider the land sales around the harbour, but Ballara does note that the peace between Te Ati Awa and the Wairarapa tribes in 1840 used the fact of the sale to the New Zealand Company in determining tribal boundaries.

She concludes:

The sale of Whanganui-a-Tara by Te Wharepouri and Te Puni was itself an act designed to set the bounds of their mana over the harbour. Their right to sell, in September 1839, from Rimurapa (Sinclair Head) to Turakirae and inland to the Rimutaka range, was limited by the legitimate claims of Taranaki and Ngati Tama (who had never abandoned their foothold at Kaiwharawhara) within those bounds. It was also limited by the on-going claims of Rakai-whakairi and other tangata whenua who had never ceased to challenge the presence of the Taranaki tribes.<sup>12</sup>

In this account Ballara makes assessments as to which of conflicting accounts from Native Land Court records she prefers, without always making it clear that another version exists. For example, she does not mention the statements of some that Ngati Mutunga gave land to Te Wharepouri, not to Te Manihera Te Toru.<sup>13</sup> She also extrapolates from the sources to provide explanations for events, as when she suggests that Te Wharepouri's visit to Kapiti may have been to seek Te Rauparaha's approval for his settlement at Te Whanganui-a-Tara.<sup>14</sup>

This chapter is based mainly on Native Land Court Minute Books, supplemented by accounts from Pakeha who were present at some of the events, and by ethnographic sources.

The second chapter of *The Making of Wellington*, "A Difficult and Complicated Question": The New Zealand Company's Wellington, Port Nicholson Claim' by Rosemarie Tonk discusses the claim from a largely Pakeha perspective.<sup>15</sup> The usefulness of this chapter is limited by the failure to discuss the Maori actions in terms of the tribes and hapu involved. However Tonk does include some discussion of the motives of the sellers and the resistance by others to the sale. She notes Te Rauparaha's opposition to the sale, and argues that the deed he signed listed places he claimed, not those he was selling.<sup>16</sup> She focuses on Spain's inquiry, noting that he saw occupation as the criterion of Maori ownership. Tonk concludes that Spain decided only to look at compensation, because he found it too difficult to determine who the land belonged to and offer it back.<sup>17</sup>

Ann Parsonson's thesis "He Whenua Te Utu" considers relations between the migrant tribes at in the southern North Island, and the motives inducing some to make land sales, arguing that these sales were a model for the subsequent sales in Taranaki.<sup>18</sup> She examines the rules governing the acquisition and alienation of land in traditional Maori society. However she argues that Te Rauparaha was more concerned with the acquisition of mana than the acquisition of land. Her argument is that Te Puni's and Te Wharepouri's sale was an

assertion of their mana aimed primarily at Te Rauparaha. She bases her thesis heavily on Old Land Claims Commission and Native Land Court Minutes.

*Te Rauparaha, A New Perspective*, by Patricia Burns, examines in detail Te Rauparaha's background and the reasons for the decision of Ngati Toa and other tribes to migrate to the Kapiti area.<sup>19</sup> She stresses that at the time of the first major migration, other tribes such as Ngati Raukawa, Te Ati Awa, Ngati Tama and Ngati Mutunga were not prepared to go south.<sup>20</sup> Ngati Toa, Ngati Koata, Ngati Rarua, Ngati Te Akamapuhia and others, including Ngati Rangatahi, are listed as the tribes who went.

She goes on to describe the settlement of the Kapiti region, arguing that Te Rauparaha was interested in peaceful settlement, not conquest, as there was room for Ngati Toa without displacing the tangata whenua, and that he hoped that Te Rangihaeata's marriage to Te Pikinga of Ngati Apa would make this possible. In Burns' view it was the actions of the tangata whenua that made this impossible.<sup>21</sup>

She credits Te Rauparaha and Te Rangihaeata with achieving the victory at Waiorua and writes that after this the mana of Te Rauparaha and Ngati Toa became very great and "the migrants were now the rulers of the land."<sup>22</sup>

The Haowhenua Battle, she argues, was a result of intertribal friction as more people arrived needing land. Despite these splits, she maintains that the middle to late 1830s were the period of Te Rauparaha's greatest influence.<sup>23</sup> To support this, she notes that Colonel Wakefield's journal mentions that the local (Wellington) chief was a "tributary" to Te Rauparaha.<sup>24</sup>

With regard to the area sold by Te Puni and Te Wharepouri, she argues that it belonged to Te Rauparaha.<sup>25</sup> The fact that Te Rauparaha did not press his claim to Whanganui-a-Tara at Spain's inquiry, in Burns' view, illustrates his desire to cooperate with the Pakeha, rather than any weakness in his claim. She believes that even after his release from captivity, Te Rauparaha would have been able to drive the Pakeha from Wellington, but choose not to.<sup>26</sup>

This book is written from the perspective of Ngati Toa. Burns' stated aim in writing it was to redress the balance in Pakeha historiography which portrayed Te Rauparaha as a bad guy. In doing so, she portrays him as consistently in the right in disputes with other tribes, as well as in dealings with the Pakeha. He is presented as being in undisputed control over a vast area of land and people, without consideration of what interests the people Burns considers to be under him may have had.

In *Fatal Success: A History of the New Zealand Company*, Burns looks at the interplay between the New Zealand Company and the Maori occupants of Wellington.<sup>27</sup> An emphasis on the Ngati Toa point of view remains. In contrast to some other writers who are less certain on this point, she argues that at the time of the sale occupants of the land around Raukawa clearly understood the ownership of the area as follows:

Te Rauparaha, who had conquered the land was the final owner, while they had rights of settlement, some because they were allies of the chief, others because they had been defeated by him and paid him tribute in the form of seasonal produce.<sup>28</sup>

Burns argues that because Te Whanganui-a-Tara was an area in which its inhabitants had lived for a comparatively short period, "William Wakefield had been able to push many of the bewildered families off their land", whereas "he balked at the prospect of removing the well-armed Ngati Toa from their

Porirua houses and farms”, although he allowed settlers to be sent there anyway.<sup>29</sup>

She considers both Maori and Pakeha beliefs about what was sold and looks at the Spain commission investigating the transaction. She also looks at the New Zealand Company’s allocation of reserves through their lottery scheme, and the administration of the reserves.

Neville Gilmore, in his pro-thesis “Kei Pipitea Taku Kainga: Ko Matehou Te Ingoa O Taku Iwi: The New Zealand Company Native Reserve Scheme and Pipitea 1839-1888”, looks at some of the same questions from the point of view of Te Matehou hapu of Te Ati Awa, who occupied Pipitea Pa at the time of the sale.<sup>30</sup> One of the main purposes Gilmore gives for the study, is to understand how the New Zealand Company, the settlers and the government were able to reduce the area owned by Te Matehou, which he calls the Pipitea Triangle, to a fraction of its size.<sup>31</sup>

Gilmore traces the migrations of the tribes from Taranaki to Wellington and their settlement of the area. He states that Te Matehou’s occupancy rights arose out of their close relationship with Ngati Mutunga, who allowed them to settle in the area. Although he looks at conflicts between them, Gilmore argues that blood bonds over rode enmity between the inner harbour hapu.

This pro-thesis concentrates on events after the sale, including the Spain Commission and the workings of the Native Reserve scheme. Gilmore details the reserve scheme’s conception, and its rejection by Te Matehou, followed by Halswell persuading them to agree to it. He argues that Maori were induced to accept Spain’s offer of compensation, by “a mixture of promise and threat.”<sup>32</sup>

He then looks at the ways in which this remaining land was further encroached upon, firstly by the adjustments relating to cultivations made by McCleverty. Although this was largely in favour of the Company and settlers, Gilmore says Te Matehou agreed to it because it was land which was traditionally theirs which was guaranteed, and because there was just sufficient of it for their needs at the time.<sup>33</sup> These reserves owned by individuals or specified hapu, are contrasted with the Tenths which were collectively held for Te Ati Awa and Taranaki, but did not benefit either very much because they were inefficiently administered. The remainder of the thesis looks at subsequent events.

Gilmore concludes that “attempts to implement the New Zealand Company Reserves scheme between 1839 and 1888 were a failure.” By the end of that time two thirds of the land had been alienated.<sup>34</sup>

*The Kapiti Coast* by WC Carkeek, although not directly about Te Whanganui-a-Tara contains relevant information about the early occupation of the region, and about the northern heke to the coast.<sup>35</sup> Carkeek narrates the traditional history of the area, the migrations of Te Rauparaha and his followers, their interactions with the tangata whenua, and where they settled. He suggests that Te Rauparaha maintained his mana over the area.

Carkeek states that he received advice and information from Wiremu Kingi te Awe Awe. He also makes frequent use of Native Land Court records. At times he gives alternative accounts of events from different sources.

*Rangitane, A Tribal History*, by JM McEwen is another very detailed and careful account which has some relevance to the Te Whanganui-a-Tara as it discusses the connections between tribes related to Rangitane, including Ngai Tara who were early occupants of the harbour.<sup>36</sup> He also discusses the ancestors

of Ngati Ira and Ngai Tahu and Ngati Ira's migration to Te Whanganui-a-Tara and Porirua. Like Ballara, he emphasises the intermarriage that occurred between tribes, arguing that in the process Ngai Tara in the region lost their identity and became included in under the name "Ngati Ira."<sup>37</sup>

Like the primary documents, the secondary literature reflects the biases and interests of the authors. In some cases, such as *Te Rauparaha* and *Rangitane*, the point of view of the author is clearly in sympathy with their subjects. In other instances, notably "He Utu Te Whenua," the author's thesis may be more important in determining the angle taken.

## Historical Narrative

### 2.1 Te Whanganui-a-Tara (Wellington) before 1820

#### 2.1.1 *Te Whanganui-a-Tara before Ngati Ira move into the district*

Traditions relating to the early occupation of Te Whanganui-a-Tara indicate a succession of tribes connected to the area. Migration to Te Whanganui-a-Tara was generally from the east, and the people of the region had kin links to the east, west and south.<sup>38</sup> Over time various groups left the area for the South Island.

Information about the earliest occupants of the harbour is sketchy. John Struthers lists the tribes which early writers have suggested occupied Te Motu Kairangi (Miramar Peninsular). Those tribes listed before Ngati Ira are: Kahui-Tipua, Te Rapuwai, Waitaha, Te Tini-o-Mamoe, Ngati Mamoe, Ngati Kahungunu, Ngai Tahu, Ngai Tara, and Rangitane.<sup>39</sup> He notes that Kahui-Tipua are credited with mythical qualities.<sup>40</sup> Both Waitaha and Ngati Mamoe moved to the South Island.

According to Elsdon Best, Ngai Tahu lived at Whataitai until they went to the South Island in the middle of the seventeenth century.<sup>41</sup> Angela Ballara gives genealogical evidence that there are two Ngai Tahu tribes, one in the South Island and one in the Wairarapa and Wairoa (Hawke's Bay) who, although distantly related, are descended from different eponymous ancestors.<sup>42</sup>

Ngai Tara are descended from Tara, who is said to have come to the harbour from the East Coast with his family. His wife, Te Umuroimata is said to have named Te Whanganui-a-Tara after him. But it is likely that the occupation of Te Whanganui-a-Tara by Tara's descendants was a gradual affair, taking place over a number of years.<sup>43</sup>

Another tradition tells of the division of lands between Tara and his brother Tautoki. Te Waewae Kapiti o Tara raua ko Rangitane (the meeting place of the boundaries of Tara and Rangitane) was the name of the line between them, Rangitane being the name of the tribe descended from Tautoki. The name Kapiti is an abbreviation of this title. J M McEwen gives further details of the boundary, saying that Tara's lands ran from the Otaki River south to Wellington, including Kapiti and Mana Islands, but stopping at the Hutt River. Tautoki took the lands east of the Hutt. However McEwen doubts the literal truth of the tradition, noting that at the time the alleged partition took place Tautoki and his family were living in the Heretaunga (Hawke's Bay) district, entirely outside the boundaries of the alleged division, while several generations later, Ngai Tara settlements were spread along the coast from Wellington to Cape Kidnappers, on land supposedly allocated to Tautoki. But, he argues, these boundaries do correlate to the boundaries of the Ngai Tara and Rangitane tribes some 200 years later.<sup>44</sup> He adds that Ngai Tara are often spoken of as a sub-tribe of Rangitane.<sup>45</sup>

### 2.1.2 *Ngati Ira*

The major group occupying Te Whanganui-a-Tara for a number of generations until the 1820s were Ngati Ira, whose origins were on the East Coast. According to Ballara, their eponymous ancestor was Ira-turoto, although descendants of Ira-kai-putahi, a distant relative also of the East Coast, contributed to the bloodlines of the region's inhabitants as well.<sup>46</sup>

Ballara says Ira-turoto's descendants moved south over a number of generations. Most significantly, under Te Ao-matarahi they moved into the Hawke's Bay and, along with the descendants of Kahungunu, they fought the earlier inhabitants, including descendants of Whatumamoā, Awanui-a-rangi, Whatonga and Toi. As peace was made, the groups intermarried. Ngati Ira continued to move down the coast, intermarrying with the existing people on the way. They left pockets of population at Porangahau (Ngai Tumapuhia-rangi and other hapu) and Palliser Bay (Ngati Hinewaka and others). By the time they settled at Te Whanganui-a-Tara, they were descendants of Tara, Rangitane, Kahungunu and Ira-kai-putahi, as well as Ira-turoto.<sup>47</sup>

Over time, Ngati Ira spread their settlements as far as Pukerua Bay on the Kapiti Coast, into the Wairarapa and around the harbour. In some areas, notably Heretaunga (the Hutt Valley), groups took the names of later ancestors, as their many tribal origins meant former names were not appropriate. Rakaiwhakairi and Ngati Kahukuraawhitia became important tribal names in the Heretaunga.<sup>48</sup>

There were outside challenges to Ngati Ira's occupation. Around 1700, Ngati Ira were attacked by Rangitane. Rangitane were defeated, and their leader, Tamahau called to the Ngati Ira chief, Kainga-Kiore, "If you slay one of our children let the other survive to open the gates of the spirit world for us." but Kainga-Kiore refused. Tamahau's son, Te Poki, later took vengeance, leading a taua which defeated Ngati Ira on the west coast at Pourewa and Pauatahanui, and killed more at Papakowhai (between Paramata and Porirua).<sup>49</sup>

At Te Whanganui-a-Tara, Ngati Ira had fled to Matiu. From there Kainga-Kiore saw a small party of Rangitane approaching. Unaware that the bulk of the Rangitane taua was hiding, Kainga-Kiore crossed to the mainland with a hundred warriors. They killed two of the Rangitane, but were quickly overwhelmed by the hidden force. Te Poki captured Kainga-Kiore and killed him as utu for his earlier lack of mercy.<sup>50</sup> It seems that Rangitane did not follow up this defeat with settlement in the area.

In the course of conflicts with outsiders, Ballara claims Ngati Ira deserted their settlements at Te Motu Kairangi, Paekawakawa (inner Island Bay) and the southern areas of the harbour. By the start of the nineteenth century from Thorndon to Ngauranga was also deserted.<sup>51</sup>

In the Pito-one area, Susan Butterworth argues that the dearth of early Maori names indicates that it was not used much for settlement in this period. She notes that Elsdon Best only identified three settlements in the area; Pito-one, Te Tatau-o-te-po and Hikoikoi, as well as a village at Korokoro. The exposed location of Pito-one made it an uninviting place for settlement. However she argues that it was used for food gathering at this time.<sup>52</sup>

Ngati Ira were settled more closely on the eastern shores of the harbour from Waiwhetu to Turakirae. They had pa of refuge on Matiu (Somes Island), Makaro (Ward Island), Tapu-te-Ranga and Hakoiwi, somewhere between Orongorongo and Turakirae, as well as a fortified settlement at Waiwhetu.

There were fishing villages at Okiwi, Parengarahu, Kohanga-te-ra and Orongorongo.<sup>53</sup> They were also living between Te Rawhiti and Pukerua Bay, with major settlements at Porirua, Titahi Bay and Ohariu, and a pa at Waimapihi.<sup>54</sup>

In the Heretaunga (Hutt Valley) were Rakaiwhakairi and Ngati Kahukuraawhitia. These groups were descended from Ira-turoto and Toi and intermarried with descendants of Kahungunu as well as with Ngai Tara and Rangitane. They had at least three pa in the Heretaunga. Rakaiwhakairi also shared a pa on the Kapiti Coast with their Hamua and Rangitane relatives. Both Rakaiwhakairi and Ngati Kahukuraawhitia were important descent groups in the Wairarapa as well as Heretaunga.<sup>55</sup>

Hamua were related to Rangitane and may have been an offshoot of that tribe. WK te Awe Awe of Rangiotu claims that the people who became Muaupoko were previously known as Hamua. The Native Land Court evidence of Karaitiana Korouoterangi of the Wairarapa also supports this theory.<sup>56</sup>

On the west coast, Ngati Ira and Ngai Tara seem to have once occupied as far as Wainui and Paekakariki. But Muaupoko developed as a tribe and spread to control from Horowhenua down to Pukerua.<sup>57</sup> Ngati Rangi, who WC Carkeek describes as a sub-tribe of Muaupoko, lived at Paraparamu. Although the tribes were distantly related there was ongoing fighting between Ngati Ira and Ngati Rangi over land and resources where the two tribes met.<sup>58</sup>

Establishing the identity of tribes around Te Whanganui-a-Tara is confused by the tendency of later immigrants from the north to refer to all people of the area as "Ngati Kahungunu", whether they were connected to that tribe or not.<sup>59</sup> For example, a Native Land Court witness states that Pito-one had belonged to Ngati Kahungunu, when from the evidence discussed above, it seems unlikely that this was the case.<sup>60</sup>

### 2.1.3 *Two Northern Taua*

In about 1819, the occupants of Te Whanganui-a-Tara were disrupted by a taua from the north. This taua, which was dominated by Nga Puhi, included a Ngati Toa party under Te Peehi Kupe, Te Rauparaha and Rangihaeata, some Ngati Mutunga, Te Ati Awa with chiefs Mauukonga and Takaratatu, and Te Puoho of Ngati Tama.<sup>61</sup>

A number of accounts follow S Percy Smith's opinion that the taua engaged in great slaughter and slave-taking. For example, Ann Parsonson cites Smith as the source for her statement that the taua spent three weeks at Heretaunga feasting on the bodies of the people they killed, and that as there were still bodies left over these were preserved as huahua for future consumption.<sup>62</sup> The Nga Puhi section possessed muskets which would have given them an advantage over the southern tribes, however Ballara argues that accounts of slaughter exaggerate. In her view the local people were only weakened, not decimated or driven out by the taua. Moreover, the invaders also suffered losses at Te Whanganui-a-Tara and Wanganui.<sup>63</sup> The taua became ill through lack of food and lost many people including important chiefs.<sup>64</sup> Te Rangihwinui (Major Kemp) mentions a defeat by Ngati Rangi at Pukerua Bay, another by Ngati Kahungunu at Mukamuka and some of the taua being drowned from their canoe at sea.<sup>65</sup>

This expedition was followed in 1821 by the Amiowhenua expedition, which contained Ngati Whatua leaders as well as some Waikato, Ngati Maniapoto and Ngati Maru. At Wellington, S Percy Smith writes, they took Tapu-te-ranga pa, but he could find no other mention of their activities.<sup>66</sup>

These taua were not aiming to conquer land for settlement. However an event took place on the first of these expeditions which was important for the future of Te Whanganui-a-Tara. When Te Rauparaha was near Ohariu he sighted a European vessel in Cook Strait. It is said to be as a result of this that he had the idea that the region would provide access to trade with Europeans as well as a safe refuge for his tribe.<sup>67</sup>

On their way back to Kawhia, Rangihaeata (Te Rauparaha's nephew) was married to Te Pikinga, a high-ranking Ngati Apa woman who they had captured. This marriage allied Ngati Apa with Ngati Toa, and it is probable that it was conducted on Ngati Toa's side in anticipation of a return south.<sup>68</sup>

## 2.2 Migration of Kawhia and Taranaki tribes to Kapiti

### 2.2.1 *Te Rauparaha's decision to migrate south*

At Ngati Toa's home in Kawhia tensions had been high as pressure on resources increased and Kawhia tribal groups competed with the inland Waikato tribes for the rich coastlands.<sup>69</sup> Traditional requirements of obtaining utu for important losses had led to the escalation of hostilities. Kin links were used to bring in supporters on either side, until the conflict involved "nearly every descent group from Manuka (Manukau) to Mokau."<sup>70</sup>

Ngati Toa's most senior leader was Te Peehi Kupe. He was of Ngati Te Maunu hapu. He is also said to have belonged to Ngati Kuri.<sup>71</sup> Te Rauparaha, whose hapu was Ngati Kimihia, was gaining increased importance through his skills and achievements even though he was not of paramount birth. These two leaders looked in different directions for their support: Te Peehi had close connections with the northern Ati Awa hapu, while Te Rauparaha's affiliation was with his mother, Parekohatu's, Ngati Raukawa people.

Te Rauparaha had lived with Ngati Raukawa as an adolescent, serving as an arms-bearer to the chief Hape Ki Turangi. Later, when Hape was dying he asked who would succeed him. As Te Rauparaha was the only one to respond he is said to have become Hape's successor. He also married Te Auke, who was Hape's widow. Ngati Raukawa leaders with more senior claims were not happy with this, but it was as a result of this connection that Ngati Raukawa was often referred to as Te Rauparaha's tribe.<sup>72</sup>

Waitohi, Te Rauparaha's elder sister, also wielded considerable power, and Ngati Raukawa would later prefer her authority to Te Rauparaha's.<sup>73</sup>

About nine months after returning from the heke with Nga Puhi, Te Rauparaha led his people from Kawhia to Kaweka in north Taranaki. Burns gives the name of this heke as Te Heke Tahutahuahi.<sup>74</sup> Watene Taurangatarā states that this was Rangihaeata's suggestion, although the decision to move to the Kapiti District is generally credited to Te Rauparaha.<sup>75</sup>

Estimates of the numbers involved in the heke are confused. Patricia Burns estimates that about 1500 people of Ngati Toa, Ngati Koata, Ngati Rarua, Ngati Te Akamapuhia, Ngati Rangatahi of Orahiri in the Waikato and others went.<sup>76</sup> Tamihana Te Rauparaha states that there were 200 people involved, of whom 140 were warriors.<sup>77</sup> Ann Parsonson, after considering the range of figures given by other commentators, estimates that the heke set out with between 250 and 300 people.<sup>78</sup>

Some Ngati Toa, including one of Te Rauparaha's brothers refused to go. Several hapu with Waikato connections remained behind.<sup>79</sup> Many of Te Rauparaha's close Ngati Koata relatives stayed where they were, although a

number went with him, and Te Rauparaha's attempts to gain allies from his relatives at Taupo, Tauranga and Rotorua were unsuccessful.<sup>80</sup>

Ngati Raukawa also turned him down, in order to avoid coming under his authority. Instead they pursued their own plans for migration to Ahuriri (Hawke's Bay) and Mahia. They asked Te Rauparaha why he did not assist them.<sup>81</sup>

### 2.2.2 *Te Ati Awa join the heke*

According to Parsonson, Te Rauparaha was reluctant to ask Te Ati Awa to participate in the heke. He feared that his leadership would be weakened by their presence, as he had no close relationship with them, whereas other Ngati Toa, notably Te Peehi's family, had links with the northern Ati Awa hapu; Ngati Rahiri, Ngati Hinetuhi, Kaitangata and Ngati Mutunga (these last two are often given as separate tribes from Te Ati Awa).<sup>82</sup> However, Hohaia Pakaitara states that Ngati Awa had only one ancestor in common with Ngati Toa, indicating that the relationship was not very close.<sup>83</sup>

Ann Parsonson writes that the heke received a lukewarm reception from Ngati Tama and from Ngati Mutunga at Okiki. She argues that the relationship only grew warmer after Te Rauparaha and the women of the heke used cunning to defeat a Ngati Maniapoto taua.<sup>84</sup> Then Ngati Toa assisted Te Ati Awa at Motonui against a Waikato-Maniapoto taua returning from Te Amiowhenua expedition in 1822.<sup>85</sup> However, Watene Taurangata told the Native Land Court that Kaitangata, Ngati Mutunga and other Ati Awa defended Ngati Toa.<sup>86</sup>

It was after this that some northern Ati Awa decided to accompany Te Rauparaha south.<sup>87</sup> Several witnesses in the Maori Land Court emphasise how after Te Rauparaha's tribe (Ngati Raukawa) refused to bring him down, Ngati Awa and Ngati Mutunga agreed to do so.<sup>88</sup> According to Wi Parata, neither Ngati Toa nor Te Ati Awa could have come without the other. A saying referred to Te Ati Awa as the "horse on which Ngati Toa rode."<sup>89</sup> This could be interpreted either as meaning that Ngati Toa provided the initiative, with Te Ati Awa coming under their control, or a reminder that Te Ati Awa did the real work and provided the strength for Ngati Toa to come.

Understanding the make-up of the Te Ati Awa (or Ngati Awa) tribe is complex, as the name has been used in different ways in different contexts. Te Ati Awa were a substantial tribe in the Taranaki region, composed of a number of fairly autonomous hapu. Some of these, such as Puketapu and Kaitangata are sometimes referred to as distinct tribes. Those Te Ati Awa hapu who went on to have most connection with Te Whanganui-a-Tara were Ngati Tawhirikura, Ngati Te Whiti and Te Matehou. Te Matehou had previously been called Hamua, but it is necessary to distinguish them from the southern Hamua tribe which is connected to Rangitane and Muaupoko.<sup>90</sup>

Ngati Mutunga is also at times considered a hapu of Te Ati Awa but usually seen as a separate tribe. According to Burns, at this stage Ngati Mutunga refused to migrate south.<sup>91</sup> This is supported by Karihaua of Ngati Toa who told the Maori Land Court that Ngati Mutunga came of their own accord and were not part of the first heke.<sup>92</sup> However, Hira te Te Aratangata told the Court that they did come with the first heke, and according to Mere Pomare, Ngati Mutunga and Kaitangata were the largest hapu bringing Te Rauparaha down.<sup>93</sup>

Some Ngati Tama also came south to Te Whanganui-a-Tara. At the time of the heke they were living at Poutama in north Taranaki. They were traditional allies of Ngati Toa and had attempted to come to Ngati Toa's assistance at Taharoa on the Kawhia harbour in 1820-21 but were defeated.<sup>94</sup>

Ngati Haumia, Ngati Tupaia and Nga Mahanga of the Taranaki tribe, and Ngati Ruanui, who lived south of Te Ati Awa were also to be involved in Te Whanganui-a-Tara. Taranaki and Ngati Tawhirikura had fought against each other in a great battle at Rewarewa, near New Plymouth, in about 1805 or 1810.<sup>95</sup> Although the tribes were also intermarried, relations between them were fragile.

To complicate matters further, the tribes living in the southern North Island generally referred to all people from the Taranaki area as Te Ati Awa.<sup>96</sup>

According to Ballara, those who went with Te Rauparaha were members of a number of Te Ati Awa hapu and some Ngati Mutunga and some Ngati Tama.<sup>97</sup> Karihaua states that Te Ati Awa were the largest tribe involved in the heke.<sup>98</sup> Watene Taurangata estimates about 400 Ati Awa came down at this time.<sup>99</sup>

Debate exists about whether they came to settle or purely as supporters of Ngati Toa. Parsonson argues that 200 warriors came, and as well as assisting Ngati Toa, the trip was seen as a useful reconnaissance expedition, should Ati Awa have to look for a new home in the future.<sup>100</sup>

The chiefs from the Taranaki area who joined the heke included Ngatata, Tiwai, Pomare and Reretauwhangawhanga of Ngati Mutunga, Paikaihi [Paikaihi] of Manukuri [Manukoruhi ?]. Te Reue of Ngati Hinetuhi, Taeri, Tu Nuhekohe, Te Karu and Hone Tuhata of Kaitangata, and Wi Kingi.<sup>101</sup> The heke was called Tataramoa.<sup>102</sup>

### 2.2.3 *Response of the Southern Tribes*

A meeting of members of the southern North Island tribes was held on Kapiti Island to discuss their response to the approaching heke. One account states that 100 Ngati Apa, 100 Muaupoko and 100 Rangitane attended.<sup>103</sup> It is not clear whether the Te Whanganui-a-Tara tribes attended this meeting. It seems that those at the meeting agreed to Turua's (Ngati Hau) proposal to kill Te Rauparaha.<sup>104</sup>

Parsonson argues that the reason they failed to respond effectively to the threat presented by the heke was that they were unused to seeing a whole tribe migrating in this manner.<sup>105</sup> In contrast Burns argues that the plot to kill Te Rauparaha was unnecessary as the heke was coming in peace. She cites Rangihaeata's marriage to Te Pikinga as evidence that Ngati Toa were aiming for peaceful co-occupation. In her view, there was room for Ngati Toa without displacing the tangata whenua.<sup>106</sup> But it would have required unusual trust on the part of the tangata whenua to allow Ngati Toa to settle unopposed. Any encroachment on their lands without opposition could damage or wipe out their mana over that land. Moreover, it is unlikely that Te Rauparaha would have been prepared to settle under the mana of another tribe. Parsonson argues that he aimed at nothing less than the displacement of the existing tribes and establishing control over the areas resources, trade with the South Island and opportunities for contact with Europeans in the area.<sup>107</sup> A Ngati Toa witness in the Maori Land Court states that the objective of the first heke was "to kill the people of the land."<sup>108</sup>

At the same time as the meeting on Kapiti Island was taking place, the heke was being welcomed by Te Pikinga's Ngati Apa relatives at Waitotara who

escorted them down the coast.<sup>109</sup> When they parted at Rangitikei, Ngati Apa, who were aware of the Kapiti resolution, warned the heke not to molest Muaupoko or Rangitane.<sup>110</sup> Another version of the story has it that Ngati Apa told them, "be careful of Muaupoko, if they molest you it cannot be helped."<sup>111</sup> However that same day Te Rauparaha's half-brother Nohorua killed a Muaupoko and Rangitane woman named Waimai.<sup>112</sup> Two explanations are given, that he killed her when he discovered his canoe was missing or simply that he had a "ngakau kino", or evil disposition.<sup>113</sup>

Muaupoko took this as a sign that "Rauparaha has begun to kill".<sup>114</sup> They responded by tricking him and a few followers into going to Papaitonga where they attempted to kill them. But, although the followers including several of Te Rauparaha's children were killed, Te Rauparaha himself escaped. From that time on the heke was bitterly hostile towards Muaupoko.<sup>115</sup>

Ngati Toa and their Te Ati Awa supporters captured Muaupoko's pa at Horowhenua, and also attacked their Rangitane relatives. The tangata whenua tribes responded, often killing Ngati Toa in guerrilla style attacks.

The position of Ngati Apa at this stage is unclear. Burns says that the marriage link still prevented Ngati Toa from considering them to be official enemies, but Carkeek's account of events refers to frequent conflicts between Ngati Toa and Ngati Apa.<sup>116</sup>

The heke moved to Kapiti Island for protection. In the Maori Land Court, witnesses were adamant that the island was taken without a fight, although Burns mentions an initial, unsuccessful attempt to take the island and Carkeek says Te Peehi led a war party against Ngati Apa and Muaupoko to capture the island.<sup>117</sup> Wi Parata told the Land Court that they got Kapiti as the result of a chieftainess whom they had captured being sent back to make peace with Ngati Apa and Rangitane. He may be referring to Te Pikinga.<sup>118</sup>

Parties continued to go to the mainland to gather food, and skirmishes continued on these expeditions. On other occasions they went for the purpose of attacking the local people.<sup>119</sup> Te Peehi's children and the chief Pohi were killed in a night raid by Ngati Apa and Rangitane on the mainland<sup>120</sup>. During these fights Te Peehi also lost his musket, prompting his four year trip to England in search of more.<sup>121</sup>

Ngati Ira living at Te Whanganui-a-Tara were not yet involved in the conflict. According to Burns they were doing their best to co-exist with the migrants, but Carkeek quotes a Native Land Court witness who said they had all gone to the South Island.<sup>122</sup> It may be that this witness was confusing this with a later occasion on which a number of Ngati Ira moved to the South Island.

At some point a number of Te Ati Awa, led by Wi Kingi, returned to Taranaki.<sup>123</sup> Parsonson says this was after they had played an important role in taking revenge on Muaupoko at Horowhenua.<sup>124</sup> Wi Parata told the Native Land Court that they turned back at Manawatu.<sup>125</sup> Another Ngati Toa witness says the bulk of Te Ati Awa back.<sup>126</sup> Burns estimates that they returned in about 1823.<sup>127</sup> She says Ngati Tama went too.<sup>128</sup> In Watene Taurangatarā's account to the Court, when Wi Kingi returned to Waitara with some Ati Awa, "Ngatata and his people, some Kaitangata stayed—Ngata Raite, Pomare and others. Mokemoke and followers went back then returned. Tarumea stayed."<sup>129</sup>

Wi Parata claims that no Ati Awa settled on Kapiti, but this seems unlikely to be correct as a number of other witnesses refer to Te Ati Awa and Ngati Mutunga from this first heke settling on the island or taking part in the Waiorua battle there.<sup>130</sup> Watene Taurangatarā told the Court that

Reretauwanga's child, Tararua, was born there after Waiorua and was named after the mountains which could be seen from there.<sup>131</sup>

#### 2.2.4 *Waiorua*

In 1824 the tangata whenua tribes from Wanganui to the South Island launched a massive canoe attack on Waiorua, the northern-most pa on Kapiti Island. An estimated 2000 took part in the attack, which included a Ngati Ira contingent led by Te Kekerengu.<sup>132</sup> They were soundly defeated by the Island's defenders.

As this battle is regarded as having established the migrants' rights to the surrounding districts, the question of who can claim responsibility for the victory has been hotly contested.

Waiorua is often referred to as Te Rauparaha's victory, even though at the start of the battle he was on the other end of the Island at his own pa, Wharekohu. It seems that either he was not involved in the fighting at all, or else he came at the very end.<sup>133</sup>

One version of the events, given by Burns and Carkeek, is that Waiorua was occupied by Ngati Koata and possibly some Te Ati Awa. These people were almost defeated by the tangata whenua force, when Te Rauparaha and Te Rangihaeata arrived with their warriors and turned things around.<sup>134</sup>

Others credit the victory to Ngati Toa, but not necessarily to Te Rauparaha. Karihaua told the Native Land Court that it was Ngati Toa's victory, but adds that they were assisted by Kaitangata and Ngati Mutunga.<sup>135</sup> Watene Taurangata told the Court that Te Peehi conquered Waiorua.<sup>136</sup> He claims that Wi Kingi was there too, although he had earlier said that Wi Kingi had returned to Taranaki.<sup>137</sup> It is unclear whether he believes Wi Kingi came back again by the time of Waiorua, or whether he means something else. Te Peehi's great-niece, Hira te Te Aratangata lists the leaders of the defence as Te Hiko, Pokaitara, Te Poto (Te Peehi's father) and Rangihiroa of Ngati Toa, and the Te Ati Awa leaders Ngatata, Tiwai, Mari and Okawe of Ngati Kura, Puke and Reue [?] of Ngati Hinetuhi and Pakaiahi.<sup>138</sup> Another witness states that Ngati Haumai [Haumia?] was the name of a hapu involved in the fight.<sup>139</sup>

According to Ballara, the Ngati Hinetuhi and Ngati Rahiri hapu of Te Ati Awa were the main defenders, assisted by a few Ngati Koata and Ngati Toa.<sup>140</sup> It seems that members of several Ngati Toa, Te Ati Awa, and other hapu defended the island, despite Wi Parata's assertion to the Native Land Court that Te Ati Awa had nothing to do with Kapiti.<sup>141</sup>

Ballara's interpretation is that Waiorua was seen as Te Rauparaha's:

decisive victory over the local tribes of the Kapiti Coast and the Wellington area, primarily because he was the prime mover of the migration and to and occupation of the Kapiti Coast and nearby coastlands; and his Taranaki allies were there under his mana.<sup>142</sup>

But it is clear from the Native Land Court records that some members of the tribes involved did not see it like that. Many argued that Te Peehi's mana was equal to Te Rauparaha's, and Te Ati Awa preferred to accept his authority.

This conquest is often said to have settled the question of the land from Rangitikei to Te Whanganui-a-Tara.<sup>143</sup> However matters were still disputed, and further changes of ownership took place between the then tangata whenua and the migrants in specific localities. For example, Wi Parata refers to Te Peehi's conquest of Porirua as a separate occurrence.<sup>144</sup>

Ngati Ira continued to live at Porirua with their chief Te Huka (or Whanake), whose son was Te Kekerengu, leader of the Ngati Ira portion of at Waiorua.<sup>145</sup> Ballara argues, on the basis of evidence given to the Native Land Court, that it was possible for them to stay there because Ngati Toa had adopted the traditional peace-making technique of freeing important captives, in this case, two chiefs from Arapaoa Island, after the battle.<sup>146</sup> It is not clear whether Ngati Ira at Porirua retained their mana, or whether they were subject to Ngati Toa.<sup>147</sup>

Te Kekerengu retired to the Wairarapa, with a number of muskets. He seems to have been committed to continued resistance to the migrants, however he found himself manoeuvred into an alliance with them. Te Hakake, a southern Ngati Apa chief, came to borrow the muskets, but a northern Ngati Apa chief, who was linked by marriage to Ngati Toa, told Te Kekerengu the Te Hakake had killed his sister. Te Kekerengu believed him, and fired at Te Hakake. After this he returned to Porirua, although he retained his connections with his Wairarapa relatives.<sup>148</sup>

Ngati Ira living at Te Whanganui-a-Tara were more removed from the upheavals, until Ngati Tama and Ngati Mutunga moved to settle in the area.

### *2.2.5 Further Heke to the Kapiti Coast*

A number of heke had arrived on the Kapiti Coast after Waiorua. The sequence and make-up of them is confused, and much of the evidence about them contradictory. It appears that Te Puoho led a small Ngati Tama heke. It was followed, probably still in 1824, by the Nihoputa heke of Ngati Mutunga, made up of Ngati Kura, Ngati Kawhuria and Ngati Rangi hapu with the chiefs Poki, Te Aruhu, Apitea, Wharepoaka, Patukunga and Raumoa.<sup>149</sup> This was a large heke — Burns estimates that between 400 and 500 warriors took part.<sup>150</sup> Ballara also gives Ngatata-i-te-rangi of Ngati te Whiti, and Pomare as members of the heke, but Native Land Court records indicate that they were already there.<sup>151</sup>

Assessing who was in each heke is made more complex as some people travelled between Taranaki and Kapiti several times.

A heke consisting mainly of Te Ati Awa from Puketapu arrived next, followed by a party of Ngati Kura led by Reretauwhangawhanga and Wi Kingi. After that came the Heke Poukina.<sup>152</sup>

## **2.3 The Changing Occupation of Te Whanganui-a-Tara**

### *2.3.1 Ngati Tama and Ngati Mutunga move to the region*

Ngati Tama settled at Ohariu and then crossed the Ohariu/Karori trail to settle at Tiakiwai (near present-day Thorndon) as well.<sup>153</sup> Ngati Mutunga also moved to Te Whanganui-a-Tara as they wanted to leave the Waikanae lands for Te Ati Awa.<sup>154</sup>

Ballara states that both groups were encouraged to come to Te Whanganui-a-Tara by Te Rauparaha.<sup>155</sup> According to Burns, it was because the Ngati Mutunga chief, Pomare, was married to Te Rauparaha's niece Tawhiti, that they were given Te Whanganui-a-Tara.<sup>156</sup>

On the other hand, witnesses in the Native Land Court referring to Ngati Mutunga's arrival in Te Whanganui-a-Tara do not mention coming on anyone else's authority. They may have come on their own accord, as Karihaua asserts they did in their first move from Taranaki.<sup>157</sup>

Chiefs of Ngati Mutunga, Ngati Tama and Ngati Toa had fought at Te Whanganui-a-Tara on the "Nga Puhi" expedition. Andrew Shand writes that the death of a chiefly Ngati Mutunga woman, Te Iringa, on this occasion constituted the take (cause) which allowed Ngati Mutunga to claim Te Whanganui-a-Tara.<sup>158</sup> It could not be on the basis of that expedition that Te Rauparaha claimed rights over the harbour above those of Ngati Mutunga and Ngati Tama. Any rights he had to allow Ngati Mutunga and Ngati Tama to settle in the area would have arisen from the victory at Waiorua, or from his position as leader of the heke, if he did lead these tribes down.

Ngati Mutunga settled along the western shores of the harbour from Te Aro to Kaiwharawhara (present-day Wellington City and Thorndon).<sup>159</sup> Ngatata-i-te-rangi, of Te Ati Awa, moved to Te Whanganui-a-Tara with them, establishing what was to be Te Ati Awa's first foothold in the area.<sup>160</sup>

For a period the new comers co-existed with Ngati Ira, with Ngati Ira occupying the east side of the harbour from Waiwhetu to Turakirae.<sup>161</sup> It is unclear whether they retained land at other places. It seems Rakaiwhakairi and Ngati Kahukuraawhitia continued to occupy the Hutt Valley. Pawhakataka, a pa inland from the Wainui stream, was occupied by Rakaiwhakairi and Hamua into the 1830s.<sup>162</sup>

A large party of Ngati Tama moved to Palliser Bay from Ohariu. Again it seems that they settled peacefully near the Wairarapa tangata whenua, who were Rakaiwhakairi, Hamua (connected to Rangitane and Muaupoko, not the Ati Awa hapu of the same name), Ngati Kahukuraawhitia, Ngati Moe, Ngai Tahu (descendants of Tahu, not Tahu-potiki), Ngati Ira and others. These people were descended from Rangitane, Ngai Tara, Ngati Ira and Ngati Kahungunu, and are now known as Ngati Kahungunu-ki-Wairarapa.<sup>163</sup> But they would have been closely connected with the Te Whanganui-a-Tara peoples.

After a time relations between the migrants and the earlier peoples in both areas deteriorated. Andrew Shand writes that Te Poki, a Ngati Mutunga chief, proposed that they massacre Ngati Ira to pre-empt any Ngati Ira attack on them. They used trickery to accomplish this, killing many and driving the rest from their pa on the mainland to Tapu-te-ranga.<sup>164</sup>

However Ballara argues that this account is misleading. On the basis of Maori sources (she does not say which), she argues that the change in occupation of the harbour took place more gradually than this account implies.<sup>165</sup>

It began after a party of Wairarapa tangata whenua accompanied some Ngati Tama who were going to visit relatives at Waikanae. On the way they visited Te Kekerengu at Porirua.<sup>166</sup> Ballara speculates that Te Kekerengu may have warned his Wairarapa relations to be wary of Ngati Tama, or the migrants may have feared that this meeting would lead to a major effort to expel them.<sup>167</sup> Whatever the reason, it was after this that Ngati Mutunga began attacking Ngati Ira and Te Whanganui-a-Tara and conflict arose between the tangata whenua and Ngati Tama in the Wairarapa.<sup>168</sup>

Gradually Ngati Ira lost control of the harbour; first Waiwhetu, then Te Mahau, Okiwi, Paraoanui, Orongorongo, Kohanga-te-ra, Hakoikiwi and Turakirae. Finally, a number of them, including the chief Tamairangi (Te Kekerengu's mother) and some of her children took refuge on Tapu-te-ranga. They probably stayed there for some time before, in about 1827, it became clear that the pa would fall, and Tamairangi and her children fled by canoe around the coast to Ohariu. There they fell into the hands of some Ngati

Mutunga or Ngati Tama. However Rangihaeata offered protection to the family and took them to Mana Island. Te Kekerengu either moved there as well, or else frequently visited from Porirua, until about a year later the family fled to the South Island.<sup>169</sup>

Several stories say they fled in about 1828 because Te Kekerengu fell under suspicion for sexual misdemeanours. However a Maori account from 1872 has it that Te Kekerengu attended a meeting with the Wairarapa chiefs at which it was decided that they would take their people to places where they could get muskets, in order to respond to their defeats in Te Whanganui-a-Tara and the Wairarapa. Te Kekerengu, with 108 followers, intended to travel to Otakou (Otago), while the Wairarapa leaders took their people to Nukutaurua on the Mahia peninsula. This would put the date for Te Kekerengu's departure at about 1832.<sup>170</sup> Their fate is uncertain, but they did not come back to Te Whanganui-a-Tara.

It is not clear whether any Ngati Ira remained at Porirua, or elsewhere in the district. It is likely that some took refuge in the Wairarapa and remained there. Numerous references to Ngati Kahungunu attacks on the people from Taranaki at Te Whanganui-a-Tara may indicate that Ngati Ira continued to resist the migrants' occupation. Ngati Kahungunu was used as a blanket term for the tangata whenua tribes of the region. It seems more likely these references are to former occupants of the area, Ngati Ira, Ngati Rakaiwhakairi or Ngati Kahukuraawhitia, than to Ngati Kahungunu proper. However when Spain's Commission, and later the Native Land Court sat Ngati Ira did not claim land at Te Whanganui-a-Tara.

Rakaiwhakairi and Ngati Kahukuraawhitia appear to have kept their occupation of the Hutt valley at this time.

Meanwhile, Te Peehi had returned from England, bringing muskets with him, only to discover that Te Rauparaha had made peace with Ngati Apa, who had killed his children. Despite the peace, he attacked Ngati Apa at Rangitikei.<sup>171</sup> This action brought the traditional split in Ngati Toa to the fore. From that time on he and his family were generally on the opposite side of any dispute from Te Rauparaha and his family. Te Peehi's allies were Te Ati Awa and the other tribes from the Taranaki area, who lived at Waikanae and Te Whanganui-a-Tara. Te Rauparaha and Rangihaeata were allied to Ngati Raukawa, who were starting to migrate to the region.

Again, the details of the heke arriving are confused. A series of heke came, including further heke from Taranaki, and parties of Ngati Raukawa who had given up their attempts to settle at Ahuriri. Further Ngati Raukawa came at Waitohi's request.<sup>172</sup> It seems there was a small, possibly exploratory expedition of Ngati Raukawa, called Karere, followed by the heke Whirinui, which some commentators believe was a northern Ati Awa expedition and some give as a Ngati Raukawa one.<sup>173</sup>

Then came the heke Kariritahi and Mairaro, both of Ngati Raukawa. This last migration left Taupo for Kapiti in autumn 1829.<sup>174</sup>

The southern Te Ati Awa hapu had not participated in the migrations before 1832. In that year they defeated a Waikato attack, but remained fearful that Waikato would return to avenge the loss.<sup>175</sup> As a result, a large number decided to migrate to Kapiti. One participant estimates that the heke, Tama Te Uaua, contained 400 men, another estimate is 2000 people.<sup>176</sup> The participants were known as the Ngamotu tribe, from the last place they lived on Taranaki. They included Ngati Tawhirikura, Ngati Te Whiti and Te Matehou hapu, which

would eventually establish themselves in Wellington. The chiefs included Rauakitua, Te Wharepouri, Te Puni, and Ngatata Wi Tako, of Ngati Tawhirikura, and Poratu, Roriki and Kopiri of Te Matehou.<sup>177</sup> Other tribes who participated in this heke, probably included Nga Mahanga, a hapu of Taranaki, who also eventually settled at Te Whanganui-a-Tara.<sup>178</sup>

### 2.3.2 *Origins of Ngamotu's claims in Te Whanganui-a-Tara*

The members of Tama Te Uaua initially settled at Te Uruhi, Waikanae, the main settlement of Ati Awa from previous migrations. Ballara says that before they did this they paid a courtesy visit to Kapiti to seek Te Rauparaha's approval.<sup>179</sup> Matangi and his son, Manihera Te Toru were fetched from there to Te Whanganui-a-Tara by Ngati Mutunga, because they were related. They went first to Pito-one and then to Ngauranga.<sup>180</sup> After two years, Te Wharepouri and Te Puni took a party to Te Koangaumu, near Porirua.<sup>181</sup>

Ballara sees Matangi and Manihera Te Toru's move as Te Ati Awa's second foothold at Te Whanganui-a-Tara.<sup>182</sup>

The third foothold was gained soon after. It was probably before Te Wharepouri and Te Puni left Waikanae that Wi Tako and some Te Ati Awa joined a Ngati Raukawa war party to avenge losses Ngati Raukawa had suffered attempting to settle in the Hawke's Bay. In the Heretaunga (Hutt valley), they lost a battle against "Ngati Kahungunu" and Te Momo of Ngati Raukawa was killed. In payment Te Matehou captured two chiefs, for Ngati Raukawa to kill<sup>183</sup>. At Te Aro the party divided. Ngamotu attacked a Rakaiwhakairi or Ngati Kahukuraawhitia settlement called Puniunuku, in payment for a Ngati Mutunga chief killed by "Ngati Kahungunu".<sup>184</sup> Some of the inhabitants escaped to Te Whanganui-a-Tara.<sup>185</sup>

In gratitude for this, Patukawenga of Ngati Mutunga made Waiwhetu tapu for Ngamotu, calling it "te iwi tuara o Tipi" (the backbone of Tipi).<sup>186</sup> According to Ballara, Te Mana, who was chief of Pito-one made Whiorau (Lowry Bay) tapu for them as well, saying that the pipi were as large as Raka-ruarua.<sup>187</sup> Wi Hape Pakao told the Native Land Court that Te Mana was of Ngati Kahungunu, which would indicate that the tangata whenua retained mana over the land in order to be able to tapu it.<sup>188</sup> However, in other sources his tribe is given as Ngati Mutunga.

Although they did not then settle at the harbour, "these gifts of land and resources made for services rendered constituted the third step towards proprietorship by Te Ati Awa in the harbour."<sup>189</sup> Wi Hape Pakao told the Native Land Court "the claim of Ngati Tawhirikura, Ngati [Te Whiti] and Matehou is through this."<sup>190</sup>

The party seems to have returned to Waikanae.<sup>191</sup> Some of Ngamotu moved to Te Koangaumu. Then Wairarapa, Porutu and Mataha of Te Matehou moved to Te Whanganui-a-Tara, to settle on the land gifted them, between Waiwhetu and Okiwi. They also cultivated at Korokoro.<sup>192</sup>

In Wi Hape Pakao's account of events, Ngati Kahungunu were still living at the harbour at this stage. They went to the Wairarapa after killing Tamatoa. After this Te Ati Awa living at Waiwhetu decided to move to the Wairarapa.<sup>193</sup>

Henare Pitt's version of the move is that five people went to the Wairarapa in pursuit of a woman who had escaped from her husband. Two of them were killed by Ngati Kahungunu. Te Wharepouri and Te Puni led a group from Wellington to extract payment, and found the place abandoned, as Ngati

Kahungunu had left for Mahia. Ngamotu remained there, leaving only a few old people at Waiwhetu.<sup>194</sup> They stayed in the Wairarapa about three years.<sup>195</sup>

### 2.3.3 *Haowhenua*

While they were there, intertribal relations on the Kapiti Coast were deteriorating to the point of open conflict. Haowhenua was fought in 1834 between Te Ati Awa and other tribes from Taranaki on one side, and Ngati Raukawa on the other.<sup>196</sup> Despite cooperating in seeking to avenge Ngati Raukawa's losses to Ngati Kahungunu, these groups were old enemies. Numerous factors, particularly the crowding caused by the large number of migrations which had taken place, contributed to outbreak of hostility. The arrival of Te Heke Hauhaua of Ngati Tama intensified tensions, as they were not able to find land to settle on.<sup>197</sup>

A number of accounts mention the dividing up of land on the Kapiti Coast when Ngati Raukawa arrived.<sup>198</sup> Some commentators argue that Waitohi and Te Rauparaha favoured their Ngati Raukawa relatives over Te Ati Awa in this process, which Te Ati Awa resented.<sup>199</sup> Parsonson argues a major cause of frustration on both sides was Te Rauparaha's monopolisation of opportunities for trade with Pakeha.<sup>200</sup>

The immediate cause of the fighting was the raiding of a Ngati Raukawa potato store by a party of Te Ati Awa or Taranaki people.<sup>201</sup> One of them was caught and killed by Ngati Raukawa, and other killings of Te Ati Awa individuals followed.<sup>202</sup>

The conflict escalated as Ngati Raukawa was joined by allies from the north, including Taraia Ngakuri and Ngati Maru, from around Thames and the Coromandal, Heuheu Mananui of Tuwharatoa (Taupo), Ngati Maniapoto, and the tangata whenua tribes, Rangitane, Ngati Apa and Muaupoko who they had reached a peace with.<sup>203</sup> Te Ati Awa at first only drew in the other tribes originating in the Taranaki region who had were living in the southern North Island.

The split in Ngati Toa was obvious, with Te Rauparaha, his family and their hapu supporting Ngati Raukawa, while the bulk of Ngati Toa, led by Te Hiko, came to Te Ati Awa's defence when they seemed in danger of defeat.<sup>204</sup>

The battle was drawn out and inconclusive. The presence of Ngati Toa on both sides may have contained the fighting.<sup>205</sup>

The battle resulted in Ngati Raukawa's temporary withdrawal to Rangitikei, and their permanent abandonment of land at Haowhenua.<sup>206</sup> Te Rauparaha and Te Rangihaeata also left with Ngati Raukawa, but were fetched back by Ngati Toa.<sup>207</sup> Te Ati Awa were also left feeling uneasy. Some withdrew to Arapaoa, in Queen Charlotte Sound and other places in the South Island and the Marlborough Sounds. Those who remained at Waikanae clustered together for security.<sup>208</sup> They were also forced to leave Porirua in the aftermath of the battle.<sup>209</sup>

Te Kaeaea, of Ngati Tama, attempted to secure a place for his people on abandoned land at Paremata, but Te Rauparaha and Te Rangihaeata drove him away with the help of Ngati Raukawa. A year later he attempted to occupy Mana island, only to again be sent back to Ohariu by Te Rangihaeata who claimed it. It was as a result of this that Te Rangihaeata gave him the name Taringakuri (Dog's Ear), because he would not listen to Te Rangihaeata's wishes.<sup>210</sup>

Also in the aftermath of Haowhenua, the last remaining Rakaiwhakairi and Hamua (Rangitane/Muaupoko's relatives) withdrew from the west coast.<sup>211</sup>

At some stage Te Heke Paukena, consisting of the Ngati Haumia and Ngati Tupaia hapu of Taranaki, some Ngati Ruanui and further Te Ati Awa had arrived.<sup>212</sup> It was led by Te Hanatarua of Ngati Ruanui, who later returned home. The leaders of the Taranaki portion were Pakuahi, Te Mira and Kukutai.<sup>213</sup> Some Ngati Tupaia had preceded it, but whether they came on their own accord or as part of another heke is not clear.<sup>214</sup> After Haowhenua, Ngatata-i-te-rangi allowed them to move to the area from Te Aro to Waitangi stream (Taranaki Street, to Kent and Cambridge Terraces, to the Basin Reserve).<sup>215</sup> Ballara says, he could do this because Ngati Mutunga and Ngati Tama were already considering moving elsewhere.<sup>216</sup>

#### 2.3.4 *Ngati Mutunga leave Te Whanganui-a-Tara*

Events on the Kapiti Coast were making Ngati Mutunga and Ngati Tama uneasy. Ngati Mutunga had become involved through Pomare's brother, Te Waka Tiwai, being killed at Haowhenua. His body was dug up the brothers' of Tawhiti (Pomare's wife), who were looking for tobacco. Pomare sent Tawhiti away to demonstrate his disgust at their behaviour. This action would have raised the anger of her uncle, Te Rauparaha.<sup>217</sup>

This almost certainly contributed to Ngati Mutunga's and some of Ngati Tama's decision to leave Te Whanganui-a-Tara for Rekohu (Wharekauri or the Chatham Islands). A Maori visitor who had been there told them that the islands had abundant food resources, and the people there were unused to fighting. In addition, the islands were visited by European ships.

In contrast, Te Whanganui-a-Tara's natural resources were limited, there were very few opportunities for trade with Europeans, and the occupants were hemmed in by enemies: Ngati Kahungunu inland and to the east, and Te Rauparaha and Ngati Raukawa on the west coast. Although Taringakuri told the Spain commission that Ngati Mutunga went only because of the attraction of the islands' resources, most stated that fear of the surrounding tribes was a reason for leaving.<sup>218</sup> For example, Te Puni stated they left because they were afraid of "Taupo, Ngati Raukawa and Rauparaha, Werowero and Waikato."<sup>219</sup>

The decision to migrate was made at meetings at Raurimu and Kumutoto, probably after the people had received the news that the brig *Rodney* would be calling at the harbour. The ship arrived on 26 October 1835, and was seized by Ngati Mutunga at Matiu, who coerced the captain into agreeing to transport them to Rekohu.

In the week in which the brig was loaded with supplies, much debate took place about whether Ngati Tama should be allowed on board. Because of their many ill-fated migrations and attempts at settlement, they had come to be viewed as "he iwi makutu" (an accursed people), and Ngati Mutunga feared they would bring ill fortune to this migration. However the chiefs Te Wharepa and Patukawenga, who were related to Ngati Tama, intervened in their favour, and a contingent of Ngati Tama did join the migration. Some Ngati Haumia from the Taranaki tribe went also.<sup>220</sup> On 14 November 1835 the brig left carrying the first load of 500 Migrants. Only one Ngati Mutunga chief, Patukawenga, went on this sailing.<sup>221</sup> The rest waited for the brig to return for a second time. To ensure that it would return, a mate was kept as a hostage.<sup>222</sup> When it was late returning, some of the intending migrants sacrificed a number of dogs and a twelve year old girl near Ohariu to bring it back.

Ngati Mutunga gathered on Matiu to be ready for the boat's return.<sup>223</sup>

### 2.3.5 *Ngati Mutunga's gift*

Ngati Mutunga's departure was accompanied by the handing over of their interests in Te Whanganui-a-Tara. Before they left, they burnt all their houses, possibly as an indication that they did not intend to return. But they left the fences standing.<sup>224</sup> When they left, they were in control of most of the area, with the exception of Ngati Tama's lands at Kaiwharawhara, Tiakiwai and Ohariu.<sup>225</sup> They had allowed Matangi and Te Manihera Te Toru to live or cultivate at Ngauranga. A few of Te Matehou hapu were living on the land they had been gifted at Waiwhetu. The Taranaki tribe and Ngati Ruanui lived between Te Aro and Waitangi streams on the invitation of Ngatata-i-te-rangi, who had come to the harbour with Ngati Mutunga. They also cultivated at Ngauranga, as did Ngati Mutunga.<sup>226</sup>

Control of the Heretaunga (Hutt valley) was more in dispute. Ngati Rangatahi had occupied part of the area. They had originally come from Otorohanga, but had moved south after a battle known as Taraingahere. They may have travelled as far as the Heretaunga (Hutt valley) at that stage, only to be defeated by Ngati Kahungunu and forced to retreat to Whanganui, or it may be that they first came to the area with Te Rauparaha's heke, and assisted in the raupatu (conquest).<sup>227</sup> They used the Heretaunga for catching birds and eels. Some of these were given to Ngati Toa. A Ngati Toa chief, possibly Te Rangihaeata, was offended by the distribution of the offering, and placed the district under rahui, thus prohibiting the use of the resources there.<sup>228</sup>

The occupants of Te Whanganui-a-Tara may have continued to use the valley, probably keeping to the lower end. Meanwhile it seems that the tangata whenua were attempting to maintain a claim, as attacks by "Ngati Kahungunu" continued to occur.

As Ngati Mutunga got ready to leave, Ngamotu were also looking for a new home. While they lived in the Wairarapa, they had continued to make visits to Te Whanganui-a-Tara, and they had left a few of their number at Waiwhetu to keep their claims there warm.

In the Wairarapa, Ngati Kahungunu had left a few of their people, leading a precarious existence when the bulk of the tribe had retreated to Mahia. Two years after they left, they began to reassert themselves, twice attacking Ngamotu. A third attack, led by Nukupewapewa, killed or captured most of a Te Ati Awa party. Among the captives were Te Urumairangi (Te Wharepouri's wife), Matenga (his sister), and her daughter, Te Kakapi (also known as Wharawhara-i-te-rangi). Te Wharepouri only just escaped.<sup>229</sup>

It was probably Rawiri Kowhetu, a member of Ngamotu who had been living at Porirua, who brought the news that Ngati Mutunga were leaving Te Whanganui-a-Tara.<sup>230</sup> Te Wharepouri briefly visited the harbour, then returned and collected the rest of the tribe. About 300-400 people (a hundred men) migrated there in canoes. They went first to Onehunga (Worser Bay). Te Ropiha's Te Matehou hapu remained there. Others went to Waiwhetu, where they already had a claim.<sup>231</sup> Wi Tako Ngatata took a party to Kakariki (Seatoun) and Te Mahanga. Other Ngamotu and Taranaki hapu also cultivated at Onehunga.<sup>232</sup>

Te Wharepouri went to Matiu, where the second group of intending migrants to Rekohu were gathered. Before this group left a meeting took place on the

island concerning the disposal of their lands. Several versions of what transpired come from different people who attended the meeting.

Mohi Ngaponga told the Native Land Court that there was no formal disposition made of the land.<sup>233</sup> However many other accounts refer to a panui (announcement) concerning the land, made by the Ngati Mutunga chiefs. At Spain's inquiry Te Puni stated that all of Te Whanganui-a-Tara had been given to Te Wharepouri and several other witnesses agreed.<sup>234</sup> But others at later Native Land Court hearings said different areas were given to different people or groups.

Hemi Parai of Ngati Haumia (Taranaki) told the Native Land Court that Ngatata, Pomare and 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 [Parai], Pakuahi and Mohi.<sup>235</sup>

Another witness, Ihaia Porutu, states that Ngati Mutunga gave him and Te Wharepouri canoes, and in return they presented greenstone to the Ngati Mutunga chiefs.<sup>236</sup>

### 2.3.6 *Interests in Te Whanganui-a-Tara between Ngati Mutunga's departure and the arrival of the Tory*

After the second migration of Ngati Mutunga left for Rekohu, Te Wharepouri and Te Puni remained on Matiu for a month. Then Matangi and Manihera Te Toru invited them to live at Pito-one. Their protective presence was welcomed by the twenty or so members of Matangi's family who occupied between Waiwhetu and Ngauranga.<sup>237</sup> Matangi held the mana over the land at this time, but Te Wharepouri was the senior chief.

Before settling at Pito-one, Te Wharepouri paid a visit to Kapiti. His purpose is not recorded, but Ballara speculates that it may have been to acknowledge Te Rauparaha's mana and seek his approval for the move, or else to gain reassurance that the "unresolved 'take'" between Ngati Toa and Ngati Mutunga would not be taken out on his people.<sup>238</sup> If this was the case, it is more likely that Te Wharepouri feared only Te Rauparaha's portion of Ngati Toa, not those hapu who had remained friends of Te Ati Awa.

After the move to Pito-one, Te Wharepouri and Te Puni and other chiefs continued to spend time at the pa of refuge on Matiu. Ballara argues that this demonstrates their insecurity in the region.<sup>239</sup>

Relationships between Te Puni and Te Wharepouri's hapu, Ngati Te Whiti and Ngati Tawhirikura on the one hand, and the Taranaki tribe at Te Aro were deteriorating at this time. It may have been while they were all still at Onehunga that Kopeka of Taranaki cursed Te Puni and Te Wharepouri by naming fish at Haitaitai and Paekawakawa after them, and then piercing them with a spear. This was a great insult to the Te Ati Awa chiefs' mana, and although peace was reestablished, it was remembered and contributed to Ngati Tawhirikura and Ngati Te Whiti's hostility towards Taranaki.<sup>240</sup>

The second conflict occurred when Ngati Haumia (Taranaki) were seen by Manihera Te Toru, working in a cultivation on the Hutt side of Ngauranga. They had helped Ngati Mutunga plant the potatoes, but Manihera Te Toru believed that Ngati Mutunga had left the land to his father, requesting Taranaki to stay on the western side of Ngauranga. In response, he and Te Wharepouri gathered a war party and went to Ngauranga, where they found some Ngati Haumia women and one man. They took the potatoes from them

and drove them away from both sides of Ngauranga. They also broke one of the canoes they found, although they left the other undamaged.<sup>241</sup>

A Ngati Haumia witness later told the Native Land Court that they were unaware that the cultivation had been given to Matangi by Ngati Mutunga. Another said that they were digging the potatoes for Matangi, and planned to give him the best of the harvest. However they accepted the loss of all their lands at Ngauranga, contenting themselves with their places at Te Aro and Waitangi.<sup>242</sup>

Matangi and Manihera Te Toru remained at Ngauranga. Te Wharepouru returned to Pito-one, but after a dispute there he moved to settle permanently at Ngauranga from early 1836, and he and his relatives built a house there.<sup>243</sup>

The other main pa around the harbour were Pipitea, Waiwhetu, Kumutoto, and Kaiwharawhara. There were also settlements at Tiakiwai and Pakuao, as well as inland at Karore (Karori), and on the west coast at Ohariu.<sup>244</sup>

Pipitea pa was occupied by Te Matchou hapu under Te Ropiha Moturoa. The other chiefs of the pa were Wairarapa, Pourutu, Ngapuna, Koahu and Tute.<sup>245</sup> Te Matchou also took control of Orongorongo, which they used for timber, bird hunting and collecting berries. They did not have a pa there, but there was a hut for shelter.<sup>246</sup>

Te Matchou had also run into conflict with Te Puni in about 1837. Te Puni's wife, Muri, had attempted to claim Tiakiwai, near Pipitea, by putting a pou in the ground. Moturoa or Wairarapa came from Onehunga, where they were living at the time, and took it out. Wairarapa told the Spain commission that he did this in payment for land at Te Korokoro which had belonged to him before he went to the Wairarapa district, but which Te Puni had taken since moving to Pito-one.<sup>247</sup>

In addition, Te Matchou claimed Waiwhetu, as they had lived there before going to the Wairarapa.<sup>248</sup> But it was also claimed by Manu and Muri (who were married to Mahau and Te Puni).<sup>249</sup> The chief Wairarapa estimated that a total of 400 members of Te Matchou lived at the harbour.<sup>250</sup>

Kumutoto pa belonged to Ngatata-i-te-rangi. His son, Wi Tako moved from Kakariki to Pito-one and then joined him at Kumutoto.<sup>251</sup>

Taringakuri told the Spain commission that Ngati Tama claimed Paekaka, Raurima and Te Pakuao. Their main pa was at Kaiwharawhara. Taringakuri was their principal chief, although others had rights to the land.<sup>252</sup> Hiki, the chief at Karore, may also have been of Ngati Tama.<sup>253</sup>

Some Ngati Ruanui remained at Te Aro pa along side Ngati Haumia and Ngati Tupaia of Taranaki, although many of their tribe had returned to the Taranaki district. The principal chiefs were Toko, Puihi, Pukahu and Marangi of Ngati Ruanui, and Ngaponga, Tamati Weremu and Parai of Taranaki. In addition two members of Ngati Mutunga lived there.<sup>254</sup>

Mohi Ngaponga also claimed that Te Aro natives had a share in the land at Pito-one and Heretaunga.<sup>255</sup> On the other hand, Mahau and Te Puni asserted that Te Aro belonged to the Ngati Te Whiti and Ngati Tawhirikura chiefs and that the people of Te Aro were slaves or servants. However Mahau admitted to the Spain commission that his anger at Taranaki's curse motivated him to say this.<sup>256</sup>

Rights to land were probably most uncertain in the Heretaunga. The people at Pito-one seem to have spread up the valley, using it for cultivation and settlement. Te Matchou and the Taranaki tribe claimed shares in it. Te

Rangihaeata had placed a rahui further up the valley, protecting it for himself. Ngati Kahungunu, or their relatives who had occupied Heretaunga and Te Whanganui-a-Tara, continued to make incursions as they attempted to reestablish their rights. They may have been succeeding: Te Puni told the Spain commission that all the Te Ati Awa people, except two brothers, had left Heretaunga and were going to Pipitea because of fear of Ngati Kahungunu, and Ngati Raukawa and their allies, when the *Tory* arrived in the harbour.

Thus rights to land around the harbour were not clearly defined. The claims of the occupant groups overlapped and conflicted. At the same time, a degree of cohesion remained, mostly based on kin ties. For example, Kopaka, who was responsible for cursing Te Puni and Te Wharepouri, is described as Te Puni's uncle, while Te Wharepouri's sister also lived at Te Aro and was married to a Taranaki man.<sup>257</sup>

Moreover, in the wider region things were still uncertain and tensions remained. Te Rangihaeata, who was ill-disposed towards Te ati Awa and Taranaki, lived at Porirua, presumably making them uneasy.<sup>258</sup> Ballara's interpretation is that:

In 1836 wars had ceased on the coast only temporarily, more from exhaustion than because the basic dispute — competition for space and resources in the region — had been resolved.<sup>259</sup>

An indication of Te Ati Awa's insecurity is given by Te Wharepouri's attempt to hijack a whaling schooner, the *Active* at Palliser Bay in March 1836. He was following Ngati Mutunga's example of how to conduct a migration, and he wanted to force the captain to take his people either to Rekohu, or to Rakiura (Stewart Island).<sup>260</sup> However, he was unsuccessful.

Te Ati Awa at Te Whanganui-a-Tara also tried unsuccessfully to persuade other members of their tribe to join them from the Marlborough sounds.<sup>261</sup>

## 2.4 Pakeha involvement in Te Whanganui-Tara

### 2.4.1 *Land made tapu for the Wesleyan Mission*

In June 1839 Minarapa of Nga Mahanga hapu of Taranaki, arrived at the harbour with two Wesleyan missionaries, John Hobbs and John Bumby. He was a Waikato captive who had been released with the onset of Christianity. He converted to Christianity in the Hokianga and took on the name "Richard Davies".<sup>262</sup> He made his way to Te Aro pa. He received a warmer welcome than he might have expected as a person who had lost his mana through captivity, because he brought with him Pakeha and their goods.

The Taranaki people agreed to tapu a piece of land at Te Aro for the Wesleyan Mission. In return they received some goods, and also took possession of some Mission property which had been landed on the beach at the same time. They presumed these goods were intended for them as well. This transaction was seen as a sale by the Pakeha missionaries.<sup>263</sup>

The goods were given to the Ngati Mutunga chief, Pomare, who happened to be visiting at the time. This was an acknowledgement of his mana as the previous owner of the land. He then distributed them back to the Taranaki tribe. Taranaki did not give any of the payment to Te Ati Awa, thus asserting that their rights were not derived from that tribe.<sup>264</sup> Parsonson argues that by presenting the goods to Pomare, Taranaki also obliged him to come to their assistance should Te Ati Awa attempt to evict them from their pa.<sup>265</sup>

#### 2.4.2 *New Zealand Company "purchase"*

In September 1839, the New Zealand Company vessel, *Tory*, arrived in the harbour with Colonel Wakefield on board. His intention was to purchase land for a large-scale settlement. Richard Barrett, a whaler, had joined the ship at Queen Charlotte sound. He directed it to Pito-one, because that was where his wife's Ngati Tawhirikura and Ngati Te Whiti relatives lived.<sup>266</sup>

There Colonel Wakefield met Te Puni, his friend Mahau, and Te Wharepouri. Negotiations for the land sale took a week, and included meetings at Ngauranga and Pito-one. Most of those involved in the discussions were Ngati Te Whiti and Ngati Tawhirikura from those pa.

Te Wharepouri and Te Puni were enthusiastic about the prospect of a Pakeha settlement.<sup>267</sup> Another keen supporter was their friend Mahau, who offered to show Wakefield the Heretaunga.<sup>268</sup> Meetings at Ngauranga and Pito-one discussed the development.

At the end of a week Wakefield displayed a quantity of goods on the deck of the *Tory*. Parsonson comments that, "the impact of such wealth on a community starved of goods can only be imagined."<sup>269</sup>

A deed listing the boundaries that Te Puni had named was then signed. Some sort of explanation of the deed's contents, which was at least partially inaccurate, was given by Dicky Barrett.

#### 2.4.3 *Maori Perceptions of the "sale"*

Approximately half of the Maori signatories were from Pito-one pa.<sup>270</sup> Among the other Maori present were representatives of Ngati Rangatahi, who were living at Porirua at the time.<sup>271</sup> But it seems they did not sign the deed.

Te Puni told the Spain commission that only his and Te Wharepouri's family had been keen on the proposal, until the goods were displayed. Then other chiefs accepted the goods.<sup>272</sup> Even Puakawa of Waiwhetu, who had protested vehemently about the idea of Pakeha settlement, saying that the Maori would be driven into the sea, signed the deed upon seeing the goods.<sup>273</sup>

Various chiefs later claimed that they believed the goods were payment for Te Puni's place at Pito-one, in which they claimed an interest, or for the Heretaunga, or only for anchorage rights in the harbour.<sup>274</sup> In support of this last view, they claimed that Dicky Barrett had said: "This European does not like the land, it is all hills. The sea is good."<sup>275</sup>

Nor was a connection necessarily made between the payment of goods and signing the deed. For example, Wi Tako said he signed the deed because he was told that his name would be taken to Queen Victoria.<sup>276</sup>

Te Wharepouri divided the goods into six portions, for the people of Waiwhetu, Pito-one, Ngauranga, Kaiwharawhara, Pipitea and Kumutoto.<sup>277</sup> He ignored Te Aro. Te Puni told Wakefield that the people there were slaves or people of no account.<sup>278</sup> However Wi Tako divided the Kumutoto pile with them.

At Te Aro the people at one end of the pa (Ngati Ruanui) divided the goods amongst themselves. In Wi Tako's account, those at the other end (Taranaki) were angry as they had not wanted to accept the goods. However another commentator says there were not enough goods for the whole pa.<sup>279</sup>

Te Wharepouri and Te Puni construed Te Aro's acceptance of the goods as approval of the sale and therefore acknowledgement of their authority to sell

the land.<sup>280</sup> But the Te Aro people later argued that they viewed the goods as an unsolicited gift from Te Wharepouri to his sister Tawhirikura, who lived at the pa.<sup>281</sup>

No one from Te Aro had been on board the vessel, or at the discussions at Pito-one and Ngauranga. They did not attend the haka at Pito-one after the sale either. Te Matehou also had little involvement in the sale and denounced afterwards, although Ropiha Moturoa's younger brother, Wairarapa, had signed the deed.<sup>282</sup>

By selling the land, Te Puni and Te Wharepouri were asserting their rights to do so over the other tribes at the harbour. At Spain's commission, Mahau supported their rights, saying "there are no other chiefs at all except Puni and Wharepouri."<sup>283</sup> In contrast, chiefs like Te Ropiha Moturoa of Pipitea denied the suggestion that Te Puni was superior to them.<sup>284</sup> All agreed that no chief had the right to sell a freeman's cultivation without his consent.<sup>285</sup>

Ngati Te Whiti and Ngati Tawhirikura did acknowledge Ngati Tama's rights, and Mahau admitted that he would consider Taringakuri a chief.<sup>286</sup> But they claimed Ngati Mutunga had given the rest of the harbour to Te Wharepouri.

They also sold because of fear. Their rights to the harbour were still liable to challenges from outside groups. Te Puni stated that his reason for selling was:

because I was afraid of Ngati Raukawa and Ngati Kahungunu, Taupo, Waikato, of your friend Werowero.<sup>287</sup>

It was partly because of this uncertainty that they took upon themselves the right to sell. Mahau agreed with other witnesses to Spain's commission that in normal circumstances "no one could sell the cultivation of another man to the white people", but adds that,

this land did not belong to our forefathers. It of right belongs to the Ngati Kahungunu, but the people here have taken the land. The case is different here.<sup>288</sup>

Later commentators have stressed the challenge the sale presented to Te Rauparaha's claims. Parsonson states, "It was not for Te Aro's benefit but for Te Rauparaha's that [Te Wharepouri] pointed out the hills on either side of the harbour as his own."<sup>289</sup>

She argues that as prospects for trade with Pakeha whalers declined alongside the decline in the number of whales, Maori on the Kapiti Coast and at Te Whanganui-a-Tara looked to establish their rights to the land and more permanent resources. Having seen Te Rauparaha monopolise opportunities for trade with the Pakeha, Te Ati Awa were keen to ensure he did not go on to monopolise rights to land. Receiving payment for the land from Pakeha buyers was a way to do this. Therefore Te Ati Awa did not consult Te Rauparaha about the sale, or offer him any of the payment.<sup>290</sup>

Te Rauparaha was furious when he heard of the sale.<sup>291</sup> The battle of Kuititanga may have been at least partially a response to this insult.<sup>292</sup>

Ngati Raukawa launched a surprise attack on Te Ati Awa at Waikanae, but were defeated. There were a number of other factors which could have caused them to attack, including old tensions brought to a head by the close proximity of the people at the tangi for Waitohi, which had just concluded. Waitohi's death could also have released Ngati Raukawa from some obligation to stay within the boundaries she had set. One of the Pakeha on the *Tory*, which arrived as the fighting finished, believed it was fought over some sheep that had been misappropriated.

The sudden arrival of the *Tory* threw the combatants into confusion. Te Rauparaha was at pains to reassure Wakefield that he had nothing to do with the battle, as he did not wish the Pakeha to think badly of him. The extent of his involvement is in fact unclear.

Once discussion of Kuititanga had been concluded, Te Rauparaha made his displeasure at the purchase of Te Whanganui-a-Tara from Te Ati Awa plain to Wakefield. He told Wakefield that he claimed the land and demanded payment for it.

He later listed the names of all the places he claimed for Wakefield on several occasions. These extended from 430' south latitude in the South Island to an imaginary line between Mokau and Cape "Tehukakoe" at about 410' latitude south across the North Island, including Te Whanganui-a-Tara.<sup>293</sup> Wakefield drew up a deed including these names, which Te Rauparaha, Te Hiko and other Ngati Toa chiefs signed in return for some goods. A third deed was signed by Te Ati Awa in Queen Charlotte Sound, conveying the same area to the New Zealand Company.<sup>294</sup>

The Pipitea people distanced themselves from the alleged sale to the New Zealand Company by allowing Richard Davies to tapu some of their land to protect it for them. They received some goods for this, but told the Spain commission that this was not payment ("utu") and that they had not sold the land. They also signed a "tapuing book", which they believed would be taken to Nga Puhī, where their names would be seen.

In January 1840 Moturoa sold a portion of his land at Pipitea to a trader named Robert Todd. He received a payment of gold sovereigns and two blankets. Todd had also rented part of the land which Richard Davies had been made tapu, on which he set up his house and store. Probably the assertion of his right to sell the land was more important to Moturoa than the payment he received for it. He would not allow Todd to later transfer his title to the New Zealand Company, indicating that he believed the sale had not stripped him of his underlying right to control further disposal of the land. Te Matehou also protected Todd's buildings from New Zealand Company surveyors who tried to pull it down.

The surveyors had arrived at the harbour in January 1840, closely followed by ships carrying 1500 settlers. Initially they landed at Pito-one. Te Puni and Te Wharepouri accepted their right to be there, although according to Jerningham Wakefield's account, Te Wharepouri was shocked by the numbers arriving, and contemplated returning to Taranaki with his people, to leave the land for the Pakeha settlers.<sup>295</sup>

In mid-March it was decided to move the settlement to the present site of Wellington city, as Pito-one had proved prone to flooding. When the surveyors began working in the area, the people of Te Aro, Pipitea, Kumutoto and Tiakiwai pa resisted their presence by pulling out the survey pegs and obliterating the markings the surveyors made. The surveyors were told to return to Pito-one, as that was the land that had been sold.<sup>296</sup>

At Kaiwharawhara, Ngati Tama's cultivations were overrun by settlers livestock. Taringakuri claimed this was the reason he moved his people to the Heretaunga (Hutt Valley), where they had no traditional claim. At the same time Ngati Rangatahi were moving back into the Heretaunga. There has been much debate among Pakeha at the time and later about the role of Te Rauparaha and Te Rangihaeata in this move. Taringakuri's previous actions indicate that he would have been unlikely to take orders from Ngati Toa. But

a number of writers suggest that the occupation was encouraged by Te Rauparaha and Te Rangihaeata.<sup>297</sup> On the other hand Burns argues that Te Rauparaha was not involved.<sup>298</sup>

Unlike Te Rauparaha, Te Rangihaeata had previously claimed land in the Heretaunga, and may have placed it under rahui some years previously. Parsonson suggests that he may have lifted the rahui, and indicated to Ngati Rangatahi that their presence there would now be viewed favourably. In later events he strenuously supported Ngati Rangatahi's right to be there.<sup>299</sup>

At the time of the sale, Ngati Kahungunu were still contesting Te Ati Awa's occupation of Te Whanganui-a-Tara and the Heretaunga. While the *Tory* was in the harbour on its land buying expedition, the chief Paukawa was killed by Ngati Kahungunu in the Heretaunga.<sup>300</sup> Later Pakeha record the reluctance of Te Ati Awa guides to venture too far up the valley, for fear of being attacked. Te Ati Awa were also unaware of the routes through the Rimutaka mountains to the Wairarapa used by Ngati Kahungunu.<sup>301</sup>

#### 2.4.4 *Peace settlement between Te Ati Awa and Ngati Kahungunu*

The Wairarapa was being reoccupied by Ngati Kahungunu, but Te Wharepouri nevertheless made it tapu for Wakefield in September 1839.<sup>302</sup> At the same time, he was responding to Ngati Kahungunu initiatives towards making peace. This impulse was fed by the influence of Christianity, which was attracting many Maori. Christianity brought with it rewards of prestige and material goods. The need for peace-making was received as its central message, and was welcomed after two decades of war.<sup>303</sup> At Hawke's Bay, Nukupewapewa released Te Wharepouri's wife Te Urumairangi, who he had captured in the Wairarapa in 1835. She told Te Wharepouri that Nukupewapewa was prepared to negotiate the return of Te Kakapi, who had been captured at the same time.<sup>304</sup>

Te Wharepouri travelled to Hawke's Bay, probably in early 1840, and found that Nukupewapewa had been drowned. Instead he negotiated with Tu-te-pakihi-rangi, who demanded the return of his ancestral lands in exchange for Te Kakapi. A party of Hawke's Bay and Wairarapa chiefs returned to Te Whanganui-a-Tara with Wharepouri in July 1840. It was probably then that an agreement was reached which acknowledged the Wairarapa tangata whenua's rights to the Wairarapa, but set their boundaries at the Tararua and Rimutaka ranges and required them to abandon their claims to the west coast, including Pukerua Bay, Porirua and Ohariu. They also abandoned their claim to Te Whanganui-a-Tara. In return, the immigrants from Taranaki, and Ngati Raukawa from Maunga-tatari's claims on the west coast and at Te Whanganui-a-Tara were recognised by the Wairarapa people. Tu-te-pakihi-rangi told them:

Live, all of you, on this side of the boundary mountains — you on this side, I on the other. I will call those mountains our shoulders; the streams that fall down on this side are for you to drink; on the other side for us.<sup>305</sup>

A series of arranged marriages, the exchange of gifts and the release of prisoners confirmed the peace in the traditional manner.<sup>306</sup>

The peace made use of the facts of Te Wharepouri and Te Puni's land sales to define their lands. Wi Hape Pakau told the Native Land Court that:

the boundaries were fixed as described by Wharepouri to Colonel Wakefield, viz Tarakirae [sic] to Rimurapa, Rimurapa to Rimutaka. It was a time of demarkation between Ngati Kahungunu and Ngatiawa [sic].<sup>307</sup>

Te Ati Awa continued to fear Ngati Kahungunu attacks for several years after peace was made. Ballara argues that some Ngati Kahungunu descent groups may not have accepted the peace arranged by Te Wharepouri and Tutepakihirangi, or may not have been present at the meeting. On the western side of the Tararua ranges, Rangitane continued to assert their claims.<sup>308</sup> It seems that the previous tangata whenua tribes did not raise claims to Te Whanganui-a-Tara or the Heretaunga at the Spain commission or at the Native Land Courts.

However it was not until 1853 that Ngati Kahungunu chiefs signed a deed with land commissioner Donald McLean agreeing to give up to the Crown their claims to the land sold by Te Ati Awa and Ngati Toa at Te Whanganui-a-Tara, Heretaunga (Hutt valley), and Porirua, "for the first time." In consideration for this they received one hundred pounds. A few days later they signed another deed conveying land to the west of Lake Wairarapa to the Crown. This included the area from Turakirae to Orongorongo stream, which had been supposedly sold by Te Puni to the New Zealand Company in 1839. Ngati Kahungunu received 2000 pounds for the land in this deed.<sup>309</sup> In January 1854, Te Ati Awa, Ngati Toa and Ngati Tama chiefs gave up their claims to the Wairarapa in return for 700 pounds.<sup>310</sup> The fact that the government felt it was necessary to enter into these deeds indicates that some dispute about ownership of these lands remained.

#### 2.4.5 *Spain commission*

In May 1842, William Spain began an inquiry into the New Zealand Company's alleged purchases, in accordance with a commission he had received from Lord John Russell, the Secretary of State for Colonies.<sup>311</sup>

He questioned the chiefs of the pa at Te Whanganui-a-Tara about the sale, and also tried to find out about customary Maori land tenure. He asked the Maori informants whether Te Puni and Te Wharepouri were of superior rank to the others, and whether they had rights to sell others lands. He also asked whether anyone else could sell a freeman's cultivation. He generally received the answer "no." The chiefs of all the pa except Ngauranga and Pito-one denied that Te Wharepouri and Te Puni had the right to alienate their lands, and claimed that they had never done so (members of Ohariu pa were not questioned, as they were in the Heretaunga, and did not respond to requests to attend the inquiry). It became apparent during the investigation, that Dicky Barrett's ability to understand and translate the deed of sale had been very inadequate. Among other things, the system of reserves for Maori which the New Zealand Company promoted was not understood or accepted by Maori. Only Te Puni and his friend Mahau agreed that the whole of the land had been sold. They stood by the sale in order to uphold their rights as the sellers.

Spain was forced to conclude that the New Zealand Company's claim to the harbour was very defective. However he decided that it would be too complicated to ascertain to whom the land belonged and too hard to remove the settlers and restore the land to its owners. Therefore he decided that compensation should be paid to Maori for their land instead, and that Maori pa, burial grounds and cultivations should be exempted from the land sold, in addition to the "tenths" to be set aside as reserves. He reasoned that most Maori were not claiming their land back, so much as wanting payment for it, which compensation would provide.

The Protector of Aborigines, George Clarke junior, proposed that 1,500 pounds be paid by the New Zealand Company as compensation.<sup>312</sup> This was

his estimate, and was far less than the inhabitants of those pa demanded. However, Spain had difficulty making Wakefield agree to pay even that much.

The members of Te Aro pa, whose lands were vital to the New Zealand company's planned settlement, repeatedly refused the compensation offered them, arguing that it was too little. They only agreed to accept when Governor Fitzroy, who had attended the meetings, threatened to leave Wellington without reaching any settlement. The other pa were persuaded or coerced into accepting the compensation as well. But Te Puni refused to accept the compensation offered for Ngauranga and Pito-one, as it was less than was paid to the others. He argued that he had already sold the land, to take the payment would undermine his first sale. Moreover, he argued that if there was to be a new payment, these two pa should receive as much as the others.<sup>313</sup>

Te Rauparaha had brought his claims to Te Whanganui-a-Tara and the Heretaunga before Fitzroy, and then negotiated with Clarke. He demanded that payment for the harbour be made only to himself and Pomare, not to Te Ati Awa, whose claim he did not recognise. He also demanded that the Heretaunga be dealt with separately, and named a small stream called Rotokakahi as the boundary between them.<sup>314</sup>

He discovered several weeks later that Clarke had already distributed payments to Te Ati Awa and Taranaki for Te Whanganui-a-Tara. He and Te Rangihaeata were to be given only 300 pounds out of the 1500 pounds allocated for compensation, and the payment was for the Heretaunga as well as Te Whanganui-a-Tara.

He wrote and complained to Clarke and Spain, and when they came to give him the money in March 1844, he refused to take it. But after this time he stopped pressing his case for recognition of his rights to Te Whanganui-a-Tara, and concentrated on the issue of the Heretaunga. He told Spain and Clarke that he could not take the money for the Heretaunga as the people living in the area would not agree. The land at Rotokakahi was Taringakuri's but, he said, Te Rangihaeata would have to be persuaded to take the payment.<sup>315</sup>

Ngati Tama illustrated their claim by cutting a boundary line which was over a mile long, at Rotokakahi, possibly at Te Rauparaha's request.<sup>316</sup> In November 1844, Clarke paid Te Rauparaha 400 pounds, of which half was for Te Rangihaeata, in return for their sale of the Heretaunga to Governor Fitzroy.

He did not consult Spain about this, because Spain had decided that the valley had been fairly purchased by the New Zealand Company at the first transaction. On Taringakuri's testimony that he signed Wakefield's deed and taken his share of the payment, and that the Ngati Rangatahi chiefs had also attended, Spain decided that they had no further claim for compensation.<sup>317</sup>

Upon receiving the payment, Te Rauparaha sent messages asking the Maori occupants to give up the Heretaunga and visited them to make the same request, as he had told Clarke he would do so. They ignored him. There are different opinions as to Te Rauparaha's response to this slight. Burns argues that it was a great insult to Te Rauparaha's mana.<sup>318</sup> Parsonson, on the other hand writes:

it is doubtful whether he was very distressed. If they made life uncomfortable for the settlers, so much the better. For after the sale, Te Rauparaha no longer really cared what happened on the Hutt. He had got what he wanted from the Government: his payment, his recognition, and his triumph over Ati Awa.<sup>319</sup>

In early 1846, Ngati Tama agreed to leave the Heretaunga in return for compensation for their crops. They later received reserves in town. The fact that Governor Grey had arrived with troops almost certainly induced Ngati Tama to accept this offer.<sup>320</sup>

Ngati Rangatahi, on the other hand, tried to remain in the Heretaunga. Under the leadership of Kapara Te Hau, they were increasingly involved in fights with the Pakeha settlers, who were claiming the area as their own, and with troops. Te Rangihaeata came to their defence, however Te Rauparaha refused to support his nephew. Ngati Raukawa also remained neutral. Te Ati Awa eagerly seized the opportunity to assist the government troops. They had been offering to help secure the Heretaunga for the Pakeha, and uphold their sale of it, for years.<sup>321</sup>

Despite their isolation, Grey was not able to defeat Te Rangihaeata and Ngati Rangatahi. He resorted to kidnapping Te Rauparaha as a face-saving gesture. When Te Rauparaha was returned in January 1848 he found much of the land which he claimed by conquest had been sold, including part of Porirua. His mana had been injured by his captivity, and there was considerable debate in the Native Land Court about whether he remained a chief or not. Burns argues that he could still have driven the Pakeha from Te Whanganui-a-Tara, however he did not attempt this.<sup>322</sup>

At Waikanae, Wiremu Kingi was planning a heke of 600 people back to the Taranaki. Some of those who went on this heke and on smaller migrations back to the Taranaki were from Te Whanganui-a-Tara. Kemp's census of the Maori population in 1850 records diminished numbers at most pa, resulting from a combination of migrations back to Taranaki, few births, and mortality due to disease. He also notes that there were substantial population fluctuations as people moved between Te Whanganui-a-Tara and Taranaki.<sup>323</sup>

In Te Whanganui-a-Tara, Grey had cancelled Fitzroy's grant to the New Zealand Company on the grounds that the Maori reserves were ill-defined in terms of their size and location. He appointed Colonel G W A McCleverty to reallocate reserves for Maori. A series of land exchanges were made with Maori in 1847.<sup>324</sup> In Gilmore's view, Te Matehou hapu accepted the exchange offered to them because it gave them rights to lands which were traditionally theirs, whereas the previous reserve scheme had not operated on a hapu basis.<sup>325</sup> Other hapu may have been persuaded to accept for the same reason.

Allocations of reserve were made for Te Ati Awa, Taranaki and Ngati Ruanui, and Ngati Tama of Te Aro, Waiwhetu, Ngauranga, Pito-one, Pipitea and Kaiwharawhara pa. In return they were required to relinquish their cultivations on land "belonging" to Pakeha settlers.<sup>326</sup> It appears that Ngati Rangatahi were not granted any reserves.

## Conclusions

Reserves were awarded to hapu who had been in actual occupation of pa at Te Whanganui-a-Tara at the time of the New Zealand Company "purchase." They had been there for several years. However occupation cannot be directly equated to ownership. The nature of Maori customary tenure has been much debated, and it is clear that Maori between 1750 and 1850 did not view interests in land in terms of "ownership," as understood by English law. Rather, interests in land and resources took a number of forms, operating on several levels.

These levels were linked to the structure of Maori society. In very simple terms, individuals were members of one or more hapu. A hapu was linked through genealogy to others. In times of stress, such as warfare, a number of related hapu could gather together for strength. Leadership rested with chiefs (usually male) who were of senior birth. They maintained their authority through their actions and could lose their power if the people no longer supported them.<sup>327</sup>

Ballara has recently argued that for day to day living the community, or group of people who lived together, was a more important social unit than either the hapu or iwi (tribe made up of a number of hapu).<sup>328</sup>

Rights to use a specific piece of land or a particular resource generally rested in a particular family or individual. However the areas controlled by a number of different people or families could be scattered amongst each other.<sup>329</sup>

In places where the control of land and resources was relatively settled, rights to these areas were usually inherited by the owner's children. After a number of generations, a family's rights were regarded as indisputable.

However there was also an overriding group interest in land and resources, and rights to them could not be alienated, for example as a marriage gift or as payment for an offence, without the agreement of the tribe as represented by the senior rangitira.<sup>330</sup> This right of the iwi to veto alienation has been likened to a government or nation state's suzerainty over the land of its citizens.<sup>331</sup> It has been said that this was because:

A man's land is not like his cow or his pig; that he reared himself; but the land comes to all from one ancestor.<sup>332</sup>

At Te Whanganui-a-Tara, this may well have been the situation from 1750 to the 1820s, while Ngati Ira retained control of the harbour area and neighbouring coasts, and Ngati Kahukuraawhitia and Rakaiwhakairi had possession of the Heretaunga (Hutt valley). However, after that time the control and occupation of the harbour was changing, and the new arrivals could not claim the land on the grounds of ancestry. Instead their claims had to be based on raupatu (conquest).

A number of writers have commented that this was seen as an unsatisfactory take.<sup>333</sup> The conquest had to be total, involving the permanent loss of mana by the enemy. It had to be accompanied by the permanent expulsion or extermina-

tion of the previous owners, or else by intermarriage with the remnant.<sup>334</sup> Moreover, Ballara writes:

Mana achieved by conquest was a fragile mana that could be easily reversed unless it was followed up by unchallenged occupation.<sup>335</sup>

In terms of Maori customary tenure, the occupation by the northern tribes was very recent. It has been suggested that customary rights to land could lie dormant and be reasserted up to three generations later. While customary law may not have been as precisely defined as that, it does indicate that rights could persist for a considerable length of time.

Ngati Mutunga had arrived at Te Whanganui-a-Tara no more than fifteen years previously, and it was only four years since Te Ati Awa had taken over as the principal occupants of the harbour. The previous occupants had been expelled from around the harbour maybe eight years ago, and more recently from the Heretaunga.

The continuing forays into the Heretaunga (Hutt valley) by members of tangata whenua tribes from the Wairarapa (described as Ngati Kahungunu) after Ngati Ira, Rakaiwhakairi and Ngati Kahukuraawhitia were expelled from Te Whanganui-a-Tara can be seen as attempts to challenge Te Ati Awa and the other tribes from the Taranaki's occupation. These challenges appear to have been one of the contributing factors to Ngati Mutunga's decision to abandon the harbour. They served to keep Ngati Mutunga's successors in a state of unease, and prevented them from establishing themselves at least in the upper part of the Hutt valley. However, "Ngati Kahungunu" do not appear to have regained occupation or effective control of the areas under consideration. During the 1830s they were struggling to even maintain a presence in the Wairarapa, although they were beginning to make gains by 1839. Te Puni and Te Wharepouri's land sale and the start of colonial administration had the effect of strengthening the status quo at that time. The peace treaty between Te Ati Awa and Ngati Kahungunu made use of the boundaries of the sale, and the government in 1853 entered into transactions with Ngati Kahungunu for them to relinquish claims to this land.

When the *Tory* arrived to purchase land, "Ngati Kahungunu" were still killing Te Ati Awa individuals in the Hutt. It was only after the land "sale", and the peace made between Te Wharepouri and Tutepakihirangi setting Te Ati Awa's boundaries in accordance with the deed of sale, that "Ngati Kahungunu," or the former occupants of Te Whanganui-a-Tara, gave up their struggle for this area.

The migrants of the 1820s and 1830s claim the area by virtue of their raupatu, giving rise to questions of the nature of the conquest and who can claim credit for it.

The 1819-20 taua to Te Whanganui-a-Tara, did not expel the existing inhabitants, nor was it followed up by occupation by the members of the taua. This taua is generally said to have been led by Nga Puhi. They returned north and did not come back to assert a claim to the land.

Chiefs of Ngati Toa, Ngati Tama, Ngati Mutunga and Te Ati Awa all took part in this taua. I did not find evidence that at this stage the other tribes were subordinate to Ngati Toa or Te Rauparaha.

The fact that a chiefly person had died or was buried at a certain place could constitute a take for her relatives to assume an interest in that area. Shand argues that the death of Te Iringa was the take that justified Ngati Mutunga's later move to Te Whanganui-a-Tara. Many other members of the taua of

chiefly rank also died in the area, but this is the only reference I have found to a tribe asserting its rights to the land on that basis when they migrated to the region in the 1820 and 1830s.

Te Rauparaha's claim to Te Whanganui-a-Tara rested on the claim that he had led the heke which conquered the land and so had mana over it. Te Rauparaha himself did not fight at Te Whanganui-a-Tara, except during the 1819-20 taua. Nor did he spend long periods of time at the harbour. The places he cultivated or traded at included Kapiti, Otaki, Pukerua, Mana island and Karauripe (Cloudy Bay), but not Te Whanganui-a-Tara.<sup>336</sup> I did not find any references to his coming to the area after the 1819-20 expedition, although that does not mean that he never did.

However, his claim is based on a general assertion of mana over the people of the various heke and the whole area that they settled. Ballara argues that prior to the Native Land Courts "mana" did not equate with "ownership". The mana of a great chief over large areas was rather control.<sup>337</sup> However this was also an interest in the land, and an aspect of tenure.

The question is whether Te Rauparaha had mana over Te Whanganui-Tara. It appears that the migrations were made on his initiative and that he was the leader of the first heke. However there were other leaders as well, notably Te Peehi of Ngati Toa who had Te Ati Awa connections. Te Ati Awa hapu, and possibly Ngati Mutunga, agreed to bring Ngati Toa down. The evidence suggests that neither group could have come without the other. The degree to which Te Ati Awa and their allies were subordinate to Ngati Toa has been constantly debated. For example, Karihaua of Ngati Toa claimed Ngati Mutunga came of their own accord, and not under Te Rauparaha's leadership.<sup>338</sup> Parsonson suggests that the fear of coming under Te Rauparaha's authority was a disincentive to tribes contemplating migration, possibly indicating that those that did go had to accept his leadership.

The battle at Waiorua is often said to have established the migrants' rights over the land. Although Ngati Toa and a number of Pakeha commentators have stated that it established Te Rauparaha's mana over the area down as far as Te Whanganui-a-Tara, he was not involved in the battle or only came in at the end. There is little evidence in the Native Land Court Minute Books to support the view that his entry onto the scene turned the tide of the battle in the migrants favour. The victory was more likely to have been accomplished by Te Ati Awa and some Ngati Toa and Ngati Koata. However, if Te Rauparaha had mana over all of the migrants, he may have been able to claim credit for their victory. It appears that the defeated tribes perceived Waiorua as Te Rauparaha's victory.

The second issue relating to Waiorua is: to what extent can it be said that this battle on Kapiti island determined land ownership at Te Whanganui-a-Tara? Members of Ngati Ira fought at Waiorua. But their occupancy was not disturbed by their defeat. They also continued to live at Porirua, where they may have come more under the eye of Ngati Toa. It was not until some time after Ngati Mutunga and Ngati Tama moved to the area that they began to be driven out.

Nevertheless, Mahimi of Ngati Ronganui hapu of Ngati Tama, told the Native Land Court: "We came here after Te Rauparaha had swept away all the natives."<sup>339</sup> The version of events that supports Te Rauparaha having mana over Te Whanganui-a-Tara, has it that he encouraged Ngati Tama and Ngati Mutunga to move there.

It is possible that even if Te Rauparaha did not have mana over the land, the portion of Ngati Toa which had more connections to Te Ati Awa might have had mana. These hapu were under the leadership of Te Peehi and his son Te Hiko. It is more likely that Te Ati Awa would have accepted their leadership than Te Rauparaha's. They fought on the same side as Te Ati Awa at Haowhenua and Kuititanga. They, and almost certainly some Te Ati Awa, were the main defenders of Waiorua, which is said to have been the battle that conquered the land. On the other hand, they do not appear to have ever asserted control of, or rights to Te Whanganui-a-Tara.

Te Rauparaha repeatedly asserted his claim to Te Whanganui-a-Tara from the time the New Zealand company "bought" it. He clearly told the New Zealand company officials that the land was not Te Ati Awa's to sell. He later took up his claim with government officials, although he did not pursue his claim to the harbour area after discovering that he had not received satisfactory compensation. Instead he concentrated on maintaining his claim to the Heretaunga (Hutt valley). Nor did he, or his descendants make claims before the Native Land Court to Te Whanganui-a-Tara, but this may have been in recognition of the fact that the Court equated ownership almost entirely with occupation and usage, ignoring other interests in land.

Te Rauparaha continued to press a claim to the Heretaunga (Hutt valley), until he received separate compensation for that area. However, he also stated that the land belonged to Taringakuri, of Ngati Tama, but that Te Rangihaeata would have to be persuaded to accept payment for it.

Other Ngati Toa chiefs, most probably including Te Rangihaeata, laid claim to an interest in the Heretaunga on the grounds of conquest. They received payments from Ngati Rangatahi who were living there. One of them placed a rahui on the area because he was slighted by the distribution of offerings. This meant that Ngati Rangatahi were forced to withdraw from the region. Te Rangihaeata may have lifted the rahui to allow Ngati Rangatahi to return when Pakeha settlers began to move into the area. Te Rangihaeata continued to uphold his interests in the Heretaunga against outside challenges, including the troops sent in by Grey.

Historians considering Te Puni and Te Wharepouri's "sale" have taken the view that their actions were intended as an assertion of their ownership of the harbour as against Te Rauparaha. If this is correct, it indicates that at the time of the "sale" both the Te Ati Awa chiefs and Te Rauparaha were aware of the others claims to the harbour, as they were attempting to override them to uphold their own.

Te Ati Awa's rights stemmed from Ngati Mutunga's, which in turn at Te Whanganui-a-Tara could have derived from three sources: their take (cause) resulting from Te Iringa's death there in 1819 or 1820, a gift by Te Rauparaha on account of Pomare's marriage to Tawhiti, or their own rauputu. Whether or not either of the first two possibilities were factors in their initial move there, it is clear that they had to follow them up by conquest of the Ngati Ira occupants to secure their position. If Te Rauparaha had gifted land the land, he might still retain mana over it.

Ngati Mutunga were at Te Whanganui-a-Tara for about ten years when they decided to leave for Rekohu. They had finally driven Ngati Ira out about seven years before this time.

Ballara, who believes that Te Rauparaha encouraged Ngati Mutunga and Ngati Tama to move to Te Whanganui-a-Tara, writes that three years after

land was gifted, the occupants' rights to it acquired independent legitimacy.<sup>340</sup> However this "three year rule" may be a later codification, and it is likely that the transfer of rights at the time was not so clearly defined. The Ngati Mutunga chief, Pomare was the only non-Ngati Toa person who Te Rauparaha recognised as having rights to payment for land at Te Whanganui-a-Tara.<sup>341</sup>

Ngati Tama were in a similar position to Ngati Mutunga. They had to compete with Ngati Ira for rights to the land they occupied until Ngati Ira were driven away. They failed in their attempt to secure a place for themselves in the Wairarapa, where they were driven back by the local people. At the time when many of their tribe accompanied Ngati Tama to Rekohu, the remainder retained their lands at Kaiwharawhara and Ohariu. Even Te Puni, who claimed rights over the rest of the harbour for himself, acknowledged Ngati Tama's rights to these lands.

When Ngati Tama moved to the Heretaunga (Hutt valley), they did not claim a historical right to the land they occupied, rather they were occupying it to make up for land at Kaiwharawhara which they could no longer use due to it being overrun by Pakeha's livestock.

Ballara views Te Ati Awa's acquisition of rights to Te Whanganui-a-Tara in terms of the establishment of "three footholds". The first was gained when Ngatata-i-te-rangi came to Te Whanganui-a-Tara with Ngati Mutunga. He was of Ngati Te Whiti of Te Ati Awa, but he had links to Ngati Mutunga and Taranaki. It was not customary for an individual who went to live with a hapu which they did not belong to, to obtain land rights in the area. But the situation may have been different in this case as Ngatata was involved with Ngati Mutunga in the initial acquisition of the land, rather than joining them at a later stage. His name is also sometimes given as a chief of Ngati Mutunga, indicating that he had considerable mana with that tribe.

The second foothold was gained when Te Mana of Ngati Mutunga invited his Te Ati Awa relatives, Te Matangi and his son Te Manihera Te Toru to live at Pito-one. The third foothold was acquired when Te Ati Awa were gifted land at Waiwhetu and Whiorau (Lowry Bay) in gratitude for taking satisfaction from "Ngati Kahungunu" for a Ngati Mutunga chief's death. In Ballara's account, both places were gifted by Ngati Mutunga chiefs, but one Native Land Court witness stated that Whiorau was gifted by Te Mana of Ngati Kahungunu, if this was true it would raise interesting questions about "Ngati Kahungunu's" continued occupation of the harbour, and their relationship to Te Ati Awa. However there was a Ngati Mutunga chief called Te Mana and it is likely that the witness mistakenly gave his tribe as Ngati Kahungunu.

A small number of Te Ati Awa kept their claims at the harbour warm, until 1835 when those who had gone to the Wairarapa returned as Ngati Mutunga were leaving. It appears that the Ngati Mutunga chiefs made a formal disposition of their lands to Te Ati Awa and the Taranaki tribe. There is conflicting evidence as to the exact nature of this gift.

In giving land, it was possible for a chief to retain mana over it and if the recipient or their descendants were no longer using the land it would revert to the giver.<sup>342</sup> But if the giver and all of their people withdrew permanently from the land, they could be seen to have alienated it permanently.<sup>343</sup>

At Te Whanganui-a-Tara, Ngati Mutunga's burning of their houses may have indicated that they did intend to withdraw permanently. The fact that practically all of them left for Rekohu, a great distance away, certainly suggests this. However members of Ngati Mutunga did occasionally return to visit Te

Whanganui-a-Tara from Rekohu. When the Taranaki tribe received payment for the land they sold to the missionaries, they acknowledged Ngati Mutunga's mana by handing the payment to Pomare for distribution.

Ngati Haumia and Ngati Tupaia of Taranaki, and Ngati Ruanui had moved to the lands between Waitangi and Te Aro streams on Ngatata's invitation, in about 1834. They later stated that Ngati Mutunga confirmed the gift of this land at the meeting before they left for Rekohu. Although Te Puni and Te Mahau told the New Zealand Company and the Spain Commission that the Te Aro people had no rights to the land, other Te Ati Awa stated that they did. Pomare's acceptance of the payment for Te Aro's sale indicates that he considered that they the right to deal with the land.

Although Taranaki had cultivated at Ngauranga, Te Ati Awa drove them away from there on the grounds that Ngati Mutunga had asked them to give up the lands on the west side of the stream to Te Ati Awa. They were driven away from the east side at the same time. By not challenging the Te Ati Awa aggression, Taranaki accepted the loss of these lands to them.

The final group that I have found to have had an interest in the area covered by the New Zealand Company "purchase" during the time under review, is Ngati Rangatahi. The beginnings of their interests in the Heretaunga (Hutt valley) may have stemmed from their independent arrival in the area before Te Rauparaha's heke. They may have been driven away again by the tangata whenua occupants. Another possible origin of their rights there is that they were granted the area in return for their assistance in the conquest by that heke. This would account for payments made to Ngati Toa chiefs, and for their later close relationship with Te Rangihaeata. It is of course possible that both incidents were causes of their rights to the area. Although they were forced to leave on one, maybe two, occasions, they returned to revive their claims and maintained them in the face of opposition from Te Ati Awa and Grey's forces.

To summarise, the ownership of Te Whanganui-a-Tara changed between 1750 and 1850. For the first seventy years, Ngati Ira had possession of the land around the harbour and the coastal area from Cape Palliser to Pukerua Bay. This tribe incorporated descent lines from earlier Te Whanganui-a-Tara tribes, notably Ngai Tara. Related tribes, Ngati Kahukuraawhitia and Rakaiwhakairi had possession of the Heretaunga (Hutt valley). Hamua, who were connected to Muaupoko and Rangitane, shared a pa with Rakaiwhakairi on the Kapiti coast, but I did not find any record of them being at Te Whanganui-a-Tara. On the west coast Muaupoko were expanding to occupy down as far as Pukerua Bay. Although Ngati Ira were attacked a number of times by the neighbouring tribes of Muaupoko and Rangitane, their occupation of Te Whanganui-a-Tara at this time was secure.

In 1819 or 1820, this pattern was disturbed by a Nga Puhi taua. Although this taua did not remain to establish themselves on the land, a number of those involved returned and had later interests in the area.

With the start of migration from Kawhia and Taranaki, land rights became contested between different tribal groups. The evidence relating to this period is confused and often contradictory, as the people supplying and recording information followed their own agendas to uphold their interests. Later scholars have to some degree continued this, supporting particular versions of events above others.

Further confusion is generated by the transposing of traditional Maori concepts into English. The European concept of "ownership" does not adequately

convey the types of interests in land that existed in Maori society at the time, yet early official bodies considered the question of land tenure largely in terms of ownership.<sup>344</sup> Traditionally, different aspects of ownership could be held by different groups or individuals. More than one person might have mana over the same piece of land, with mana operating on different levels.

The extent of my research does not allow me to delineate precisely the groups who had interests in Te Whanganui-a-Tara when the land was "sold". However it is clear that by this time the people who had occupied the region before 1820 no longer lived there, although "Ngati Kahungunu", which may be taken to include these people, continued to make incursions into the Heretaunga (Hutt valley) probably in an attempt to reassert their rights.

Te Rauparaha claimed to have mana over the area on the basis of leading the original heke or on the basis of conquest. The Te Ati Awa sellers of the land denied that Te Rauparaha had any right to control what happened to it or to receive payment for it.

Between them, Te Matehou, Ngati Te Whiti and Ngati Tawhirikura of Te Ati Awa claimed all the land around the harbour except Kaiwharawhara and Ohariu which they admitted belonged to Ngati Tama, and the Te Aro area which most agreed belonged to Ngati Haumia and Ngati Tupaia of Taranaki and the remaining Ngati Ruanui. There are references to both Te Ati Awa and Taranaki cultivating and fishing around Onehunga. Despite their claim, I only found occasional references to Te Ati Awa use of the Heretaunga (Hutt valley), and it is likely that they confined themselves to the lower part.

The claims of Taranaki and Te Ati Awa, as well as any Ngati Ruanui who remained, were based on invitations to live there and gifts of land from Ngati Mutunga. Ngati Mutunga, with Ngati Tama, had effectively taken the land from Ngati Ira, although their presence in the area was facilitated by Te Rauparaha's heke and the defeat of the tangata whenua force at Waiorua. As the givers of the land, Ngati Mutunga may have retained mana over it, but they did not retain rights of usage.

In the Heretaunga (Hutt valley), Ngati Rangatahi had previously, and would later exercise occupation and cultivation rights. They may have done this under the mana of Ngati Toa or Te Rangihaeata.

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- 181 NLC Wellington 1c, Manihera Te Toru, p 87 (doc 5), Matene Tauwhare (Ngati Tawhirikura, Te Ati Awa), pp 101-4
- 182 ~~Ballara, p 23~~
- 183 NLC, Wellington 2, Wi Hape Pakao, 108 (A12 p 21)
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- 185 NLC Wellington 2, Wi Hape Pakao, p 108 (A12, p 21), Ballara's account of these events states that the Ngati Mutunga chief who was killed by Ngati Kahungunu

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- was called Te Momi, although she cites Wi Hape Pakao as the source for this (Ballara, p 23)
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  - 218 OLC, 906, encl 11, Taringakuri ev
  - 219 OLC, 906, encl 11, Te Puni ev
  - 220 Ballara, p 26
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  - 222 Ballara, p 26
  - 223 Ballara, p 26
  - 224 OLC, 906, encl 11, Wi Tako ev
  - 225 NLC, Wellington 2, Mahimi (Ngati Ronganui hapu of Ngati Tama), p 103 (doc 8)

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- 227 Parsonson, p 204, Burns, *Fatal Success*, p 271
- 228 Parsonson, p 204, footnote
- 229 Ballara, p 27, NLC, Wellington 2, Henare Pitt, pp 63-64 (A12 pp 28 & 66), Wi Hape Pakau, p 110 (A12 p 125)
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- 243 Ballara, p 29
- 244 OLC, 906 encl 11, Wi Tako ev. (not available)
- 245 OLC, 906, encl 11, Wi Tako ev (not available)
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- 247 OLC, 906, encl 11, Te Puni, Wairarapa, Mahau ev (not available)
- 248 OLC, 906, encl 11, Wairarapa ev (not available)
- 249 OLC, 906, encl 11, Mahau ev (not available)
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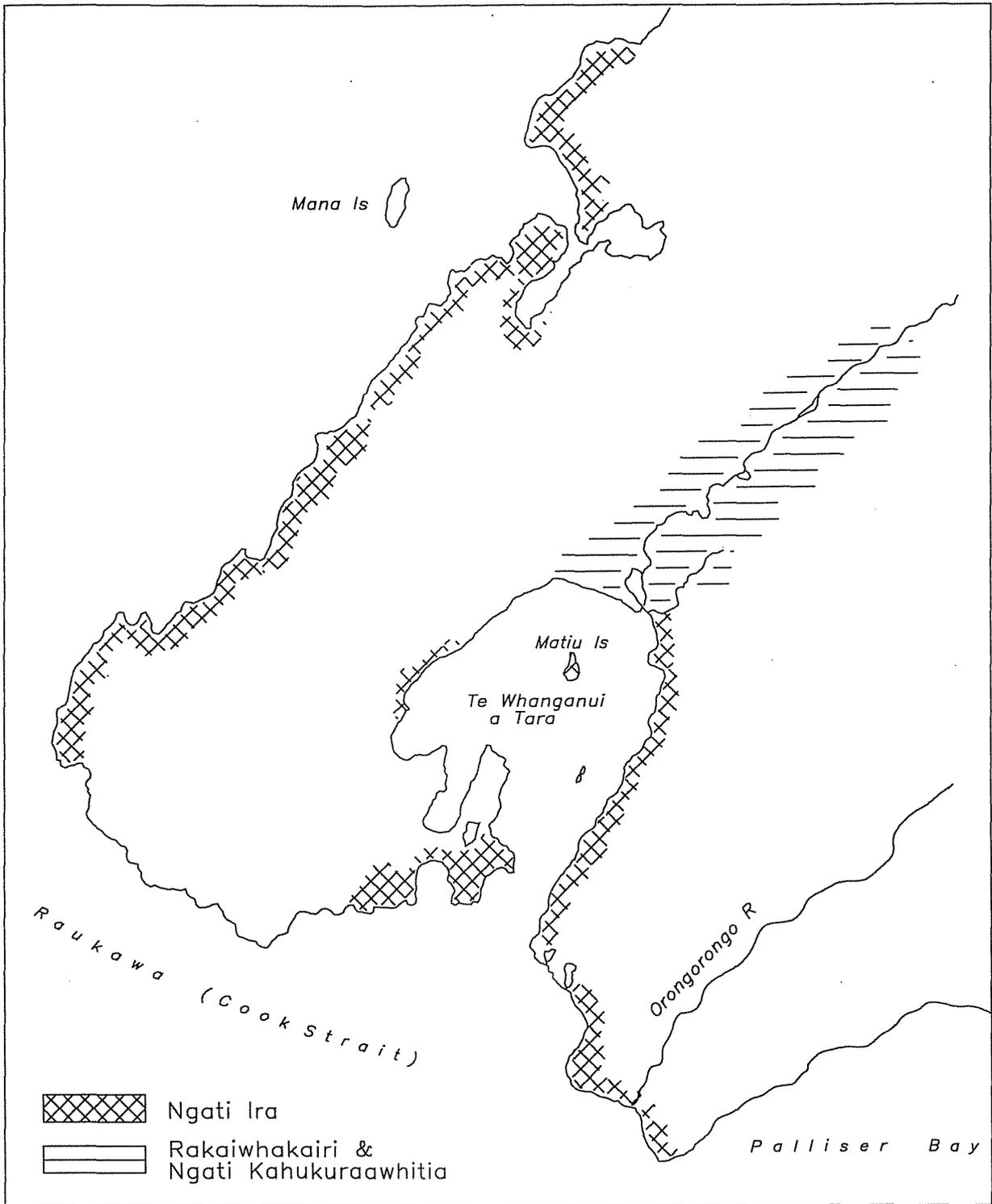
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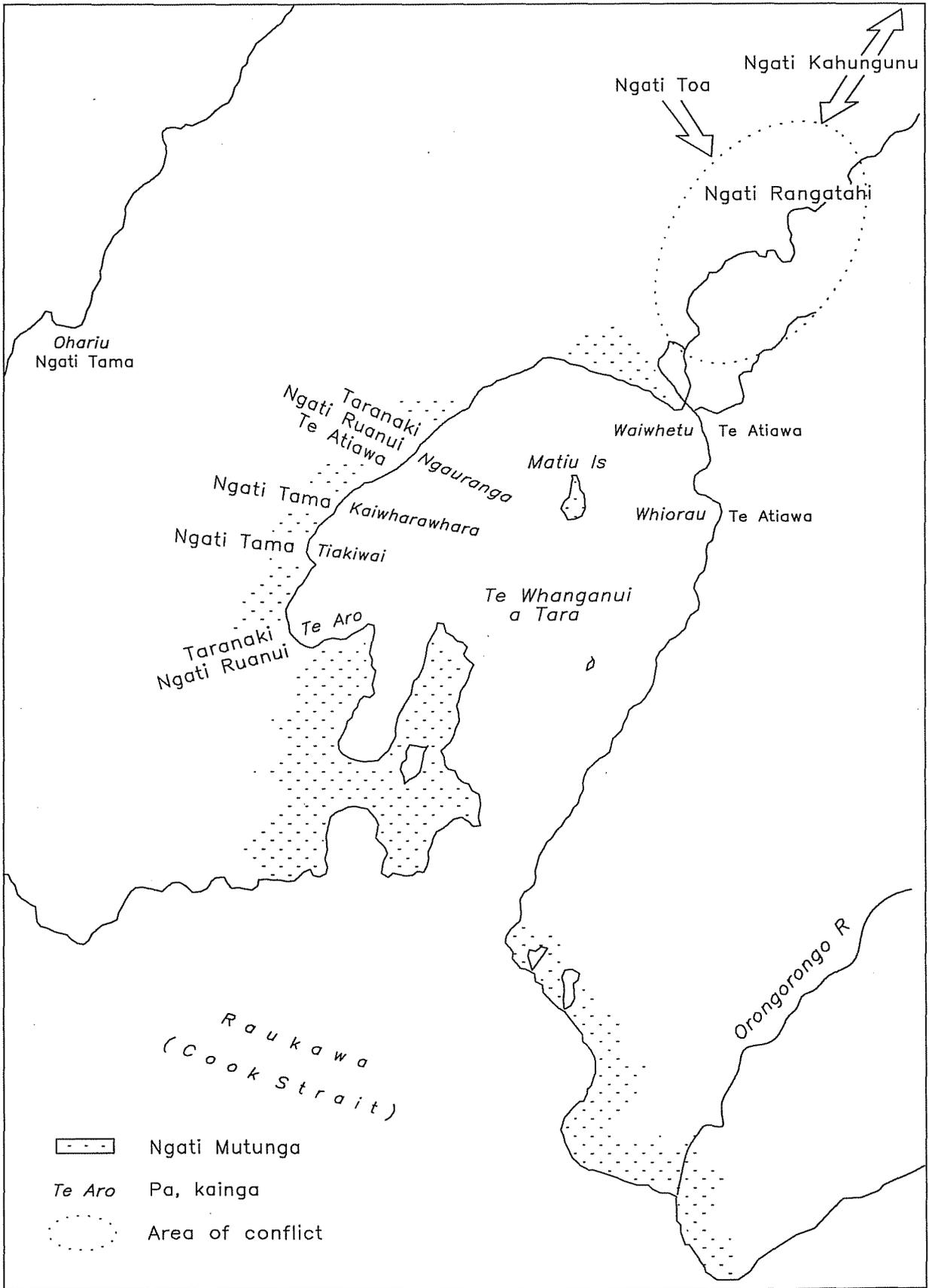
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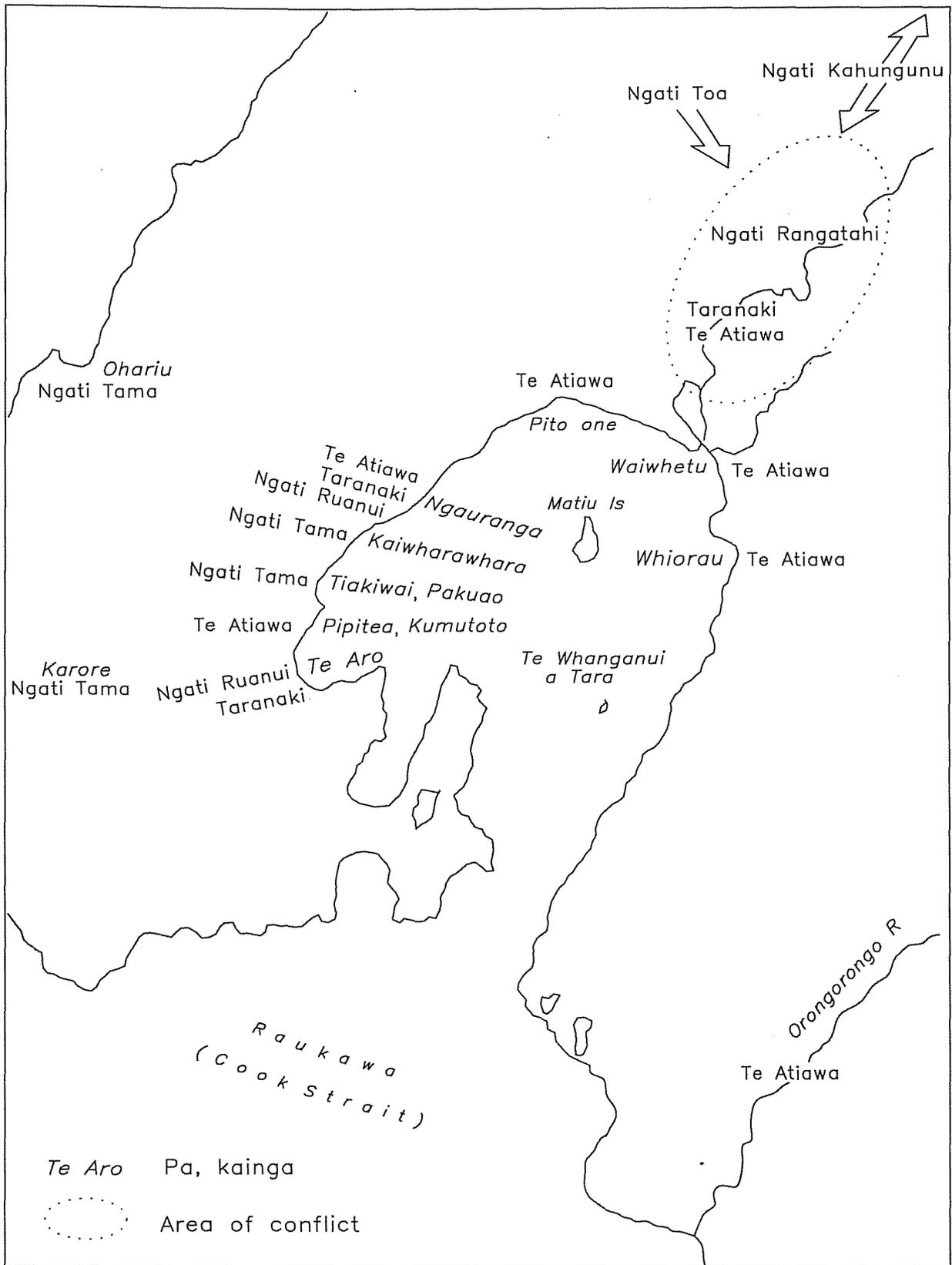
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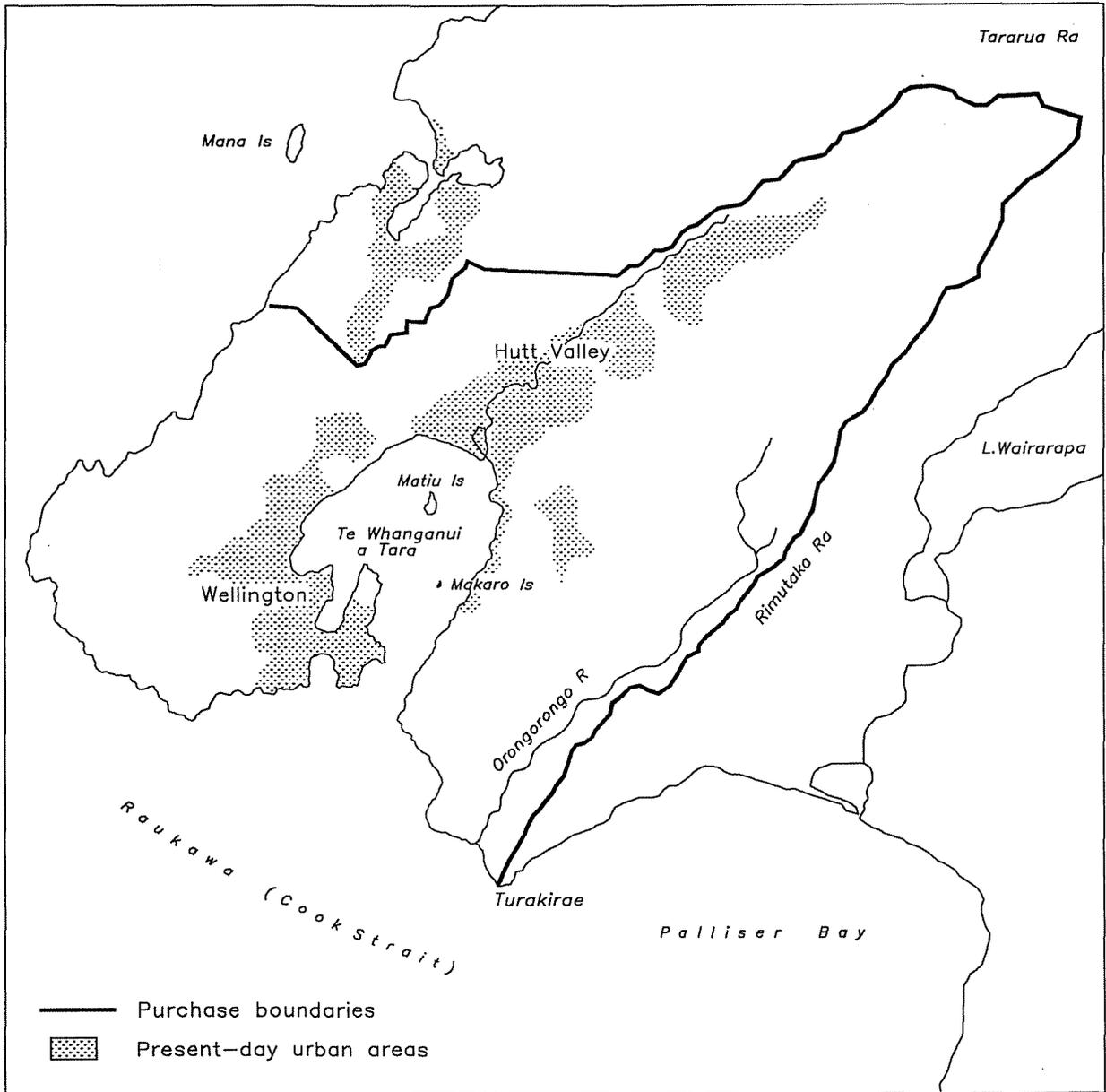
Map 1: Occupation areas c1800



Map 2: Occupation areas early 1835



Map 3: Settlements and iwi when the *Tory* arrived 1839



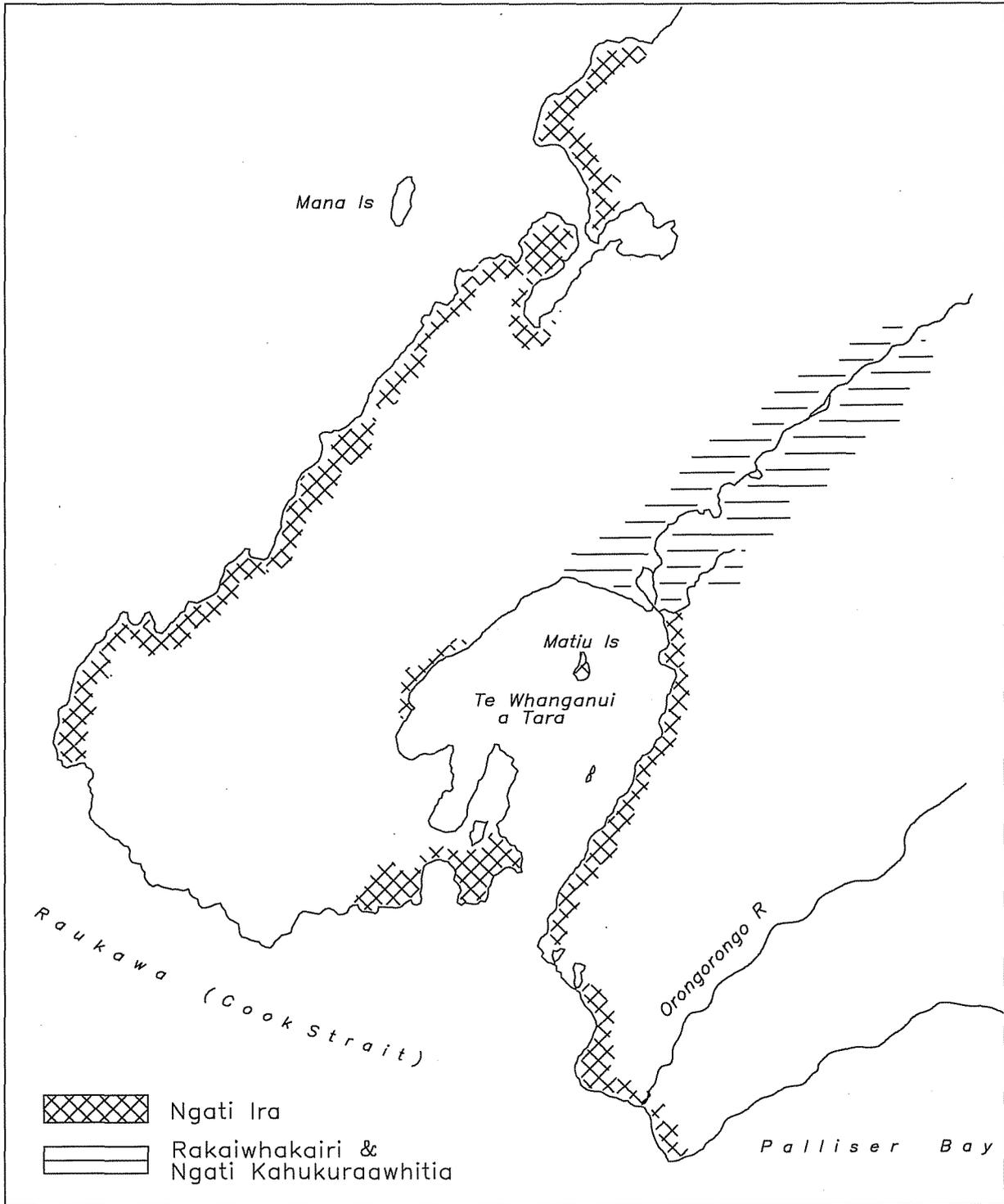
Map 4: Boundaries of the purchase by the NZ Company 27 Sept 1839

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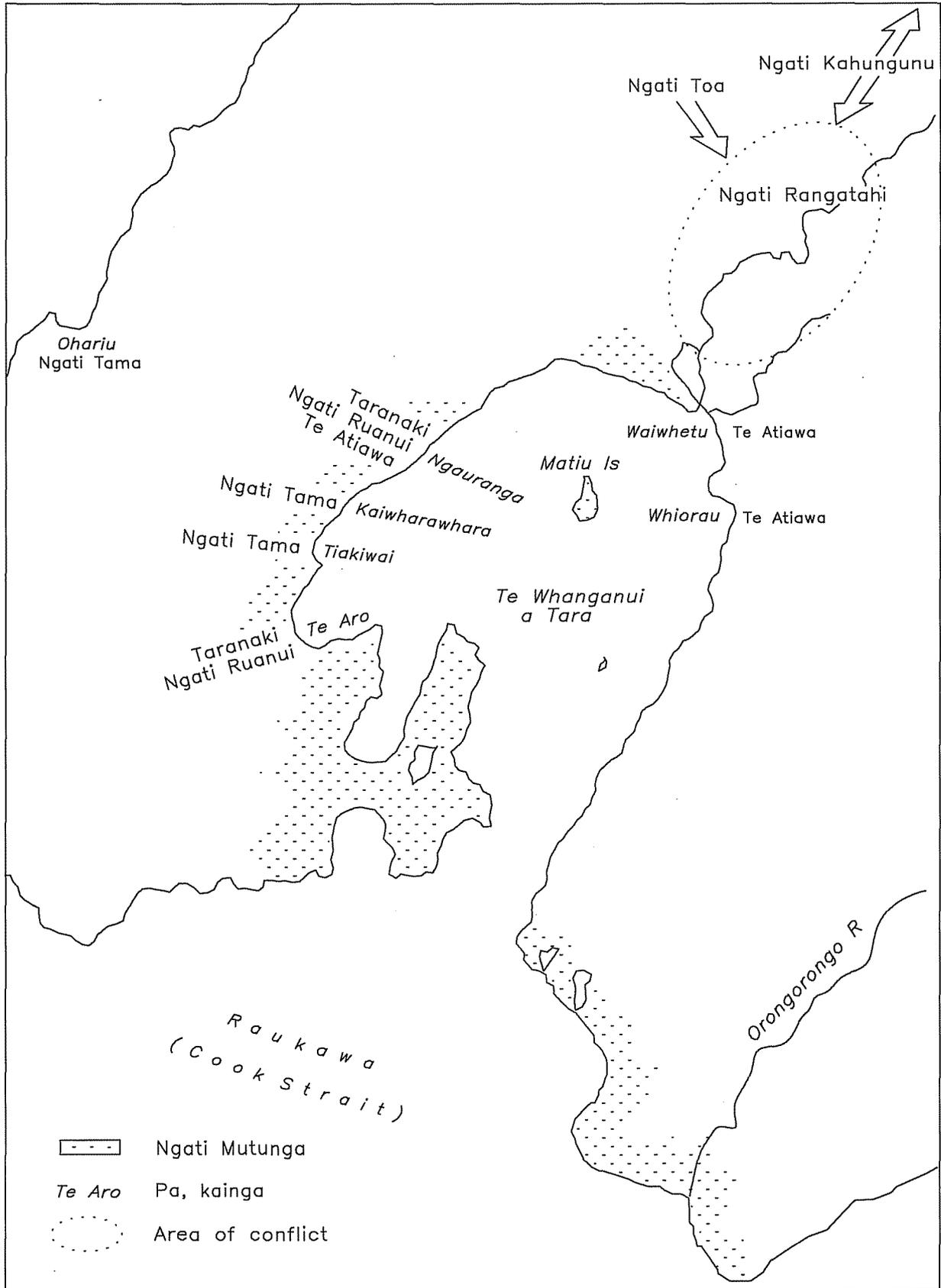
- Map 1: Occupation areas c 1800
- Map 2: Occupation areas early 1835
- Map 3: Settlements and iwi when the *Tory* arrived 1839
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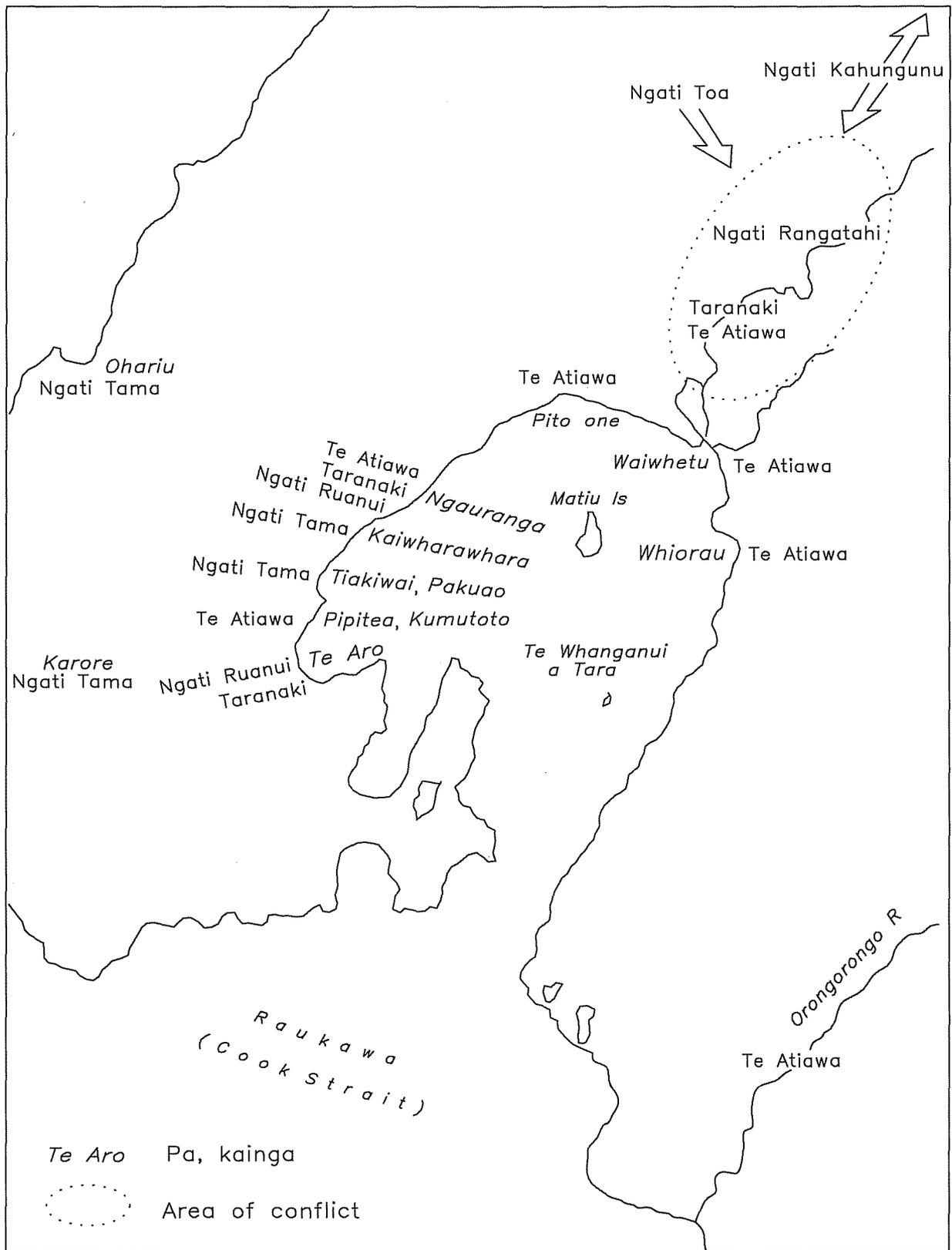
Map 1: Occupation areas c1800

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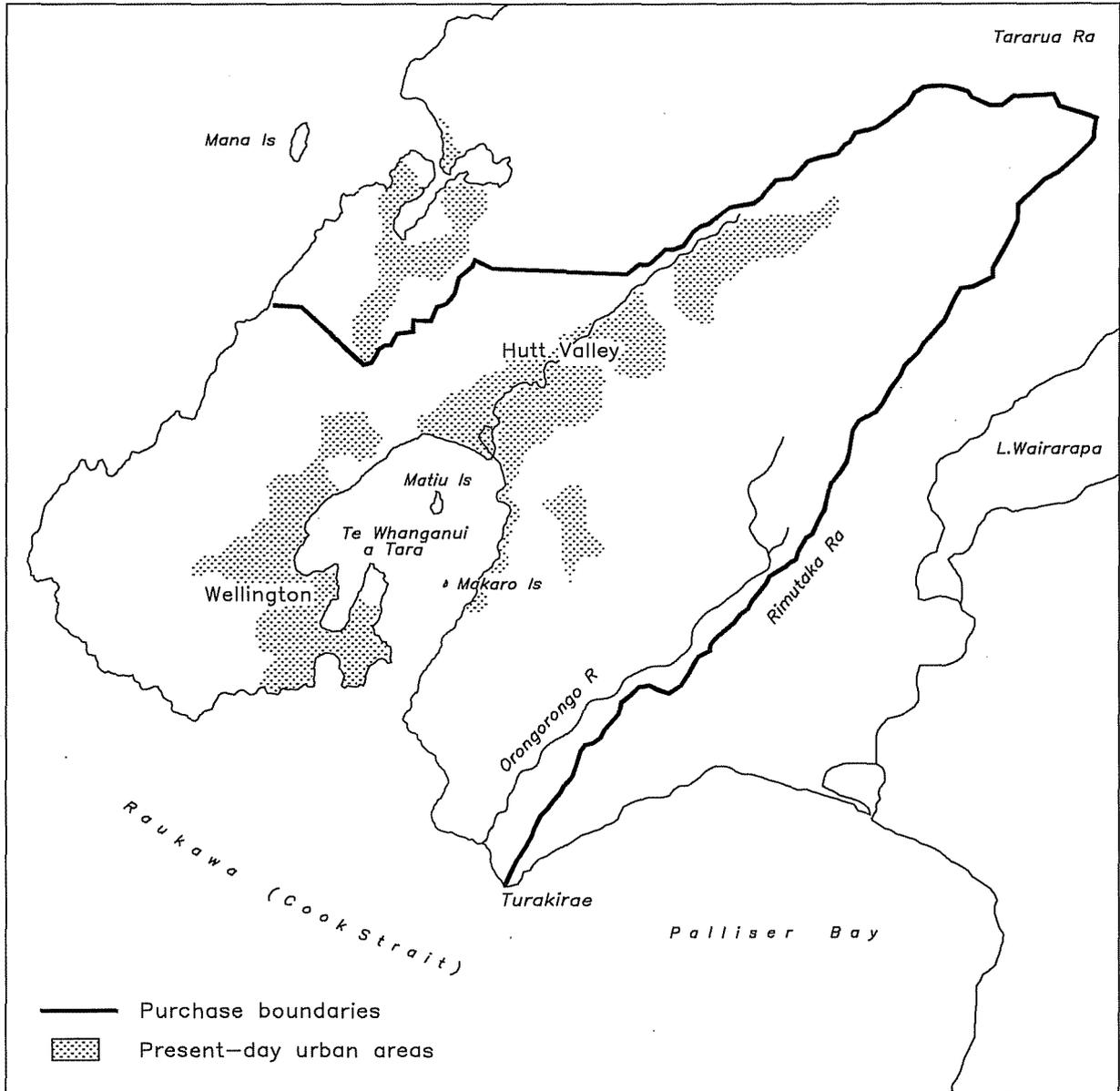
Map 2: Occupation areas early 1835

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Map 3: Settlements and iwi when the *Tory* arrived 1839

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Map 4: Boundaries of the purchase by the NZ Company 27 Sept 1839

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- 128 Burns, p 113
- 129 NLC Otaki 10, Watene Taurangata, p 314 (doc 48)
- 130 At the Ngarara rehearing in 1890 Wi Parata is cross-examined about a statement that Ati Awa were there, which he is recorded as having made in an earlier court, but he insists there was a mistake in the transcription or translation and he never said that. Mistakes did occur in the recording of Native Land Court minutes. Otaki 10, Wi Parata, pp 208 & 211 (doc 33 & 36), and eg Otaki 10, Pikau te Rangi, p 295 (doc 38)
- 131 NLC Otaki 10, Watene Taurangata, pp 313-4 (doc 47-48)
- 132 Ballara, p 17, Otaki 1d, Metekingi Te Rangi Paetahi, p 438 (doc 18)
- 133 Ballara, p 17, Otaki 10, Watene Taurangata, p 83 (doc 20), Hira te Te Aratangata, p 87 (doc 22)
- 134 Burns, p 120, Carkeek, p 19
- 135 Otaki 10, Karihaua (Ngati Toa), pp 110 & 118 (doc 30-31)
- 136 Otaki 10, Watene Taurangata, p 77 (doc 19)y
- 137 NLC Otaki 10, Watene Taurangata, p 314 (doc 48)
- 138 Otaki 10, Hira te Te Aratangata, p 89 (doc 23)
- 139 Otaki 10, Pikau te Rangi, p 300 (doc 41), Carkeek (p 19) says Ngati Haumia and Ngati Koata were the main subtribes of Ngati Toa
- 140 Ballara, p 17
- 141 NLC Otaki 10, Wi Parata, p 208 (doc 33)
- 142 Ballara, p 17
- 143 eg Otaki 10, Hohaia Pakaitara, p 101 (doc 29), Karihaua, p 110 (doc 30)
- 144 Otaki 10, Wi Parata, p 210 (doc 35)
- 145 Ballara, p 17

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- 146 Ballara, p 17
- 147 Ballara, p 18
- 148 Ballara, p 19, NLC, Otaki 1d, Hunia te Hekeke (Ngati Apa, Rangitane, Muaupoko), p 541 (doc 18)
- 149 Ballara, p 18, Otaki 10, Pikau te Rangi, pp 300-2 (doc 41-43)
- 150 Burns, p 125
- 151 Ballara, p 18, Otaki 10, Pikau te Rangi, p 300 (doc 41)
- 152 Otaki 10, Pikau te Rangi, pp 298 & 302-3 (doc 40 & 43-44)
- 153 Ballara, p 18
- 154 Otaki 10, Pikau te Rangi, p 303 (doc 44)
- 155 Ballara, p 18
- 156 Burns, p 177
- 157 NLC Otaki 10 Karihaua (Ngati Toa), p 118 (doc 31)
- 158 Andrew Shand, "The Occupation of the Chatham Islands by the Maoris in 1835", part 2, *JPS*, v 1, 1892, p 162
- 159 Ballara, p 18
- 160 Ballara, p 23
- 161 Ballara, p 18
- 162 Ballara, p 20
- 163 Ballara, p 288, endnote 53
- 164 Shand, part 1, *JPS*, v 1, 1892, pp 90-91
- 165 Ballara, pp 19-20
- 166 Ballara, p 19, Shand, part 1, p 90
- 167 Ballara, p 19
- 168 Ballara, p 19
- 169 Ballara pp 20-21
- 170 Ballara, p 21, this account was told to JC Crawford by Te Manihera Te Rangitaka-i-waho
- 171 NLC, Otaki 1d, Metekingi Te Rangi Paetahi (Ngati Apa, Whanganui), p 439 (A12 p 36)
- 172 NLC, Otaki 1d, Rakapa Kakohi, (Ngati Toa, Ngati Raukawa), p 412 (doc 15)
- 173 Carkeek, p 8, Gilmore, p 31, Burns, p 127, Parsonson, p 167
- 174 Burns, pp 127 & 157, Parsonson, p 167
- 175 Wellington 1c, Manihera Te Toru, p 93 (A12 p 12)
- 176 Ballara, p 22, Wellington 1c, Manihera Te Toru, p 93 (A12 p 12)
- 177 Carkeek p 34, Gilmore, p 9, Old Land Claims, 906 (New Zealand Company claim), Enclosure 11, evidence of Taringakuri (not available), NLC, Otaki 10, Pikau Te Rangi, p 311 (doc 45)
- 178 Parsonson, p 186
- 179 Ballara, p 22
- 180 NLC, Wellington 1c, Manihera Te Toru, p 86 (A12 p 20)
- 181 NLC Wellington 1c, Manihera Te Toru, p 87 (doc 5), Matene Tauwhare (Ngati Tawhirikura, Te Ati Awa), pp 101-4
- 182 Ballara, p 23
- 183 NLC, Wellington 2, Wi Hape Pakao, 108 (A12 p 21)
- 184 NLC, Wellington 2, Wi Hape Pakao, p 108 (A12 p 21), Ballara, p 23
- 185 NLC Wellington 2, Wi Hape Pakao, p 108 (A12, p 21), Ballara's account of these events states that the Ngati Mutunga chief who was killed by Ngati Kahungunu

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was called Te Momi, although she cites Wi Hape Pakao as the source for this (Ballara, p 23)

- 186 NLC, Wellington 3, Karenai te Hau, p 188 (A12 p 117)
- 187 Ballara, p 23
- 188 NLC, Wellington 2, Wi Hape Pakao, p 109 (A12 p 22)
- 189 Ballara, p 23
- 190 NLC, Wellington 2, Wi Hape Pakao, p 109 (A12 p 22)
- 191 Ballara, p 24
- 192 OLC, 906, encl 11, evidence of Wairarapa, Ballara, p 25
- 193 NLC, Wellington 2, Wi Hape Pakao, pp 109-10 (A12 pp 22 & 125)
- 194 NLC, Wellington 2, Henare Pitt, pp 63-64 (A12 pp 28 & 66)
- 195 Ballara, p 24
- 196 Ballara, p 24
- 197 Burns, p 177, Carkeek, p 34
- 198 eg, Carkeek, p 23
- 199 Burns, p 177
- 200 Parsonson, p 173
- 201 Parsonson, p 174, NLC, Wellington 2, Wi Hape Pakao, p 109 (A12 p 22)
- 202 Ballara, p 24
- 203 Ballara, p 24, Parsonson, p 175, NLC, Otaki 1d, Nopere Te Ngiha, p 395 (doc 14), Hohepa Tamaihangī, p 403 (A12 p 31), Metekingi Te Rangi Paetahi, p 441 (A12 p 37)
- 204 Parsonson, p 174, NLC, Otaki 1d, Rakapa Kakohi pp 413-414 (A12 pp 32-33)
- 205 Parsonson, p 174
- 206 Ballara, p 24, NLC, Otaki 1d, Rakapa Kakohi (Ngati Toa, Ngati Raukawa), p 413 (A12 p 32), Metekingi Te Rangi Paetahi (Whanganui, Ngati Apa), p 441 (A12 p 37)
- 207 NLC, Otaki 1d, Te Karina Torua (Ngati Toa), p 419 (doc 15b)
- 208 Parsonson, p 175
- 209 Ballara, p 25
- 210 Ballara, p 25
- 211 Ballara, p 25
- 212 Ballara, p 25, NLC, Wellington 2, Wi Hape Pakao, p 107 (doc 10)
- 213 NLC, Wellington 1c, Hori Ngapaka, p 12-13, Hemi Parai, p 13 (A12 pp 44-45)
- 214 NLC, Wellington 1c, Hori Ngapaka, pp 12-13, Hemi Parai, p 13 (A12 pp 44-45)
- 215 Ballara, p 25, Parsonson, p 186, NLC, Wellington 1c Hori Ngapaka, pp 12-13 (A12, pp 44-45)
- 216 Ballara, p 25
- 217 Ballara, p 25, Burns, p 179
- 218 OLC, 906, encl 11, Taringakuri ev
- 219 OLC, 906, encl 11, Te Puni ev
- 220 Ballara, p 26
- 221 OLC, 906, encl 11, Te Puni ev
- 222 Ballara, p 26
- 223 Ballara, p 26
- 224 OLC, 906, encl 11, Wi Tako ev
- 225 NLC, Wellington 2, Mahimi (Ngati Ronganui hapu of Ngati Tama), p 103 (doc 8)

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- 226 NLC, Wellington 1c, Hemi Parai (Ngati Haumia hapu of Taranaki), pp 77 & 79 (doc 3-4), Henare Te Puni, p 108 (A12 p 99), OLC 906, encl 11, evidence of Wi Tako (not available)
- 227 Parsonson, p 204, Burns, *Fatal Success*, p 271
- 228 Parsonson, p 204, footnote
- 229 Ballara, p 27, NLC, Wellington 2, Henare Pitt, pp 63-64 (A12 pp 28 & 66), Wi Hape Pakau, p 110 (A12 p 125)
- 230 Ballara, p 27, NLC, Wellington 1c, Rawiri Kowhetu, p 45 (doc 1)
- 231 Ballara, p 27, NLC, Wellington 3, Wi Hape Pakau, p 97 (doc 11), Wellington 1c, Manihera Te Toru, p 87 (doc 5), OLC 906 encl 11, evidence of Mahau (not available)
- 232 NLC, Wellington 1c, Manihera Te Toru, p 87 (doc 5)
- 233 NLC, Wellington 1c, Mohi Ngaponga (Ngati Haumia, Taranaki, p 81 ((A12 p 115)
- 234 OLC, 906, encl 11, Te Puni, Mahau, Taringakuri, ev (not available)
- 235 NLC Wellington 1c, p 76 (A12 p 90)
- 236 NLC, Wellington 1c, p 116 (A12 p 94)
- 237 Ballara, p 28
- 238 Ballara, p 28
- 239 Ballara, p 28
- 240 OLC 906, encl 11, Te Puni, Mahau ev (not available)
- 241 Ballara, pp 28-29
- 242 Ballara, p 29
- 243 Ballara, p 29
- 244 OLC, 906 encl 11, Wi Tako ev. (not available)
- 245 OLC, 906, encl 11, Wi Tako ev (not available)
- 246 Ballara, pp 29-30
- 247 OLC, 906, encl 11, Te Puni, Wairarapa, Mahau ev (not available)
- 248 OLC, 906, encl 11, Wairarapa ev (not available)
- 249 OLC, 906, encl 11, Mahau ev (not available)
- 250 OLC, 906, encl 11, Wairarapa, ev (not available)
- 251 Ballara, p 29
- 252 OLC, 906, encl 11, Taringakuri, ev (not available)
- 253 OLC, 906, encl 11, Wi Tako, ev (not available)
- 254 OLC, 906, encl 11, Wi Tako, ev (not available)
- 255 OLC, 906, encl 11, Mohi Ngaponga ev (not available)
- 256 OLC, 906, encl 11, Te Puni, Mahau ev (not available)
- 257 OLC, 906, encl 11, Mahau ev (not available)
- 258 OLC, 906, encl 11, Taringakuri ev (not available)
- 259 Ballara, p 30
- 260 Ballara, p 30, Parsonson. p 175
- 261 Parsonson, p 190
- 262 Parsonson, p 184
- 263 Parsonson, pp 185-6 & 188, Tonk, p 42
- 264 Tonk, p 42, Parsonson, p 187-8
- 265 Parsonson, p 188
- 266 Parsonson, p 188
- 267 Parsonson, p 189
- 268 OLC, 906, encl 11, Mahau ev (not available)

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- 269 Parsonson, pp 189-190  
270 Tonk, p 41  
271 OLC 906, encl 11, Taringakuri ev (not available)  
272 OLC 906, encl 11, Te Puni ev (not available)  
273 Tonk, p 41, OLC 906, encl 11, Te Puni, Henare Te Puni ev (not available)  
274 OLC 906, encl 11, Mohi Ngaponga, Wi Tako, Taringakuri, Wairarapa, Mahau ev (not available)  
275 OLC 906, encl 11, Wi Tako ev, see also Taringakuri ev (not available)  
276 OLC 906, encl 11, Wi Tako ev (not available)  
277 Burns, *Fatal Success*, p 115  
278 OLC 906, encl 11, Mahau ev (not available)  
279 OLC 906, encl 11, Wi Tako, Mohi Ngaponga, Taringakuri ev (not available)  
280 Parsonson, p 191  
281 OLC 906, encl 11, Taringakuri ev (not available)  
282 OLC 906, encl 11, Wairarapa ev (not available)  
283 OLC 906, encl 11, Mahau ev (not available)  
284 Tonk p 45  
285 OLC 906, encl 11 (not available)  
286 OLC 906, encl 11, Mahau ev (not available)  
287 OLC 906, encl 11, Te Puni ev (not available)  
288 OLC 906, encl 11, Mahau ev (not available)  
289 Parsonson, p 191  
290 Parsonson, pp 178, 179, 183 & 191  
291 Parsonson, p 191  
292 Tonk, p 44  
293 Tonk, pp 43-45  
294 Tonk, p 44  
295 Tonk, p 45  
296 Tonk, p 46  
297 eg Carkeek pp 66-67  
298 Burns, *Te Rauparaha*, p 224  
299 Parsonson, p 204, footnote  
300 Burns, *Fatal Success*, p 134  
301 Ballara, "The Origins of Ngati Kahungunu", p 46  
302 Ballara, "Te Whanganui-a-Tara," p 31  
303 Ballara, p 31  
304 Ballara, pp 31-32  
305 Smith, *JPS*, v 19, 1910, p 14, quoted in Ballara, p 34  
306 Ballara, pp 32-33  
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308 Ballara, "Origins", pp 475-6  
309 H Hanson Turton (compiler), *An Epitome of Official Documents relative to Native Affairs and Land Purchases in the North Island of New Zealand*, v 2, Wellington, 1883, p 267, deeds 87 & 88, (A27)  
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311 Tonk, p 36  
312 Tonk, p 55

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- 313 Tonk, p 56, Gilmore, pp 42-43
- 314 Parsonson, p 207
- 315 Parsonson, p 208
- 316 Parsonson, p 208
- 317 Parsonson, p 206
- 318 Burns, *Te Rauparaha*, p 263
- 319 Parsonson, p 209
- 320 Parsonson, p 228
- 321 Parsonson, p 228
- 322 Burns, p 284
- 323 H Tacy Kemp, 'Report No. 1: "Port Nicholson District," (including the Town of Wellington),' *New Zealand Government Gazette (Province of New Munster)*, 21-8-1850, v 3, no 16, pp 72-75 (doc 52-55)
- 324 Tonk, p 59
- 325 Gilmore, p 47
- 326 Turton, pp 98-109 (A27)
- 327 Anne Salmond, "Tipuna - Ancestors: Aspects of Maori Prognatic Descent," in Andrew Pawley (ed), *A Man and a Half*, (in press, 1991), pp 340 & 344
- 328 Ballara, "Origins", pp 289-290
- 329 Salmond, p 342
- 330 Salmond, p 342
- 331 Alan Ward, "A report on the historical evidence," WAI 27 (the Ngai Tahu claim), Doc T1, 1989, pp 10 - 11
- 332 Martin *ALHR* 1890 G-1:5, quoted in Salmond, p 342
- 333 eg Parsonson, p 180
- 334 Ballara, "Origins", pp 322 & 364
- 335 Ballara, p 325
- 336 *Life and Times*, p 79, quoted in Parsonson, p 172
- 337 Ballara, "Origins", p 347.
- 338 NLC, Otaki 10, Karihaua, p 118 (doc 31)
- 339 NLC, Wellington 2, Mahimi, p 103 (doc 8)
- 340 Ballara, "Te Whanganui-a-Tara," p 22
- 341 Parsonson, p 207
- 342 Ballara, "Origins", pp 315-6
- 343 Ballara, p 364
- 344 Although Spain questioned witnesses about the nature of customary tenure, he did not make use of his findings in this area.

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WAITANGI TRIBUNAL

Wai 145

CONCERNING

the Treaty of  
Waitangi Act 1975

AND

the Wellington  
Tenths

DIRECTIONS TO COMMISSION RESEARCH

- 1 Pursuant to clause 5A(1) of the Second Schedule of the Treaty of Waitangi Act 1975, the Tribunal commissions Penelope Ehrhardt of Wellington to investigate and report on the following matters.

To:

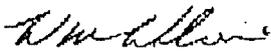
Write a report from written and secondary sources on customary Maori tenure in the Wellington region (an area roughly defined by Wakefield's 1839 purchase), in the period from about the middle of the 18th century to the beginning of European settlement in the Wellington region, including the period of the first purchases by the New Zealand Company.

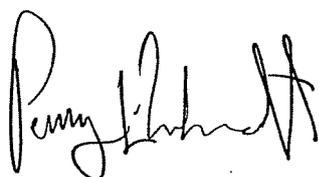
- 2 This authority commences on the date of signing and is subject to the following terms and conditions
  - (a) The research report, conforming to the attached style sheet, will be filed with the Registrar of the Tribunal on or before 15 November 1992.
  - (b) Penelope Ehrhardt will undertake to be available for cross-examination on the report if required and to respond by memoranda to any questions as directed by the Tribunal. Further payments will be made for attendance at hearings and production of memoranda as shall be agreed.
  - (c) The Tribunal will pay \$5,000 immediately, \$3,000 on 15 October 1992 and \$2,323 once the report has been filed with the Tribunal.
  - (d) This authorisation is GST inclusive and Penelope Ehrhardt will be responsible for any GST or other tax payments which may result from the research commissioned.
  - (e) The liability of the Tribunal (apart from "(b)" above) shall not in any event exceed the sum of ten thousand three hundred and twenty three dollars (\$10,323.00).

- (f) Penelope Ehrhardt will have free use of Tribunal photocopying and research facilities as shall be determined between herself and the Director of the Tribunal.
- (g) Penelope Ehrhardt will make a verbal report on progress with the research every two weeks to the Director of the Waitangi Tribunal or his nominee.
- (h) This authority will be implemented when the Registrar has received written confirmation from Penelope Ehrhardt that the terms of this authority are agreed as they apply to her.

3 The Registrar is to send copies of this direction to  
Counsel for Wellington Tenth (Wai 145) Claimants  
Crown Law Office  
Treaty of Waitangi Policy Unit  
Penelope Ehrhardt

DATED at Wellington this 15th day of June 1992

  
Mr Bill Wilson  
Presiding Officer  
WAITANGI TRIBUNAL

  
Penny Ehrhardt  
2 July 1992

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