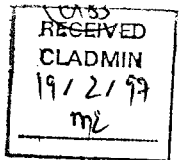


Wai 366, #A1

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Ngati Rangatahi

*A Report commissioned for the
Wellington Tenth's hearing by the
Waitangi Tribunal*

Wai 366

January 1997

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INTRODUCTION

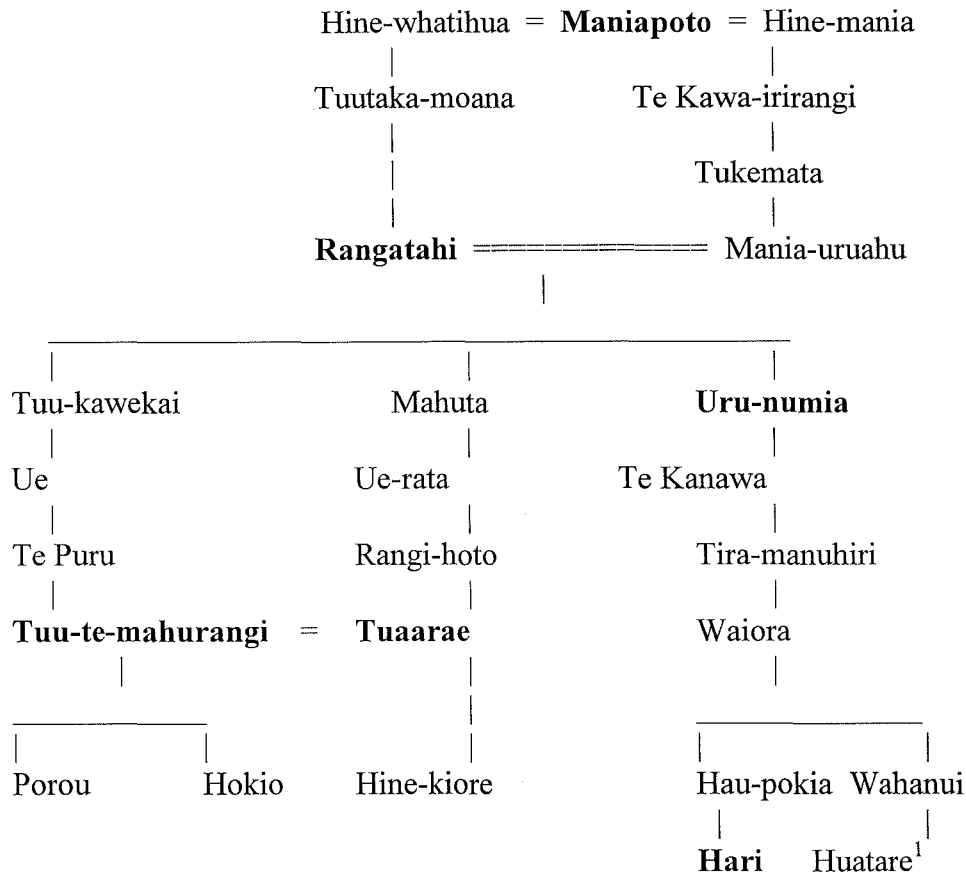
This report was prepared on behalf of the Ngati Rangatahi claimants (WAI 366) for the WAI 145 Wellington Tenth's claim. It examines the early history of Wellington from a Ngati Rangatahi perspective. Although a great deal of material has been presented in the course of the hearings for the Wellington Tenth's, it has either focused on the history of the tenth's, or been without a Ngati Rangatahi perspective. Ngati Rangatahi's history and their claim against the Crown is focused on other matters.

This report is based largely on secondary sources, printed contemporary material and material supplied by the claimants. This material has been reviewed through a Ngati Rangatahi perspective in order to show their experiences in Wellington and their dealings with the Crown.

The report provides an outline of Ngati Rangatahi's migration from the Ohura valley in the Taumarunui area to Te Whanganui-a-Tara in conjunction with Ngati Toa. Although these migrations have been described elsewhere, they are examined again, from a Ngati Toa perspective, as Ngati Rangatahi came to the area under Te Rauparaha's mana. They claim to have initially occupied the Heretaunga (Hutt Valley) under the mana of Te Rauparaha and Te Rangihaeata but as time went on they accumulated rights independent of Ngati Toa. The nature of these rights is looked at in this report and what subsequently happened to Ngati Rangatahi.

CHAPTER 1

THE ORIGINS OF NGATI RANGATAHI

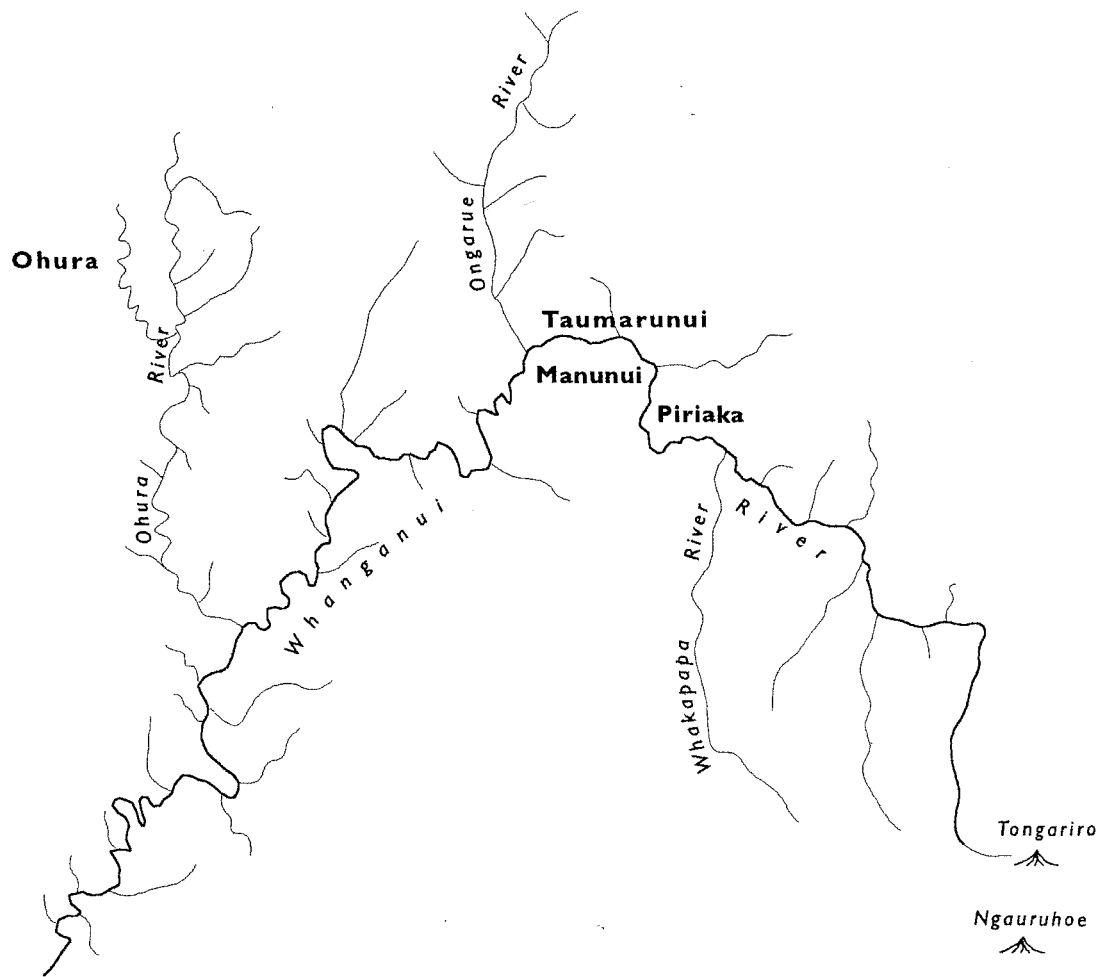


Ngati Rangatahi are a hapu of Ngati Maniapoto. According to Smith, they were originally from Orahiri, Waikato² but at some stage were driven from there eventually settling in the Taumarunui and Ohura areas. It was during the time of Tutemahurangi (c.1750-1800) that they settled in the Ohura Valley, with their Ngati Haua relations. Tutemahurangi was a chief according to the lineages of both Whanganui and Ngati Maniapoto. One day his young brother Nukuraerae went canoeing on the Whanganui River and left his wife at home. While he was gone, Tutemahurangi began an affair with Nukuraerae's wife. Naturally, this caused great resentment. Nukuraerae and a large segment of the tribe built themselves a separate fort on a hill on the banks of the Whanganui near Piriaka. Tutemahurangi and his section of the tribe stayed in the fort named Whakarewa between Piriaka and Manunui, just south of Taumarunui. At some stage Nukuraerae was reported to have said of Tutemahurangi, "May his head become a figurehead for the bow of Parorangi". Parorangi was the name of his canoe. This was an insult that Tutemahurangi set out to avenge by killing Nukuraerae.

¹ Jones, *Nga Iwi o Taimui*, p 317

² Smith, *History and Traditions of the Maoris of the West Coast*, p 343

FIGURE I : ORIGINS OF NGATI RANGATAHI



Tutemahurangi and his war party arrived below Nukuraerae's fort, Poururu. He sent his party to attack the fort while he went down to the banks of the Whanganui, to Nukuraerae's canoe-landing. In the ensuing battle Poururu fell and Nukuraerae attempted to escape. He ran down to the riverbank, where Tutemahurangi was waiting and Nukuraerae was killed.

After this Tutemahurangi had to leave as most of the tribe were against him. He settled at Ohura, his fort there was Oruru. Descendants of his, including Ngati Haua and Ngati Rangatahi, are still in the Taumarunui district today.³

Around 1821, a group of Ngati Rangatahi, under the leadership of Parata or Kaparatehau, left Ohura in consequence of a family quarrel. This group included the Ngati Rangatahi leading men, Te Oro, Te Kohera and Kaka Herea, who later died in 1844. At some stage, either before Te Rauparaha left Kawhia or on his reaching Marokopa, they joined Te Rauparaha's migration south.⁴ There was a kinship link to Ngati Toa, through Te Rauparaha's paternal grandmother, Kimihia. Besides marrying Te Rauparaha's grandfather, Waitohi, she had also married Te Puru, and was the mother of Tutemahurangi. As well, Kahukino of Ngati Rangatahi was to become Te Rauparaha's seventh wife. Their son was named Rangi Houngariri II.

Te Rauparaha's reasons for migrating

By the late 18th century a phase of pressure on resources had developed north of Kawhia where the powerful inland Waikato tribes were competing with Kawhia tribal groups for the rich coastal lands. The earlier clashes resulted in the deaths of persons of such prominent and extensive kin linkages that the cycle of hostility gradually drew in ever widening circles of kinship until the conflict involved nearly every tribal group from Manuaku to Mokau.⁵ The constant strife between the Waikato and Kawhia tribes saw the former, by the end of 1820, determined to drive Ngati Toa completely away from the rich and fertile lands of Kawhia.

Around the end of 1820 and early 1821, Ngati Toa and their allies found themselves faced on the north, east and south by enemies coldly bent on their destruction. In the series of battles that followed the Kawhia tribes were decisively defeated. Ngati Toa had no choice but to evacuate and retreat to the south, if they were not to be exterminated.

Not all the invaders had intentions of exterminating them, there were many examples of help provided to the besieged. Te Rangituatea, kinsman and enemy of Te Rauparaha, surreptitiously supplied the garrison with food. He also advised Te Rauparaha to withdraw from Te Arawi pa and leave Kawhia before it was too late. Later, he arranged for the besieging forces to make a fishing expedition, so while most of the enemy was absent, Te Rauparaha and his force could evacuate the pa.⁶

While Ngati Toa and their allies had no choice but to migrate, their decision to migrate to Te Whanganui-a-Tara was greatly influenced by an earlier expedition of Te Rauparaha's. In

³ Jones, p 304

⁴ Smith, *History*, p 343

⁵ Ballara, 'Te Whanganui-a-Tara: Phases of Maori Occupation of Wellington Harbour c. 1800-1840' in *The Making of Wellington 1800-1914*, David Hamer and Roberta Nicholls (ed) VUP Wellington, 1990, p 11

⁶ Patricia Burns, *Te Rauparaha*, 1980, pp 73-80

1819, Te Rauparaha had joined Tuwhare of Te Roroa on an ambitious expedition south. The group included a number of distinguished chiefs; the Roroa chief, Taoho (father of Tuwhare), Patuone of the Nga Puhi tribe of Hokianga and his brother Nene as well as the Ngati Toa chiefs, Te Rangihaeata, Tungia, Te Rako, Te Kakakura, Hiroa, Nohorua, Puaha and Tamaihengia. It also had in its possession the new and deadly weapon, the gun. A phenomenon never seen before by most people whom the taua was to encounter; a stick that smoked and caused people at a distance to fall dead.

The people they encountered included the tribes of the south-west coast like Ngati Apa who held the island of Kapiti as well as the Rangitikei; Rangitane of Manawatu; and Muaupoko from Horowhenua. The major group who occupied the harbour, Te Whanganui-a-Tara, were Ngati Ira. According to Ballara, their eponymous ancestor was Ira-turoto of the East Coast, although they had also intermarried with the descendants of Ira-kai-putahi, a distant relative also of the East Coast.

Ira-turoto's descendants moved south over a number of generations. Under the ancestor Te Ao-matarahi they moved into southern Hawke's Bay at the same time that Kahungunu's grandchildren and great grandchildren were moving into the Heretaunga area north of the Ngaruroro River. The descendants of Ira and Kahungunu fought with, but did not drive out or destroy, the earlier inhabitants, who were the descendants of Whatumamoa, Awanui-a-rangi, Whatonga and Toi. As peace was made, the groups intermarried and 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 at Palliser Bay (Ngati Hinewaka and others). By the time they settled at Te Whanganui-a-Tara they were as much the descendants of Tara, Rangitane, Kahungunu and Ira-kai-putahi as of Ira-turoto.

Over time, Ngati Ira settlements spread out but by 1800 the name Ngati Ira was retained only in Wairarapa, the harbour and on the Kapiti Coast. In some areas, notably Heretaunga (the Hutt Valley), groups took the names of later ancestors as their multiple tribal origins meant their earlier names were not appropriate. Rakaiwhakairi and Ngati Kahukuraawhitia became important tribal names in the Heretaunga. 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/Rangitane relatives. Both Rakaiwhakairi and Ngati Kahukuraawhitia were important descent groups (hapu) in the Wairarapa as well as Heretaunga.

Ngati Ira were settled more closely along 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 (a pa somewhere in the area from Orongorongo to Turakirae) as well as a fortified settlement at Waiwhetu. There were fishing villages at Okiwi, Parengarahu, Kohanga-te-ra and Orongorongo. They were also living between Te Rawhiti and Pukerua Bay, with major settlements at Porirua, Titahi Bay and Ohariu, and a pa at Waimapihi.⁷

To the invaders from the north, all the tangata whenua descent groups of Te Whanganui-a-Tara, the Kapiti Coast and Wairarapa were "Ngati Kahungunu". Knowing little of the local genealogy, these invaders had tended to regard the tangata whenua as one people. The later

⁷ Ballara, 1990, pp 12-14; Ehrhardt, pp 12-13

immigrants identified them this way to the incoming Europeans. In return, the people of Wairarapa, Te Whanganui-a-Tara and other places regarded all people from the Taranaki region as "Ngati Awa" or "Te Ati Awa". As Ballara says, these "blanket labels were to contribute to European confusion over tribal identity".⁸

The taua which arrived in Te Whanganui-a-Tara in 1819 was not aiming to conquer land for settlement. Accounts of great slaughter and slave-taking⁹ were, according to Ballara, exaggerated. 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.¹⁰ However, Te Rauparaha might have already been considering the possibility that the wars with Waikato might escalate to the point where his tribe would have to leave their ancestral lands and joined the taua with the object of finding an alternative home. While on the southern coast of Te Whanganui-a-Tara a significant event occurred. A European vessel was seen in Raukawa (Cook Strait) and Te Rauparaha became aware that Kapiti was both a safe refuge and a place from which his people could trade for muskets. Possibly with this objective in mind a marriage was arranged between Te Rangihaeata and a high-ranking Ngati Apa woman, Te Pikinga before returning to Kawhia.¹¹ At Kawhia, the Nga Puhi party said their farewells. Before moving on though, they left Ngati Toa the handsome present of a number of muskets which Te Rauparaha's taua was to use later, in their migration south.¹²

The Migration south

The migration to Te Whanganui-a-Tara is known as Te Heke Mai-i-raro, or the migration from the north. It took place in two parts, the first of which was called Te Heke Tahutahuahi, the migrants who lit fires. This refers to the part of the journey from Kawhia to Okoki in northern Taranaki.

On leaving Kawhia the heke had rested at Marokopa. It was around this stage that Ngati Rangatahi joined the heke. Moving on from Marokopa, the migration made its way south, crossing the Mokau river, where Te Rangihaeata's only child was drowned.¹³ On reaching the south side, the group was met by their Ngati Tama allies. 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.¹⁴ The Kawhia people were escorted further south, to Ngati Tama's neighbours and kin, Ngati Mutunga. Ngati Mutunga, apparently unwillingly, allowed them to stay at Te Kaweka, a few kilometres north of the Urenui river.¹⁵ Perhaps the arrival of a migrating group, with no indication of how long it would stay, was seen as putting a strain on resources. The heke, though, was to pay its own way.

On leaving Marokopa, Te Rauparaha had been forced to leave behind some of the women, children and men unable to travel. He now returned to collect them. On their way back to Te Kaweka they were attacked by a party of Ngati Maniapoto, under the chief Tutakaro. Ngati

⁸ Ballara, p 15

⁹ see for example, Smith, *Maori Wars*, pp 106-119

¹⁰ Ballara, p 15

¹¹ Burns, 1980, pp 55-63; Ballara, 1990, p 16

¹² Smith, *History*, p 309; Burns, 1980, p 63

¹³ Te Rangihaeata later took the name Mokau in memory of the child

¹⁴ Ehrhardt, p 16; Burns, 1980, pp 73, 76-78

¹⁵ Te Rauparaha, Tamihana, *History of Te Rauparaha*, Written by his son, Tamihana Te Rauparaha, at his father's dictation, p 17; Smith, *History*, p 344; Burns, 1980, p 85

Toa lost two men but managed to kill the Maniapoto chief Tutakaro and several others. On reaching Te Kaweka, their Taranaki allies were pleased at the news of the death of Tutakaro, at whose hands Ngati Tama had suffered a recent defeat. A group went to Mokau to punish Ngati Rakei for joining the attack on Ngati Toa, while Ngati Mutunga made the pa Pukewhakamaru available to the migrants. Here the people settled down to rest, care for the injured and grow food for the next stage of their journey.¹⁶

While at Te Kaweka a large Waikato-Maniapoto taua arrived at Ngapuketurua. This was the expedition known as Te Amiowhenua (encircling the land). Comprising of several hundred, the expedition had fought its way through Rotorua, Hawke's Bay, Wairarapa, around the south coast of Te Ika A Maui, up the west coast to Horowhenua, Whanganui and into Taranaki and then to the territory of Te Ati Awa.

Fierce fighting broke out between the taua and hapu of Te Ati Awa, with the taua calling for reinforcements from Te Wherowhero. On hearing of this, Ngati Mutunga, Ngati Tama and other local tribes, with Ngati Toa and its allies, shifted to the celebrated pa called Okoki. This pa stood above the plain of Motunui, and was strongly fortified with palisades and steep banks cut out of the solid earth, on one side leading down to the Urenui River. According to Smith, it was one of the strongest pa known so it was unlikely Te Wherowhero would waste his time and resources trying to attack it head on. In fact, the battle was fought on the plain at the foot of Okoki, in what is known as the Battle of Motunui.

Te Rauparaha had hoped to wait until they could be reinforced by the Te Ati Awa who were holding the Amiowhenua taua in check at Pukerangiora pa but the conduct of the battle was not in his hands alone. Each tribe was under its own fighting chiefs and Reretawhangawhanga of Manukorihi, in particular, was reluctant to wait for reinforcements. To his urging Te Rauparaha finally agreed and a small group of swift runners was sent out from the pa to draw the main body of Waikato into chasing them. They were lured into a small gully called Mangatiti where reserves were waiting. In the fierce fighting that followed, both sides suffered losses, but Waikato suffered the most and was forced to retreat. Te Rauparaha, seeing that he and his allies had won the battle, did not wish to see Waikato completely annihilated. He called out to Te Wherowhero, to warn him to go south, as Ngati Tama, under their chief Te Kaeaea, were expected at any time from inland Mokau. If Waikato had met them in the condition they were in then, they would probably have suffered a severe defeat. So the defeated taua went south to join the Amiowhenua taua.¹⁷ With the combined forces the two made their way home, "neither attacking nor being attacked by Ati-Awa; neither side evidently considering it prudent, and the northern people well pleased to get away".¹⁸

The Waikato tribes returned home in time to meet a war party of Nga Puhi. In May 1822, Hongi Hika, with 3000 warriors armed with muskets, attacked and defeated the Waikato taua. He captured Matakita pa, killing many and taking numerous prisoners. He was soon master of the Waikato and Te Wherowhero had to wait a few years before he could take his revenge for Motunui.¹⁹

¹⁶ Smith, *History*, pp 345-347; Burns, 1980, pp 85-89

¹⁷ Smith, pp 353-373; Burns, pp 90-93

¹⁸ A Shand quoted in Smith, p 373

¹⁹ Burns, p 93

After the defeat of Waikato, at Motunui, Te Rauparaha prepared for the next stage of the heke. His first step was to try and persuade his Ngati Mutunga host to join the heke, on the grounds that Waikato would return to avenge their defeat. His group at this stage was still too small and too vulnerable to face on their own, with any confidence, the dangers which certainly lay ahead. But the immediate danger was past and Ngati Mutunga saw no reason for leaving their ancestral home. Te Rauparaha therefore made a journey to Taupo, Rotorua and Tauranga to enlist support. At Taupo he met a large gathering of Ngati Raukawa under their chief Te Whatanui. Far from wanting to join the Ngati Toa heke, Ngati Raukawa invited Te Rauparaha to join their forthcoming expedition to the rich land of Heretaunga (Hawke's Bay). Other sections of Ngati Raukawa politely but firmly declined his request. The inference was that Ngati Raukawa would not go under the mana of Te Rauparaha. He had no better luck with Ngati Whakaue or Te Waru of Tauranga. Some people of Tuhourangi though accompanied Te Rauparaha back to Taranaki.²⁰

Te Heke Tataramoa

In the autumn of 1822, Te Rauparaha resumed his journey, accompanied by other Ngati Toa kin who joined them from Kawhia, after the attack of Nga Puhi. Their numbers were augmented by contingents from various hapu of Te Ati Awa, some Ngati Mutunga and some of Ngati Rahiri. They were also joined by a party of Ngati Tama from Poutama, under Te Puoho, who, Smith says, "had found the constant incursions of Waikato and the losses of his own tribe of late made Poutama an unsafe place to live in".²¹ Although the numbers may be uncertain, and Ngati Toa may not have been able to go without the support of the others, it is clear that Te Rauparaha was the initiator and the heke was proceeding under his mana.²² It would not be useful, either, to fall into the trap of lumping all the iwi of Taranaki under the umbrella name of "Ngati Awa". Although all the tribes living in the southern North Island generally referred to all people from the Taranaki area as Ngati Awa or Te Ati Awa, and although the tribes were also intermarried, relations between them were fragile and there were major differences - not the least of which, they were patently independent descent groups whose antecedents were genealogically distinct.²³ This part of the migration is called Te Heke Tataramoa, the bramble-bush migration, a reference to the obstacles the people were to encounter on the way.

At Waitotara the migrants were welcomed by the Ngati Apa relatives of Te Pikinga, who escorted them south. This seem to bode well for future relations between the migrants and Ngati Apa. However, while the heke was en route to Whanganui a meeting was being held on the island of Kapiti by chiefs of Ngati Apa, Muaupoko and Rangitane. Te Rangihauku, of Ngati Apa, did not believe Te Rauparaha came in peace and feared for the strategically-placed island of Kapiti. There were also fears that Ngati Toa intended to kill the local people. A decision was made therefore that Te Rauparaha had to be killed.

After Whanganui, the heke moved further south to the Rangitikei area. After a peaceful period at the Rangitikei, Te Rauparaha arranged for another move southward. As the Ngati

²⁰ Smith, pp 381-382; Burns, pp 93-96

²¹ Smith, p 384

²² see Ballara, p 17; see in particular, evidence of Taringa Kuri, 28 May 1842, OLC 1/906, he was asked, "When your tribe came down was Rauparaha your chief?" and replied, "Yes".

²³ Ballara, 1990, p 15; personal comments, Kia Paranihi, Ngati Mutunga and Greg White, Ngati Tama, August 1996;

Apa farewelled the heke, they requested Te Rauparaha not to molest their allies of Muaupoko and Rangitane. On reaching the Manawatu area, one of the first concerns for such a large heke was food, and parties were sent foraging. One party, led by Te Rauparaha's half-brother Nohorua, went by canoe up the Manawatu River. Their canoes were stolen, and when a three-day search had not recovered them, the party vented their frustration on a Rangitane village, unfortunately killing a high-ranking woman of Muaupoko, called Waimai. Muaupoko now had an excuse to carry out the decision that had already been arrived at; to kill Te Rauparaha and his family. They lured him and a few of his followers to Papaitonga where three of his oldest children, Te Uira, Rangihoungariri, his oldest son and intended successor, and Poaka, were killed. Te Rauparaha and Rakaherea, Te Rangihaeata's father, barely escaped. According to Burns, Te Rauparaha had hoped to settle in peacefully but Muaupoko had opted for war; Ngati Toa and Muaupoko were now bitter enemies.²⁴

Ngati Toa and their allies had the advantage of a few muskets. The Muaupoko, a numerous people, with a number of coastal and inland settlements, had an intimate knowledge of the safest and most inaccessible fastnesses of the area but without muskets were at a disadvantage. They were hunted down in the ranges, along the coast, up the rivers and on the plains. Finally they took refuge in their pa on artificial islands in Lake Horowhenua, only to find Ngati Toa either swimming out to attack them or crossing by canoe. Muaupoko were helpless in the face of such determination. Some of them managed to escape to Paekakariki and the hills behind Waikanae, others fled to their relatives across the strait of Raukawa to the north of Te Wai Pounamu.²⁵

The Taking of Kapiti

With a state of war existing, Te Rauparaha determined to take Kapiti Island. Several unsuccessful attempts were made to capture the island from the Ngati Apa and Muaupoko who lived there. Finally a diversionary tactic was used. One party under Te Rauparaha left for Horowhenua, for an attack against Muaupoko and Rangitane, while another, under Te Peehi Kupe, rowed secretly to Kapiti and took the island by surprise. The people there on learning of Te Rauparaha's absence had assumed themselves secure, so had taken no precautions against surprise. A "large number of people" were killed, while some escaped in their canoes to the mainland and joined their kin at Paekakariki. When Te Rauparaha returned, he found the island secured for Ngati Toa.²⁶

Of this event, Gilmore says,

The securing of the island was important. The division of labour between Ngati Kimihia led by Te Rauparaha and Ngati Te Maunu led by Te Peehi Kupe is a clear demonstration of the working of the alliance. It shows the unanimity of decision and the division of fighting leadership reflects and equality of mana between Te Rauparaha and Te Peehi Kupe.²⁷

It is unclear why he feels it necessary to emphasise this point, unless it is to down play the role of Te Rauparaha. As Burns points out, Te Peehi was of course the senior hereditary chief of

²⁴ Smith, pp 384-390; Burns, 1980, pp 93-102; Ballara, 1990, pp 16-17

²⁵ Smith, pp 309-392; Burns, pp 106-107

²⁶ Smith, pp 392-3; Burns, pp 108-111; Travers, p 47

²⁷ Gilmore (G3:9)

Ngati Toa, who, in the extraordinary difficult time experienced by the tribe, accepted Te Rauparaha as the first fighting chief of Ngati Toa and then as its leader.²⁸ This is not the only instance where a charismatic, successful toa achieved mana through his actions in time of war. Te Pareihe of Ngati Te Whatuiapiti was another toa who gained unprecedented power and leadership during the 1820s.²⁹ Burns continues, Te Peehi's family were paramount in the tribe, and no attempt was ever made to divest them of their rightful honours.³⁰

With Kapiti secured, some of the Taranaki people, who up to this time had been assisting Ngati Toa in the war against Muaupoko, decided to return home. Smith explains that the overbearing conduct of Te Rauparaha, who merely used them as auxiliaries to secure his own ends, was probably the principle factor. There were other reasons, not least, the threat of a Waikato invasion of Taranaki to avenge the defeat of Te Motunui. "Accordingly, Te Puoho and his Ngati-Tama people, Rere-tawhangawhanga and the Manu-korihi people, besides others, returned to their homes at Waitara and other places, leaving only a comparatively few of their tribesmen with Te Rau-paraha, who was thus very much reduced in fighting strength".³¹

Parties continued to go to the mainland to gather food and skirmishes continued on these expeditions. Ngati Toa did not forget the massacre of Papaitonga and Muaupoko were attacked whenever they were encountered.³² Te Peehi's children were killed in a night time raid by Ngati Apa on the mainland. In about the second year after their arrival, a party of Ngati Toa digging fernroot at Waimeha, Waikanae, were attacked by Ngati Ira and other tangata whenua. Te Peehi lost his musket in this battle and in February 1824 he boarded the trading vessel *Urania* in Cook Strait, hoping to purchase more of these weapons. When told there were none available, he dismissed the canoe which had brought him out to the ship, and insisted on being taken to England.³³

This defeat of Ngati Toa, coupled with the knowledge that the Muaupoko and Rangitane people were reassembling in various of their former settlements, caused Te Rauparaha to abandon the mainland and to withdraw back to Kapiti Island until their numbers could be reinforced by either the arrival of more Taranaki people or his kindred Ngati Raukawa. In the meantime the tangata whenua tribes from Wanganui to the South Island were combining in a major effort to expel Te Rauparaha and his allies from Kapiti.

The Battle of Waiorua

The attack of an estimated 2000 of the tangata whenua on the northern-most pa on Kapiti Island is known as the Battle of Waiorua. This battle is described as "having established the migrants' rights to the surrounding districts" so, Ehrhardt says, "the question of who can claim responsibility for the victory has been hotly contested".³⁴ A numbers game is then played, as if that determines who has the most mana.

²⁸ Burns, p 111

²⁹ Ballara, 'The Origins of Ngati Kahungunu', Phd thesis, Victoria University of Wellington, 1991, pp 295-298, 464-466

³⁰ Burns, p 112

³¹ Smith, p 393

³² Smith, p 393; Ehrhardt, p 17

³³ Smith, p 404; Ballara, 1990, p 17

³⁴ Ehrhardt, p 18

It is generally accepted that Te Rauparaha was either not involved in the battle or only arrived at the very end. Ehrhardt quoting Ballara, says the Ngati Hinetuhi and Ngati Rahiri hapu of Te Ati Awa were the main defenders, assisted by a few Ngati Koata and Ngati Toa.³⁵ But Ballara never called them hapu of Te Ati Awa, unless Ehrhardt is referring to an earlier passage where Ballara mentions “various hapu of Te Ati Awa” accompanied Ngati Toa south.³⁶ Ngati Hinetuhi is in fact a hapu of Ngati Mutunga. Ehrhardt seems to have fallen into the trap of lumping all the Taranaki people as Ngati Awa. Gilmore in trying to redress an historical imbalance that may have minimised Te Ati Awa’s role does the same and runs the risk of over compensating in order to read into the battle a joint Ngati Awa - Ngati Toa victory.³⁷

To quote Ballara, this battle was regarded as Te Rauparaha’s:

decisive victory over the local tribes of the Kapiti coast and the Wellington area, principally because he was the prime mover of the migration to and occupation of Kapiti and nearby coastlands; and his Taranaki allies were there under his mana.³⁸

Ehrhardt points out how others credit the victory to Ngati Toa, but not necessarily to Te Rauparaha, presumably in an attempt to diminish the mana of Te Rauparaha. For example, “Watene Taurangatarā told the [Native Land] Court that Te Peehi conquered Waiorua”,³⁹ which would have been a major achievement considering he was not even in the country at the time. He was still on his journey to England to gain more muskets when this battle broke out.⁴⁰ Watene was also unclear in his own mind where Wi Kingi was, at the time of the battle.⁴¹

The point is the victory is seen as a Ngati Toa victory. To quote Burns,

The defeat by Te Rauparaha’s small army of perhaps a couple of hundred, of the armada containing some 2000 warriors was a decisive event. His mana and that of Ngati Toa became very great, as that of the defeated tribes lessened; the migrants were now the rulers of the land.⁴²

Burns is not the only one to “perpetuate the myth of an overlord”,⁴³ Te Rauparaha’s own allies at the time saw it that way.⁴⁴ As one of Gilmore’s own Maori sources says, “The land passed to the Ngati Toa”.⁴⁵

³⁵ *ibid*

³⁶ Ballara, 1990, p 16

³⁷ Gilmore (G3:11)

³⁸ Ballara, 1990, p 17

³⁹ Ehrhardt, p 18

⁴⁰ see as an example, Wiremu Neera Te Kanae, p 10

⁴¹ Ehrhardt, *op cit*

⁴² Burns, p 120

⁴³ see for example, McEwen, *Rangitane*, p 131

⁴⁴ see evidence of Taringa Kuri, footnote 22, later in his evidence, when asked, “What land did Rauparaha claim in this neighbourhood?” he replied, “It is all Rauparaha’s”, 29 June 1842

⁴⁵ Te Kanae, p 10

As late as 1839 the Ngati Hinetuhi hapu in Queen Charlotte Sounds was still paying tributary to Te Rauparaha.⁴⁶ Wakefield also reported that a few months earlier to the *Tory's* arrival in the Sounds a quarrel had taken place between Te Rauparaha and a section of Te Ati Awa over Motuara and Long Island. Te Rauparaha crossed the strait with some of his warriors and in a fight, which saw eight men killed, had emerged victorious. His mana may have been challenged but it still had to be acknowledged.⁴⁷

Two important chiefs of Arapaoa Island were saved from death by the defenders of Kapiti and were released after the battle. According to Ballara, the adoption of this traditional peace-making technique made it possible for Ngati Ira to continue to live unmolested at Porirua and Te Whanganui-a-Tara, even though their chief was Te Huka or Whanake, the father of Te Kekerangu, leader of the Ngati Ira contingent which had attacked Waiorua. Muaupoko and Rangitane continued to live at Horowheuna and Manawatu, but according to Ballara, they were a defeated people. Ngati Apa, on the other hand, retained their chiefly status because of the marriage alliance with Te Pikinga, but the relationship was under great strain.⁴⁸

Other migrations

Around 1824 events occurred that more directly concerned the future Wellington harbour. In that year a large party of Ngati Mutunga and Ngati Tama, accompanied by Ngati Hinetuhi, Kaitangata and Ngati Hineuru, arrived on the Kapiti coast, seeking refuge from Waikato retaliation and hoping to arm themselves through trade. Among the chiefs were Te Poki, Te Arahua, and Reretawhangawhanga and Te Puoho, who were migrating for the second time. They were also accompanied by Ngatata-i-te-rangi of Ngati Te Whiti hapu of Te Ati Awa. Taringakuri, or as he was known then, Te Kaeaea, may also have come around this time. This major migration arrived at Waikanae having acquired the name Te Heke Nihoputa, the Boar's tusk migration, in reference to an attack by Nga Rauru on the way down.⁴⁹ It was soon followed by another large party of people from the area between Waitara and Puketapu.⁵⁰

The movements of Nihoputa were apparently hastened by news of the impending attack on Waiorua. According to Smith, this had the effect of dispelling some of the feelings those who had accompanied Te Rauparaha on his migration had against him for his overbearing conduct and Ngati Mutunga, at least, were ready to help him. They arrived too late, however, for Waiorua had been fought and won by the time they got there.⁵¹ Travers, on the other hand, says Te Puoho came down to Kapiti to learn the truth about the attack on that island and finding Te Rauparaha had been entirely successful, had returned to Taranaki and it was then Te Heke Nihoputa started.⁵²

These later groups may have come independent of Te Rauparaha's migration but they seem to have recognised his influence in the region.⁵³ He in return welcomed them, glad of this addition to his strength and permitted Ngati Mutunga to settle at Waikanae and Ngati Tama at Ohariu. Later, again with Te Rauparaha's encouragement, Ngati Tama moved across the

⁴⁶ William Wakefield, diary entry for 17 August 1839

⁴⁷ *ibid*, see also entry for Monday 7 October 1839

⁴⁸ Ballara, pp 17-18

⁴⁹ Smith, p 400; Burns, pp 125-126; Ballara, p 18; Ehrhardt, p 19

⁵⁰ Ballara, p 18

⁵¹ Smith, p 400

⁵² Travers, p 51

⁵³ Anderson, p 11; see also evidence of Taringa Kuri, footnote 22

Ohariu/Karori trail and settled at Tiakiwai, near the northern end of present-day Tinakori Rd. Ngati Mutunga followed, settling at various points of the western shore of the harbour from Te Aro to Kaiwharawhara.⁵⁴ According to Tamihana Te Rauparaha, Ngati Mutunga were permitted to settle this land because the chief Pomare was married to Te Rauparaha's niece, Tawhiti.⁵⁵

This move was peacefully conducted, Ngati Ira continuing to live in their pa and kainga on the eastern shores of the harbour. 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 (descendants of Rangitane) into the 1830s.⁵⁶ Ngati Tama after a time moved around the coast to Palliser Bay, settling at the mouth of the Onoke lake. This too was a peaceful occupation; the local people even co-operated with them, helping them to build their pa, Te Tarata and Wharepapa.⁵⁷ These people 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. They were descended from Rangitane, Ngai Tara, Ngati Ira and Ngati Kahungunu, but were all known as Ngati Kahungunu.⁵⁸

By the late 1820s, however, the relationship between the migrants and the tangata whenua had deteriorated to a point where joint occupation was no longer possible. A series of attacks by Ngati Mutunga and Ngati Tama saw the gradual but total withdrawal of Ngati Ira from Te Whanganui-a-Tara. The final assault was on Tapu-te-ranga pa in Island Bay, about 1827.

Tapu-te-ranga had not fallen though, and Te Kekerengu and Ngati Ira still occupied Porirua, when Te Peehi Kupe returned from England with his muskets. Angered at the separate peace made by Te Rauparaha, Te Peehi attacked Ngati Apa at Rangitikei. It was from this time that Te Peehi and his son Te Hiko usually found themselves and their hapu, Ngati Te Maunu, at odds with Te Rauparaha, Te Rangihaeata and their hapu, Ngati Kimihia. Te Peehi, Te Hiko and their people occupied various kainga and pa north of Porirua, including Motuhara, Wainui, Wairaka and Waikanae; they cultivated in various places including Pukerua Bay. A little later, Te Hiko's usual residence was Takapuwahia, on the western shore of the southern Porirua harbour inlet. Rakaherea, Te Rangihaeata's father, occupied Paremata, Te Rauparaha lived on Kapiti, while Te Rangihaeata established Mana Island as his personal territory.⁵⁹

Ngati Raukawa

Around 1824-25, Ngati Raukawa migrated to the Kapiti coast, after failing to establish themselves in Hawke's Bay. Te Whatanui, their leading chief, was closely related to Te Rauparaha's mother and Te Rauparaha was pleased to see them. He suggested they settle the Horowhenua area but warned them to beware of Muaupoko. Their arrival did not have an immediate impact on Te Whanganui-a-Tara, but eventually affected the political balance of the region. Te Rauparaha's position depended on the "judicious coercion and conciliation of

⁵⁴ Ballara, p 18

⁵⁵ Tamihana Te Rauparaha, p 49

⁵⁶ Ballara, 1990, p 20

⁵⁷ Ballara, 1991, p 458

⁵⁸ Ehrhardt, p 20

⁵⁹ Ballara, 1990, p 20; although, according to Smith, Te Peehi returned in January 1829, in time for the attack on Kaikoura, p 426

vassals and allies, in which gift exchange, marriage alliance and the generous reallocation of land featured as much as force".⁶⁰ But Te Rauparaha was not always able to hold the alliance together. Tensions were generated when Waitohi, Te Rauparaha's sister, allocated land to Ngati Raukawa, from north of the Kuketauaki stream (between Otaki and Waikanae) to the Manawatu River, an area which was already occupied by hapu of Te Ati Awa. This tension flared into fighting in 1834 and again in 1839. Ballara suggests, the presence of a traditional enemy of Ngati Tama and Ngati Mutunga, contributed to the latter's eventual departure to the Chathams, and to the willingness of Te Ati Awa to sell the harbour to the Europeans.⁶¹

Wairarapa

The fall of Tapu-te-ranga pa around 1827 was followed by an attack in 1829 or 1830 on Ngati Tama at their Palliser Bay pa, Wharepapa and Te Tarata, by the tangata whenua of Wairarapa. In retaliation, Taringa Kuri, the chief of another section of Ngati Tama, then resident at Ohariu and Kapiti, led a war party including some Ngati Toa and Ngati Mutunga over the mountains to Wairarapa. They attacked the Wairarapa people at Pehikatea pa, probably about the year 1831 or 1832. The battle of Pehikatea was followed by a retaliatory attack by Wairarapa forces at Paengahuru on the west coast. After Paengahuru the remnants of the Wairarapa tangata whenua began migrating to Nukutaurua, on Mahia peninsula.⁶² It may have been around this time when Ngati Rangatahi, under Kaparatehau, began to occupy the upper Hutt Valley. According to Wards, Kaparatehau was given the "fiefdom" of the Hutt Valley, by Te Rauparaha, in return for their assistance in chasing out the original occupants. They never lived permanently in the valley, possibly because of the threat of Wairarapa Maori, but periodically visited it for birds, eels, and timber. They prepared only such cultivation as they needed for the duration of their stay and paid occasional tribute to Te Rauparaha and Te Rangihaeata in the form of eels, birds and canoes.⁶³ It may also have been about this time when Te Kekerengu of Ngati Ira retreated to the South Island.⁶⁴

Te Waipounamu

Secure in his base on Kapiti, Te Rauparaha looked to extend his raids and conquests, and acquire more influence and allies. For this he needed guns, which depended on his developing trade with the Europeans travelling in ships, who were either hunting seals and whales, or were trading around the New Zealand Coast. His success in achieving this strengthened his position but ultimately intensified the rivalry between himself and his allies.

In 1827 Te Rauparaha's operations extended to the South Island, when he led a taua into Wairau, which he conquered completely, and either killed or enslaved the majority of its Rangitane inhabitants. This initial incursion into Te Wai Pounamu was followed a couple of years later by a taua, armed with the muskets Te Peehi had brought back, in pursuit of the Ngati Ira chief, Te Kekerengu. Ngati Toa and allies successfully assaulted the Ngati Tuteahungu stronghold where Te Kekerengu had taken refuge. Carrying on south the taua reached Kaiapoi, the great pa of Ngai Tahu, where Te Peehi met his death. His death demanded vengeance and resulted in further invasions. In 1830 Te Rauparaha chartered the

⁶⁰ Belich, 1996, p 205

⁶¹ Ballara, 1990, p 20; Anderson, p 12

⁶² Ballara, 1990, p 21; Ballara, 1991, pp 458-459; see also evidence of Taringa Kuri

⁶³ Wards, p 223; see also Hanson, p 5

⁶⁴ Ballara, 1990, p 21

brig *Elizabeth* to capture the Ngai Tahu ariki, Tamaiharanui, who was later killed at Kapiti. Te Rauparaha then followed up this coup with the sacking of pa at Kaiapoi and as far south as Akaroa. On the way back up the Kaikoura coast, the first Tainui settlement in Marlborough began when a group of Ngati Toa and Ngati Rarua settled in Karauripe (Cloudy Bay) in order to exploit the whaling trade.⁶⁵ Apparently, Kaparatehau participated in the attacks on Kaiapoi and Akaroa.⁶⁶

Tama-te-uaua

The next phase in the change of tribal occupation of Te Whanganui-a-Tara was generated by factors within the Taranaki region. In 1831, Waikato forces invaded, seeking utu for their earlier losses at Motunui in 1822. The remaining northern Taranaki people were defeated at Pukerangiora Pa and the survivors took refuge at Ngamotu, west of Sugar Loaf Point. There they assisted the Te Ati Awa chief Te Wharepouri in defending Otaka pa against the Waikato. Their success was partly attributable to the presence of several European traders and their ship's cannons. One of these men, Richard Barrett, married a Ngati Te Whiti woman and would play an important role in the purchase of Te Whanganui-a-Tara.

Te Ati Awa and their allies succeeded in driving off the Waikato forces but Waikato left behind so many dead that the people of Ngamotu knew it would only be a matter of time before they would return. Accordingly, Te Wharepouri, his cousins Te Puni and Wi Tako Ngatata along with Raua-ki-taua led those Te Ati Awa hapu which had defended Ngamotu southwards in 1832. This migration was known as Tama-te-uaua. It included Ngai Te Whiti, Ngati Tawhirikura, Te Matehou and other hapu of Te Ati Awa. Collectively they were known as Ngamotu, from their last place of residence. Also accompanying Ngamotu were further parties of Ngati Tama and Ngati Mutunga.⁶⁷

Arriving at Kapiti the heke paid a courtesy visit to Te Rauparaha to seek his approval before settling at Te Uruhi. Ballara insists, that at this stage, the mana of Te Rauparaha was still acknowledged by the newcomers.⁶⁸ But these later groups would not have had the same degree of affinity to Te Rauparaha as the earlier migrants might have. As competition for resources became intense with Ngati Raukawa, as they watched Te Rauparaha monopolise trade with the Pakeha, resentment grew, eventually flaring into war in the Battle of Haowhenua in 1834.⁶⁹

Before that happened though, Wi Tako Ngatata and a Te Ati Awa war party were recruited by Te Whatanui to join Ngati Raukawa and some inland Rangitane travelling through the Manawatu into Hawke's Bay to obtain satisfaction for Ngati Raukawa losses during their attempts to settle there. After various skirmishes the company divided, the Ngamotu company making its way to Heretaunga (Hutt Valley) where they attacked a Rakai-whakairi or Ngati Kahukura-awhitia settlement in revenge for the killing of Te Momi, a Ngati Mutunga chief. In gratitude for this action, Patukawenga of Ngati Mutunga gifted land, east of the Heretaunga River mouth (Waiwhetu) to them. This area was referred to as "te iwi taura o Tipi" - the backbone of Tipi, who was a female cousin of Patukawenga, given in marriage to a Ngamotu

⁶⁵ Burns, pp 130-157; Anderson, p 12; Phillipson, pp 21-23

⁶⁶ see Wellington Minute Book 2, p 104, 22 March 1888

⁶⁷ Ballara, 1990, pp 21-22; Anderson, pp 12-13

⁶⁸ ibid, p 22

⁶⁹ Burns, pp 177-78; Ballara, p 24

chief. Te Mana of Ngati Mutunga and chief of Pito-one, then made tapu for Ngamotu the resources (pipi gathering rights) of Whiorau or Lowry Bay.⁷⁰

By 1836, according to Ballara, settlement patterns in Te Whanganui-a-Tara had arrived at the status quo encountered by the crew and passengers of the *Tory* in August 1839.⁷¹ Despite this though, the occupation of Heretaunga remained insecure, where Te Ati Awa lived under constant threat of an attack from the Wairarapa Maori. In 1835 they had actually suffered an attack while living in the Wairarapa. In the absence of the original inhabitants, who had migrated to Nukutaurua, Ngati Tama, Ngati Tawhirikura and Ngati Te Whiti of Te Ati Awa and other groups returned to Wairarapa to occupy various settlements. On hearing of this, Nukupewapewa of Wairarapa, determined to drive out the interlopers. He raised a taua at Nukutaurua and was joined by Te Hapuku and a large party of Heretaunga [Hawke's Bay] allies. When this party arrived in Wairarapa in 1835, Te Hapuku was discouraged by the large numbers of the enemy and withdrew. Acting alone, Nukupewapewa and his party attacked the pa, Tauwharerata [near present day Featherston] where Te Wharepouri and Ngati Tawhirikura were living. Te Wharepouri escaped, but others, including his wife and niece, were captured. Nukupewapewa's attack led Te Ati Awa to return to Te Whanganui-a-Tara, where they found that the first contingent of Ngati Mutunga had just left for the Chatham Islands.⁷²

Te Wharepouri and Te Puni settled at Pito-one, with Te Wharepouri later moving on to permanently settle at Ngauranga. But their position remained precarious, where in the wider region relations between Te Ati Awa and Ngati Raukawa were continuing to deteriorate, and in the Hutt they lived under constant threat of further attacks from Wairarapa Maori

An indication of Te Ati Awa's insecurity is given by Te Wharepouri's attempt to follow the example of Ngati Mutunga and escape to a safe haven. In March 1836 he tried to hijack a whaling schooner, the *Active*, at Palliser Bar with the intention of forcing its captain to take his people to the Chatham Islands. He was unsuccessful.⁷³ That Te Ati Awa did not feel secure in their inheritance is further demonstrated by the fact that Te Puni, Te Wharepouri and other chiefs spent long periods living on Matiu (Somes Island).⁷⁴

Then in October 1839, Ngati Raukawa attacked Te Ati Awa at Waikanae, but were defeated. The battle of Te Kuititanga may have been at least partially in response to the sale by Te Ati Awa of Te Whanganui-a-Tara to the New Zealand Company. 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. Ehrhardt suggests, Waitohi's death could have released Ngati Raukawa from some obligation to stay within the boundaries she had set.⁷⁵

A few months later, the Waiwhetu chief, Paukawa, was killed by a foraging party from the Wairarapa. He had gone out early in the morning to dig up some potatoes, accompanied only by a woman and a slave-boy. When he had not returned by night a search party went out early the next morning and found his body about a mile from the Waiwhetu pa. At first Te Ati Awa

⁷⁰ Ballara, p 23

⁷¹ *ibid*, p 30

⁷² Ballara, 1991, pp 458-460

⁷³ Ballara, 1990, p 30

⁷⁴ *ibid*, p 28

⁷⁵ Ehrhardt, p 30

had been inclined to think the murder had been committed by a party of Ngati Raukawa from Otaki but it was found out afterwards that the "Ngati Kahungunu" had been responsible.⁷⁶

On top of the insecurity generated by Ngati Raukawa and the Wairarapa Maori, Te Ati Awa had to contend with Te Rauparaha's "pretensions to overlordship".⁷⁷ As Wards says, of Ngati Toa in the late 1830s, they "with Te Rauparaha at their head, continued to regard themselves as host and all other tribes and sub-tribes, which in general terms had come to the area at Ngati Toa invitation, they regarded as something in the nature of sub-tribes of their own".⁷⁸ Te Ati Awa, on the other hand, believed they had firmly established their own rights to Te Whanganui-a-Tara, in the aftermath of the battle of Haowhenua.⁷⁹ But, as McGill succinctly puts it "pinched between the land-lord of Kapiti and the hostile Wairarapa Maori, possession of this harbour was no recipe for security".⁸⁰

Possibly because of this insecurity Te Ati Awa appeared to have been confined to the immediate vicinity of the harbour. According to R Davis Hanson, writing in 1846, their farthest cultivations never extended to more than a mile and a half from the beach.⁸¹ The German Naturalist Ernst Dieffenbach recorded his inability to obtain the services of any of the Te Ati Awa in his exploration of the Heretaunga valley, in 1840. This, however, he felt was of no consequence as they appeared to know little of the valley, never having ventured far for fear of the Wairarapa Maori, "their fears having always confined them to the sea-coast".⁸² Te Ati Awa were also unaware of the routes through the Rimutaka mountains to the Wairarapa used by the original inhabitants.⁸³

Rights to the upper valley seemed to have been exercised by Ngati Rangatahi, under the mana of Te Rauparaha. As noted earlier, Ngati Rangatahi had been given these rights for their assistance in expelling the original inhabitants. In return they paid occasional tribute to Te Rauparaha and Te Rangihaeata in the form of eels, birds and canoes. At least they did, until one of the Ngati Toa chiefs, probably Te Rangihaeata, offended because he did not share in the tribute, placed a tapu on the whole district. This continued for about two years until in consideration of large presents made by Kaparatehau the tapu was removed, and he returned to the district.⁸⁴ During the period of the tapu, Ngati Rangatahi resided at Porirua,⁸⁵ and it was during this time that the New Zealand Company ship *Tory* anchored in the Wellington harbour and Colonel William Wakefield made his purchase of Te Whanganui-a-Tara.

⁷⁶ Willaim Wakefield, diary entry for 10 & 11 February 1840; E J Wakefield, *Adventure in New Zealand*, pp 142-143

⁷⁷ Belich, 1996, p 197

⁷⁸ Wards, p 218

⁷⁹ Anderson, p 19

⁸⁰ McGill, p 21

⁸¹ Hanson, p 5

⁸² Dieffenbach, pp 73, 81

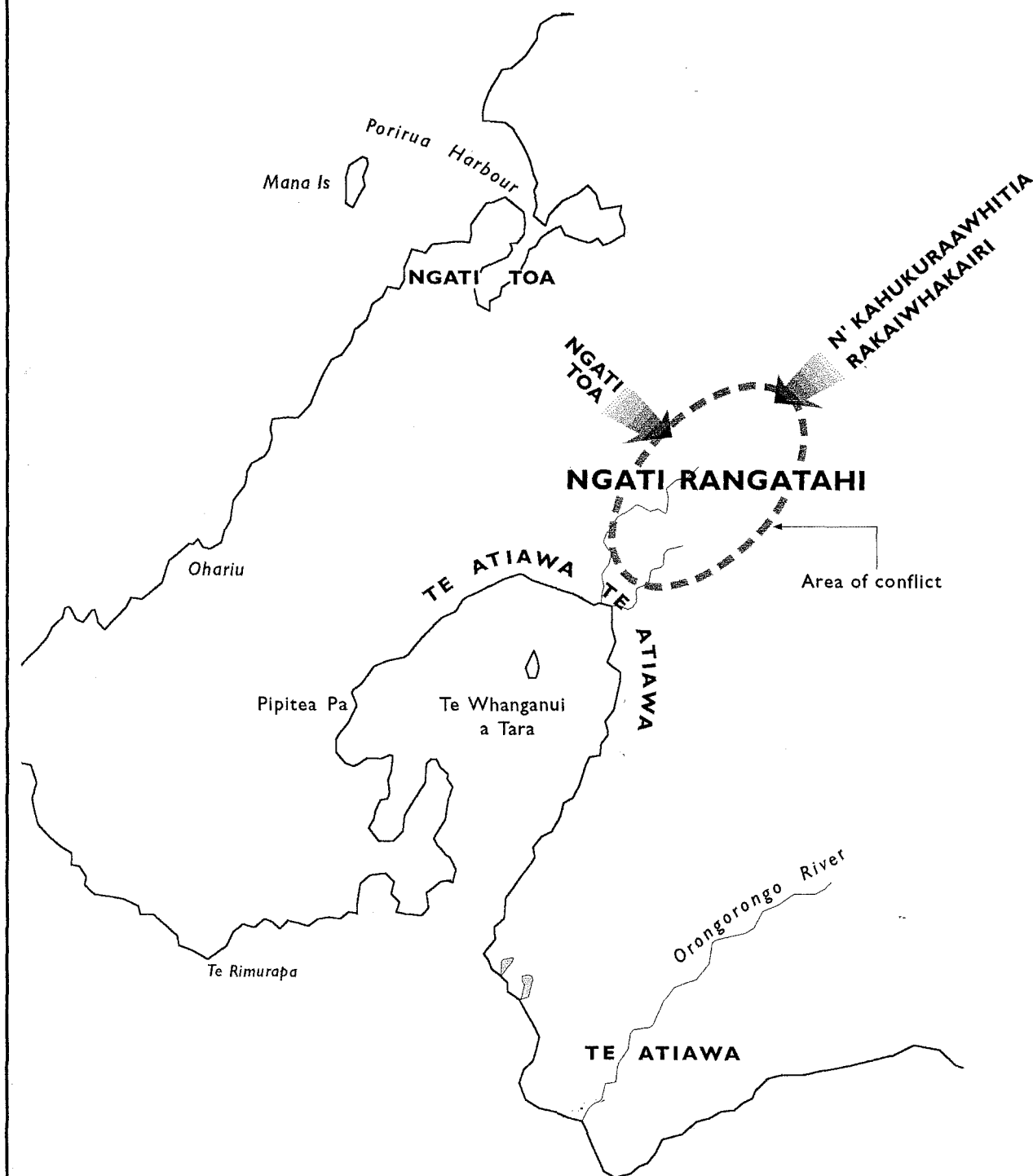
⁸³ Ballara, 1991, p 46

⁸⁴ Wards, p 223

⁸⁵ see OLC 1/906, evidence of Taringa Kuri, 29 June 1842

FIGURE 2 : TE WHANGANUI - A - TARA c1835 - 39

Map : Noel Harris



CHAPTER 2

THE PURCHASE OF TE WHANGANUI-A-TARA

The purchase of Te Whanganui-a-Tara has been fully detailed by a number of writers, for example, Patricia Burns in *Fatal Success, A History of the New Zealand Company*, Rosemarie Tonk, “‘A Difficult and Complicated Question’: The New Zealand Company’s Wellington, Port Nicholson, Claim” in Hamer and Nicholls, amongst others. Evidence regarding the purchase has also been presented in the course of the hearing for WAI 145.¹ This is a summary of their work. It was felt necessary to look at this issue again in order to present a Ngati Rangatahi perspective.

The company’s claim to the Wellington Harbour area derived from three deeds of sale, the first signed by Te Ati Awa at Te Whanganui-a-Tara, the second by Ngati Toa at Kapiti, and the third by a combination of Te Ati Awa, Rangitane and Ngati Apa at Queen Charlotte Sound.

Burns describes the arrival of Colonel William Wakefield at Totaranui (Queen Charlotte Sound), on 17 August 1839, where he found the Maori, in this part of the island, “infinitely superior in appearance to those in the northern part of the other Island”. He thought them “very intelligent and capable of being extremely useful to settlers, as labourers, fishermen and sailors”. A couple of days later his good opinion of them had undergone a change and he was describing them as “suspicious and susceptible to the greatest degree, grasping and importunate, cunning, treacherous and revengeful”.²

He inquired about the Maori “laws of property” and, on 29 August, wrote that they were “very undefined” in this part of the country. According to Burns, however, ownership of the land around Raukawa (Cook Strait) was very clear to those who lived on it,

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.³

While this may be simplifying it, Burns goes on to say, that it wasn’t the Maori idea of ownership that was “undefined”, it was the unsatisfactory purchases by Europeans which were.⁴

Wakefield had the evidence before him, he himself wrote of Ngati Hinetuhi paying tribute to Te Rauparaha and how a few months earlier Te Rauparaha had crossed the strait to sort out a quarrel, with Te Ati Awa, over rights to Motuara and Long Island, which had resulted in the death of eight men and Te Rauparaha emerging victorious.⁵ Wakefield, though, chose to ignore it.

¹ See for example, ‘A Summary History of the Wellington Tenth, 1839-1888’, evidence for the Crown (C:1)

² Burns, 1989, p 112; see also Wakefield’s diary entry for 17 August 1839, ATL

³ Burns, p 113

⁴ ibid

⁵ Wakefield, diary entry for 17 August 1839

Burns and Tonk go on to describe how Wakefield met Richard Barrett, who was now a whaler at Te Awaitei, and whose Maori wife had close relatives living in Port Nicholson. It was Barret who encouraged Wakefield to sail for Port Nicholson and he accompanied the *Tory* across the strait to act as pilot and interpreter. They arrived on 20 September where the *Tory* was boarded by Barrett's wife's relations, Te Puni and Te Wharepouri. Wakefield wrote that day, that these two were eager to sell and have white men reside amongst them. They certainly became the principal protagonists of the sale of land to the company.

Negotiations for the purchase took a week and included meetings at Ngauranga, Te Wharepouri's pa and Pito-one, Te Puni's pa. According to Ehrhardt, most of those involved in the discussions were Ngati Te Whiti and Ngati Tawhirikura, from those two pa.⁶ On 27 September, Wakefield displayed a quantity of goods on the deck of the *Tory*. The goods were divided into six lots and distributed to the people of Waiwhetu, Pito-one, Ngauranga, Kaiwharawhara, Pipitea and Kumutoto. Te Aro was ignored. The deed for the purchase of Te Whanganui-a-Tara was then read out by its drafter, Jerningham Wakefield, nephew of William, and translated by Barrett. It was then signed by 16 Maori on board the *Tory*. The deed purported to convey to the company all the land from Sinclair Head to Cape Turakirae and inland to the Tararua Range, including the islands in Port Nicholson harbour, and part of the inland Porirua district. It also included the Hutt Valley.⁷

On 29 September, Wakefield informed Barrett that he wished to "muster" all the Maori "in order to know their strength and to convince them that I placed entire confidence in them".⁸ "This extraordinary arrogance", says Burns, "Barrett translated into an appeal for hospitality: the Pakeha wished to see a haka and to have a Maori-style meal".⁹ The "grand muster" took place the next day. Some 200 men were present, including representatives of Ngati Rangatahi, on the invitation of Taringa Kuri.¹⁰ Jerningham wrote a lively account of the haka, at the end of which they were served with "an ample meal". They drank the health of the chiefs and people of Port Nicholson with champagne, "christening the flag staff", and "took formal possession of the harbour and district for the New Zealand Land Company, amidst the hearty cheers of the mixed spectators. The whole scene passed with the greatest harmony, and we were sensibly struck by the remarkable good feeling evinced towards us by the natives".¹¹

The next day, the *Tory* sailed for Queen Charlotte Sound again, where Wakefield was warned by John Guard about the validity of the deed, without Te Rauparaha's consent. He dismissed the warning, being "perfectly satisfied with the title". The doubts about the legality of the deed he put down to jealousies between the two tribes, with one of whom Guard lived, while Barrett was affiliated with the other.

He couldn't entirely dismiss the warnings of the local Ngati Toa though, who reminded him of Te Rauparaha's and Ngati Toa's interests in Te Whanganui-a-Tara. He promised to sail to Kapiti to make a similarly extensive purchase from Te Rauparaha.¹² On arriving at Kapiti he

⁶ Ehrhardt, p 29

⁷ Wakefield, *Adventure in New Zealand*, pp 64-66; Wards, pp 218-219; Burns, 1989, pp 113-116; Tonk, pp 40-41

⁸ Wakefield, diary entry for 29 September 1839

⁹ Burns, 1989, p 116

¹⁰ OLC 1/906, evidence of Taringa Kuri, 27 & 29 June 1842

¹¹ Wakefield, p 72

¹² Wakefield, diary entries for 4 & 7 October 1839

found a battle raging between Ngati Raukawa and Te Ati Awa, with Ngati Toa caught between their two allies. Having sent help to the wounded, Wakefield then had no hesitation in paying for Te Rauparaha, Te Hiko and seven others signatures in muskets and gunpowder. The Kapiti deed purported to convey a vast territory to the company: all the land from 430' south latitude in the South Island to an imaginary line at about 410' south on the east coast.

A third deed, signed at Queen Charlotte Sound on 8 November, by 30 people of Te Ati Awa and others from Taranaki, Rangitane, Ngati Apa and others who had fled the Kapiti Coast, conveyed the same land as the second deed.¹³ The New Zealand Land Company claimed possession of 20 million acres.¹⁴

Motives and understanding of the "sale"

For those in favour of selling the land, there were two main reasons. The first was fear, the other, for pecuniary advantage. Te Puni admitted to Commissioner Spain that his reason for selling was:

Because I was afraid of Ngati Raukawa, Ngati Kahungunu, Taupo, Waikato, your friend Werowero...¹⁵

European arms and settlement would give them protection against their enemies, especially Ngati Raukawa, who were expected to attack at any time. The Te Ati Awa chiefs were also well aware of the wealth that a European settlement would bring them through trade and employment. This wealth had previously been monopolised by Ngati Toa who controlled the best whaling sites. Te Puni and Te Wharepouri wanted to free themselves of Ngati Toa's dominance of the Cook Strait region and assert their own claim to Port Nicholson. Furthermore, they wanted to strengthen their position within the harbour itself, which had been challenged recently by their neighbours at Te Aro and Pipitea pa, who collectively outnumbered them.¹⁶ As Belich says, tribal politics "and the rivalry for mana were clearly one set of influences behind Maori consent [to land sales]".¹⁷ McGill believes that, "Te Wharepouri [and others] did not so much sell the harbour lands to the Pakeha as buy peace of mind and body from the acquisition of muskets and other desirable goods from the Pakeha traders".¹⁸

As for Ngati Toa's motives in signing, Tonk asserts that they desired the recognition of their claims to dominance of the Cook Strait region, a recognition that was inherent in the act of the Pakeha in treating with them and giving them a payment. A payment which would strengthen their title, not weaken it. Te Rauparaha had been furious when he had heard of the sale. Soon after the arrival of the *Tory* at Kapiti, Te Rauparaha made his displeasure at the purchase of Te Whanganui-a-Tara known to Wakefield. He told Wakefield the Te Ati Awa were living within his territory and on his say-so, and demanded payment for the land. He listed the names of many places in the Cook Strait and on the Kapiti Coast which he claimed, places which Wakefield thought the chief was agreeing to sell. According to Tonk, though, Te Rauparaha, by listing the names, was using the opportunity to have the extent of his claims

¹³ Burns, 1989, p 118; Tonk, p 44

¹⁴ Anderson, p 24

¹⁵ OLC 1/906, evidence of Te Puni, 8 July 1842

¹⁶ Miller, 1958, p 25; Tonk, pp 41-42

¹⁷ Belich, 1996, p 197

¹⁸ McGill, p 21

recorded in the Pakeha deed.¹⁹ Te Rauparaha later told the company agent that he had only sold Wakatu (Nelson) and Taitapu (part of Golden Bay), areas in the South Island which may have been of relative unimportance to him.²⁰

Apart from their motives, the question arises as to what was the signatories understanding of what it was they were signing? For some, they didn't realise what it was they were selling. Wi Tako of Kumutoto claimed, before the Spain Commission, that Barrett had told him that the payment of goods was for "the Anchorage ground of the vessels" in the harbour. Te Wharepouri told him, it was only for the anchorage at Pito-one. Apparently, this was a tactic of Wakefield's, to down play the desire for land, by suggesting the harbour was more valuable. Barrett told Wi Tako, the "European does not like the land, it is all hills - the sea is good". Asked why had he signed the deed, Wi Tako replied, it was because Barrett had said "the names of the Chiefs should be written to send to the Queen".²¹

Wi Tako's evidence was corroborated by Taringa Kuri and the chief, Wairarapa. Taringa Kuri testified that Barrett said to him, "Be not angry about your land. The payment is for the Sea, the shore is not good. The Europeans do not like the land it is all mountains and stones. The flour of the Europeans will not grow here".²² Wairarapa also testified that Barrett had said, "the payment is for the sea the Europeans do not like the shore the land is all mountain". He also thought his name was to being collected to be taken to the Queen.²³

On the face of it, it would appear that Barrett had deliberately mislead the people into signing the deed. But an examination of his evidence to the Spain Commission shows that he was patently unqualified for the job. He had difficulty comprehending the contents of the deed, in English, let alone translating it into Maori. He spoke uneducated English and only pidgin Maori.²⁴ Asked by the commission to translate the deed into Maori, Barrett's effort was (as translated by the court's interpreter):

Listen Natives, all the people of Port Nicholson this is a paper respecting the purchasing of land of yours, this paper has the names of the places of Port Nicholson, understand this is a good book, listen the whole of you Natives, to write your names in this Book and the names of the places are Tararua continuing on to the other side of Port Nicholson to the name of Parangarahau; it is a Book of the names of the channels & the woods, the whole of them to write in their Book people & children the land to Wairaweki, when the people arrive from England they will show you your part. The whole of you.²⁵

The contrast between the lengthy and legal wording of the deed and the interpretation given by Barrett was clearly inadequate. Barrett also failed to explain the "tenths" system, telling the Maori only that they could keep a portion of their land. Nor did he warn them that they were selling their pa, cultivations and burial grounds.²⁶ On the contrary, as Dieffenbach admitted,

¹⁹ Tonk, p 44

²⁰ Wakefield, pp 104-105; Wards, p 219; Burns, 1989, p 120

²¹ OLC 1/906, evidence of Wi Tako, 20 May 1842

²² ibid, evidence of Taringa Kuri, 27 June 1842

²³ ibid, evidence of Wairarapa, 11 July 1842

²⁴ Burns, 1989, p 113

²⁵ OLC 1/906, evidence of Richard Barrett, 8 February 1843

²⁶ Miller, 1958, p 26

there was an implied understanding that the Maori should retain their existing villages and cultivations. It never entered their minds that they would be compelled to leave them. But this understanding was "verbal only, and not recorded in the written document".²⁷

Of the ones who apparently did understand that Wakefield wanted land, even they had trouble comprehending the full implications of land alienation. Wakefield himself admitted that, in his diary he wrote that some:

betrayed a notion that the sale would not affect their interests, from an insufficiency of emigrants arriving to occupy so vast a space, to prevent them retaining possession of any parts they chose or of even reselling them at the expiration of a reasonable period.²⁸

If anything more is needed to emphasise the misunderstandings surrounding the signing of the deed, then it must be Wharepouri's panic, on seeing the number of settlers arriving. Soon after the first two ships had landed, Te Wharepouri told Wakefield he was returning to Taranaki. On being asked why, he replied:

I thought you would have nine or ten ... I thought that I should get one placed at each pa, as a white man to barter with the people and keep us well supplied with arms and clothing; and that I should be able to keep these white men under my hand and regulate their trade myself.²⁹

So if even the ones who did sign the deed did not fully understand what it was they were signing, what about those who had not participated in either the discussions or the signing? Of the 16 who had signed, nearly half of them were from Te Puni's pa, Pito-one. No one from Te Aro had been on board the vessel, or at the discussions at Ngauranga or Pito-one. They did not attend the haka at Pito-one after the sale either.³⁰ Ngati Rangatahi were present at the war dance but not at any of the discussions prior to the signing and certainly not at the actual signing itself.

Taringa Kuri claimed there had been no meetings, "before the receiving of the goods, about selling the land". He had obviously been present at a mock haka after the meeting on 24 September at Pito-one,³¹ but he did not remember any of the discussions which took place. He claimed that the first he knew that land was intended for Col. Wakefield was at the "war dance at Petoni", three days after the signing. It was there that Wharepouri had said, "The Hutt shall be the place for Col. Wakefield". According to Taringa Kuri, Te Puni and Te Wharepouri had sold that land to Wakefield, "Lest Rauparaha and Watanui should come and fight with us". On being asked, at the Spain Commission, what reason he had for fearing they would do so. He replied,

- A. Rauparaha was offended because the place was taken up by the Ngati Awa
- Q. Did Rauparaha ever claim that land, and what were the grounds of his claim?
- A. Yes we killed all the men of the place
- Q. What land did Rauparaha claim in this neighbourhood

²⁷ Dieffenbach, vol 2, p 143

²⁸ Wakefield, diary entry for 25 October 1839

²⁹ Wakefield, p 149

³⁰ Ehrhardt, p 30

³¹ see Wakefield, p 60

A. It is all Rauparaha's.³²

So clearly, here was a case of selling contestable land but did they have the right to sell land where their occupation was so insecure? It was only six months after signing the deed that the chief Puakawa of Waiwhetu was killed by "Ngati Kahungunu", a mile from his pa (see above). Miller says that in "their eagerness to get muskets, it was not surprising that they promised large areas of land to Colonel William Wakefield. But in their desire to ingratiate themselves with the musket-bearing Pakehas, they sold land that was not theirs".³³ Te Puni himself admitted that he was not above selling land that did not belong to him. On being asked why he had sold the land of Pipitea and Te Aro, to which he had no right, he replied "how could I help it, when I saw so many muskets and blankets before me?"³⁴

Taringa Kuri claimed that Ngati Rangatahi had been at the haka at Pito-one because he had invited them, but there is no record of their reaction to what was said, if indeed they heard it. If not even the people who signed the deed fully understood what it was they were selling, then it cannot be assumed that Ngati Rangatahi (who had not been present at any of the negotiations or the signing, only at a war dance party, three days later) had acquiesced in the sale of the Hutt. Certainly, by their subsequent actions, they refused to admit that Te Puni, Te Wharepouri and other Te Ati Awa chiefs had a right to sell land in the Hutt.

It is hard to find any writers, except the Wakefields themselves, who support the validity of the company's purchases. These have been described, at various times, as "shoddy", "open to debate", "a farce", and even "worthless".³⁵ Spain, the commissioner sent by the British Government to inquire into the company's purchases, was of the opinion that "the greater portion of the land claimed by the Company in the Port Nicholson district ... has not been alienated by the natives to the New Zealand Company". While some had signed the deed and received payment for it, others, "with as good a claim as those who joined in the transaction, were not parties to the deed, did not assent to the sale, and received no part of the payment". Furthermore, some who had signed and taken the payment "had no right at all to convey the lands described in such deeds", or at least, "had only a right to a very small portion of such lands". He concluded "that all the Company's purchases were made in a very loose and careless manner".³⁶

So, what were the implications for the Hutt, where Te Rauparaha and Te Rangihaeata protested Te Puni and Te Wharepouri's right to sell any land, and Ngati Rangatahi were slowly moving back into the region, once the tapu had been lifted?

Although Ngati Rangatahi did not have permanent homes in the Hut Valley, they did have, under Te Rauparaha and Te Rangihaeata, the right to fish, hunt or collect food within it. According to Miller, this constituted effective occupation as far as title to land was concerned.³⁷ By the early 1840s, the Ngati Rangatahi, under Kaparatehau, had made their possession even more unshakeable by settling in the Hutt Valley, and establishing houses and potato fields. Colonel Wakefield had been in such a hurry to settle the land purchase that he

³² OLC 1/906, evidence of Taringa Kuri, 27 & 29 June 1842

³³ Miller, 1972, pp 3-4

³⁴ Shortland to Hobson, 9 October 1840, IUP Vol 3, pp 242-3

³⁵ for example, Hanson, p 5; Miller, 1958, p 192; Wards, p 214; Burns, p 120; Miller, 1972, pp 16 & 18

³⁶ GBPP 1844, p 305 (A10(a) doc 5)

³⁷ Miller, 1972, p 34

never heard of the Ngati Rangatahi's claims to the extensive areas within the valley. He soon did.

Around early 1841, Thomas Mason, who had acquired a title from the New Zealand Company to a section on the Hutt, attempted to settle on the land, about four miles up the valley. Pushing ahead of the main body of settlers, he soon found himself obstructed by Kaparatehau, who claimed to be entitled to the whole of the upper part of the valley. In proof of this claim, Kaparatehau pointed to one or two places where he had cultivated small patches of ground, and showed where he had felled trees for canoes. A contemporary European, R D Hanson, who spoke to Mason at the time, said Mason was convinced that the claim of the chief was well founded.³⁸ Hanson had sailed out to New Zealand in the *Cuba* in 1839 to make his fortune. He was initially a company agent for the purchase of land but after being involved with Gibbon Wakefield's colonising plans, he became appalled at what he saw in practice. He left the company and in 1841 he was appointed a justice and then crown prosecutor.³⁹

Finding himself unable to obtain possession of the land, Mason applied to Colonel Wakefield and an arrangement was reached, where, in consideration of some payment to Ngati Rangatahi, Mason was allowed to occupy his section. This arrangement was adhered to by the Ngati Rangatahi, but Mason was confined strictly within the boundaries marked out, and on more than one occasion he was compelled to pay for the liberty to cut down trees beyond its limits.⁴⁰ As settlement proceeded, other settlers established themselves in the neighbourhood, but always on sufferance. The settlers had to make presents to Ngati Rangatahi and if this was not done, they were exposed to interruption and annoyance.

Ngati Rangatahi also occupied considerable portions of land, which they cultivated. According to Hanson, they were induced to settle themselves permanently in this spot, instead of periodically, as had previously been their custom, in order to take advantage of the newly found settlement, as a market for their produce. Hanson claims that they were very useful to the settlement, by increasing the supply of food at a cheap rate, and in helping to break in the land, which would otherwise, have remained unoccupied.⁴¹

Towards the latter end of 1841, or the beginning of 1842, their numbers were increased by Taringa Kuri and his people from Kaiwharawhara. They had been driven from that place by the repeated destruction of their crops, by the cattle of the settlers. Anxious for peace and quiet, the Ngati Tama accepted the offer of Kaparatehau to settle in the Hutt and established a pa called Makaenuku, on the banks of the Hutt River, about two miles above the first Lower Hutt Bridge.⁴² The pa was erected on a section occupied by William Swainson, a magistrate. "E.Kuri's tribe will not let me have an inch more of my section and have driven off the men," complained Swainson. "They have, in short, taken possession of the whole hundred acres....Another party have begun on the other side of the river, so where all will end Heaven knows".⁴³ Swainson demanded justice and the removal of the trespassing Maori but without troops protest was futile. Even if there had been troops to enforce "justice", their hands would have been tied until the legal ownership of the land in question had been decided. The

³⁸ Hanson, p 6

³⁹ see Notes on Colonel Wakefield's diary, p 30; Burns, 1989, p 208

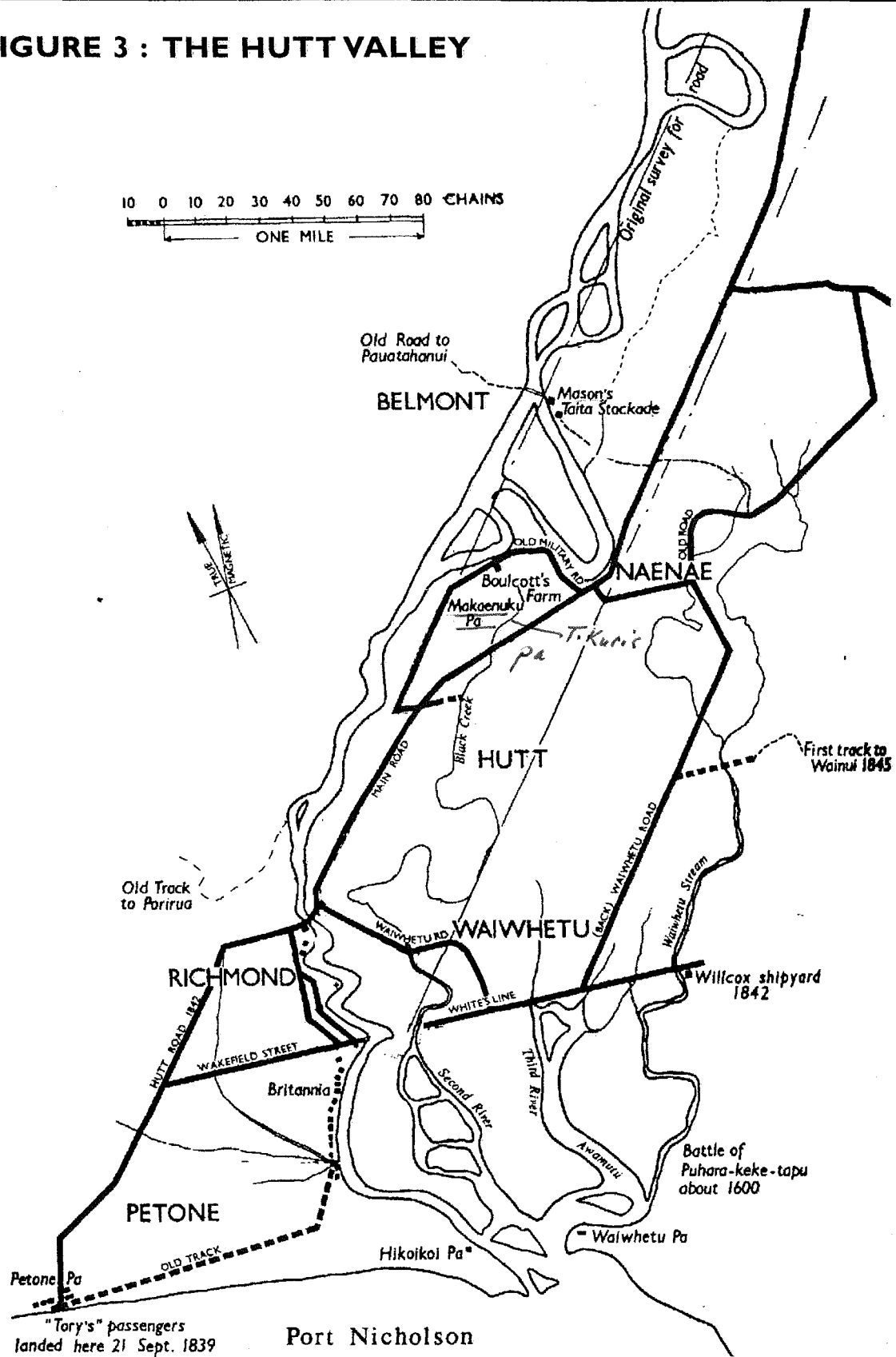
⁴⁰ Hanson, pp 5-6; Miller, 1972, pp 34 & 36

⁴¹ Hanson, p 6

⁴² Cowan, p 90

⁴³ William Swainson, quoted by Miller, 1958, p 58

FIGURE 3 : THE HUTT VALLEY



Port Nicholson

Source : Ian Wards, The Shadow of the land, p222.

treatment of Swainson raised the ire of the settlers who began to desire a show of force. Although Colonel Wakefield stated that the settlers deplored the idea of a collision with the Maori he thought that a strong military post should be established in the Cook Strait area.⁴⁴

The situation was complicated even further by the arrival of more migrants. After the battle at Wairau in June 1843, the numbers in the Hutt were increased by some Wanganui Maori who temporarily migrated to the Hutt Valley, attracted by the close proximity of the European food market.⁴⁵ Hanson noted that:

By their combined efforts, several hundred acres of land were cleared, and under crop, and the labouring class in the town of Wellington were furnished with a more abundant and cheaper supply of provisions than they had been able before to command.⁴⁶

But, as might be expected, the arrival of allies of the Ngati Rangatahi and the Ngati Tama meant an increasing pressure upon the land, and an increased likelihood of clashes between settler and Maori. In June 1843, a settler named Storey had his house demolished and thrown into the Hutt River by Maori on the grounds that he was trespassing on tribal lands. "The situation was", says Miller, "rapidly becoming intolerable. Colonel Wakefield's haste in buying land was now having unpleasant repercussions".⁴⁷

It was during this period, when the settlers were demanding action to get onto the land, while more Maori were arriving to forestall them, that the British Government decided to investigate the various land claims throughout the country.

The Spain commission

William Spain was appointed by Lord John Russell, the colonial secretary, to investigate the land claims. He began his inquiry in May 1842. His task was a difficult one. First, he had to define a law of Maori land tenure. Second, he had to discover precisely what land had been sold to Europeans before 1840. Once it became clear that Spain intended to conduct "a fair and impartial hearing" Wakefield took every means within his power to embarrass and obstruct Spain. He mounted a campaign to deny the jurisdiction of the commission.⁴⁸ Nevertheless, the commission continued, and after a tedious argument about procedure, the Colonel was called on to present evidence in support of the company's claim to Wellington. After some delay he produced three witnesses, his nephew Jerminham, Dr Dorset (who owed his appointment to the Wakefields) and Te Puni, who had himself confessed that he had had no right to sell the land on which the town of Wellington was placed (see above). Spain did not regard the company's case as complete and invited the Colonel to call more native witnesses. Wharepouri not being available, Wi Tako was called. When he denied having sold his land to Colonel Wakefield he was accused, by the Wakefields, of having "been tampered with".⁴⁹

⁴⁴ Wards, p 59, 224; Miller, 1972, p 37

⁴⁵ Miller, 1972, p 37

⁴⁶ Hanson, p 6

⁴⁷ Miller, 1972, p 37

⁴⁸ Spain, First Report, 12 September 1842, GBPP 1844, p 291 (A10(a) doc 5); Miller, 1958, pp 64-65

⁴⁹ Wakefield, p 493

With the company refusing to produce more evidence, Spain called on George Clarke junior, Protector of Aborigines, to present the case of the Maori. Clarke at once assembled a large number of native witnesses, whose accumulated evidence saw the company's claim to Wellington collapse like a house of cards. By September 1842 it was clear that the commissioner's report would be unfavourable to the company and would leave it with a complete claim to only a very small part of the district.⁵⁰

Although several chiefs and other individuals belonging to the dissident pa had attended the original sale, Spain accepted the Maori witnesses' assertion that, according to Maori custom, all members of the tribe had land rights which could not be alienated without their agreement. Indeed, Spain was to treat occupation of the land as the only criterion for a Maori claim in all his subsequent investigations.⁵¹ This was based on Vattel's *Law of Nations*, which upheld the rights of residents as against non-residents. In Port Nicholson, this worked to Te Ati Awa interests. In Spain's opinion, they were "not only according to native custom, but also by the rules admitted amongst the nations of Europe, in the actual and legitimate possession of the district".⁵² The claims of Ngati Toa to the Wellington harbour area, based as they were, on rights of conquest rather than actual occupation, Spain rejected.⁵³

In the meantime, resistance to European occupation of town lands persisted and in the Hutt Valley actually increased.⁵⁴ This pressure forced Wakefield into making his first major concession. In August 1842, he offered to compensate Maori who had not received a share of the distribution of sales goods in 1839 and who might be reluctant to leave their lands without further payment.⁵⁵ With the collapse of the company's case, it might be assumed that the land should then be returned to Maori. As Miller says:

According to the Treaty of Waitangi, which guaranteed to the Maoris the full, exclusive and undisputed possession of their lands and estates, forests and fisheries, Wellington ought now to have been returned to the Maoris, who had consistently refused to sell. *But strict justice was no longer practical politics.* The town was four years old, and the eviction of its 4,000 European trespassers would have led to untold confusion and bitterness.⁵⁶

Spain feared that if the purchase as a whole was not upheld, Maori would refuse to sell their land at pre-settlement prices, that settlement would collapse and the Maori be detrimentally effected by the loss of civilising contact.⁵⁷ He was also influenced by the belief that most of the Maori "seemed to be more anxious to obtain payment for their land than to dispossess the settlers then in the occupation of it".⁵⁸ Spain believed that Wakefield's proposal would facilitate the settlement of this "difficult and complicated question" quietly and equitably.⁵⁹ Compensation was the way to go.

⁵⁰ Tonk, p 49

⁵¹ *ibid*

⁵² Spain, Final Report, 31 March 1845, GBPP 1846 (203) p 7, (A(10a) doc 6)

⁵³ Anderson, p 37

⁵⁴ Tonk, p 50

⁵⁵ Anderson, p 37

⁵⁶ Miller, 1958, p 67, my emphasis

⁵⁷ Spain, 12 September 1843, p 296

⁵⁸ *ibid*, p 295

⁵⁹ Tonk, p 51

Spain's position was further strengthened by the testimony of Barrett, who appeared before the commission in February 1843. His evidence confirmed the opinion formed by Spain and Clarke that the company's title was weak. There could now no longer be any doubt that unless further payments were made, the commissioner would only be able to recommend confirming the company's title to a very small part of the district.⁶⁰

The question of compensation

The Protector of Aborigines, George Clarke junior, proposed that £1500 be paid by the New Zealand Company as compensation.⁶¹ This was for the whole of the lands belonging to the tribes of Te Aro, Kumutoto and Pipitea, with the exception of their pa, burial sites and cultivations.⁶² Having come up with a sum though, Wakefield procrastinated in paying it. Thus in April 1843 Spain was still trying to get Wakefield to agree to the amount of compensation.⁶³ Then the Wairau disaster intervened. This brought home to all Pakeha the seriousness of the unsettled land claim situation.⁶⁴ Despite this though, Wakefield still tried to alter the terms of the compensation. He tried to have pa, cultivations and burial grounds included in the land for which compensation was to be paid. Spain could not accept this, closed his court and left for Auckland. By the time Governor Fitzroy arrived no settlement had been reached.⁶⁵ Fitzroy, during his first visit to Wellington in February 1844, gave Wakefield no hope that further delay would benefit the company, and Wakefield finally agreed to set aside £1500 to complete the purchase of Port Nicholson. The Maori now had to be persuaded to accept the money.

Initially, the members of Te Aro pa refused to accept the compensation offered, arguing that it was too little. Finally, under a combination of implicit and explicit threats, they agreed to accept the sum of £300.⁶⁶ On Te Aro acceptance of this sum, the smaller pa of Pipitea, Kumutoto and Tiakiwai also gave in. In February, Pipitea and Kumutoto received £200 each and Tiakiwai, £30. Kaiwharawhara accepted £40, while Waiariki, Oterango and Ohau received £20 each. Kaiwatu was paid £100, and Pakuao and Tikimaru accepted £10 each. Te Puni refused to accept the compensation offered for Ngauranga and Pito-one, arguing that he had already sold the land, to take the payment would undermine his first sale. He also reasoned that if there was to be a new payment, then these two pa should receive as much as the others.⁶⁷ No compensation was paid to the inhabitants of Ohariu pa. They were away at the time, but as their chief was Taringa Kuri, who was also involved in resistance to the occupation of the Hutt Valley, it was suspected that their absence was deliberate. It was not seen as a major obstacle anyway, as Ohariu was not central.⁶⁸

If Spain had hoped that through paying compensation to the inhabitants, immediately around the harbour, he had solved the land problem in the greater Wellington area, he was sadly mistaken. His equation had not taken in to account Ngati Rangatahi under Kaparatehau.

⁶⁰ *ibid*, p 52

⁶¹ Ehrhardt, p 33

⁶² Spain, 12 September 1843, p 300

⁶³ Wards, p 221

⁶⁴ Tonk, p 54

⁶⁵ Wards, p 221; Tonk, p 54

⁶⁶ see Anderson, pp 38-39

⁶⁷ Ehrhardt, p 34

⁶⁸ Tonk, p 57

Spain awarded £300 as the sum that the company must pay to Ngati Toa to extinguish their interests in the Hutt Valley. He added another £100 for "Taringa Kuri and his party" as compensation for the crops in the ground.⁶⁹ Spain refused to accept Kaparatehau and Ngati Rangatahi had any claim to the area, apparently on his understanding of Taringa Kuri's testimony; that he had signed the deed and received a portion of the purchase goods and that the Ngati Rangatahi chiefs had been present at the signing.⁷⁰ But Taringa Kuri's evidence has shown that Ngati Rangatahi were only at the war dance, three days after the signing, and that cannot be taken as their consent to the sale of the land. Spain never examined Kaparatehau and no evidence was taken with regard to their interests.⁷¹ The commissioner persisted in thinking that they were merely acting on the orders of Te Rauparaha and reasoned that the consent of Te Rauparaha and Te Rangihaeata, to his award, would remove any objections they might raise. But, by this stage, the various cultivators of the valley "by the application of their own labour, had by Maori custom accumulated rights" independent of Ngati Toa and Ngati Rangatahi would have probably resisted any attempts to remove them.⁷²

In March 1844, Spain tried to persuade Te Rauparaha and Te Rangihaeata to accept the compensation for their claims. Initially Te Rauparaha refused to accept it, because it included the Hutt Valley above Rotokakahi. That land, he said, should be left for the Maori occupants of the valley, who would in any case, refuse to leave. He also made it clear that Te Rangihaeata would never consent to the inclusion of the Hutt in the compensation.⁷³ As if to emphasise this, Ngati Tama then proceeded to cut a boundary line, over a mile long, at Rotokakahi, possibly at Te Rauparaha's request.⁷⁴ Te Rauparaha, an ageing man, was seeking to co-operate with the Europeans but he had to acknowledge that Te Rangihaeata's consent was necessary in Hutt matters. In fact, Te Rangihaeata, based in Pauatahanui with crops in the valley and access across the hills at Belmont, had the greater say. Te Rangihaeata was willing to compromise; if the northern half of the valley was left for Ngati Rangatahi, he would be satisfied.⁷⁵

On 12 November 1844, Clarke paid Te Rauparaha £400 in return for his and Te Rangihaeata's claims to Heretaunga.⁷⁶ Te Rangihaeata appeared to have signed the award but his signature had been forged by a nephew, in the hope that his uncle would eventually be reconciled to the alienation of the valley.⁷⁷ But Te Rangihaeata remained adamant that he would have nothing to do with the award unless the upper portion of the valley was retained for Kaparatehau. Wards claims that Te Rangihaeata's insistence that the valley be divided between Maori and settlers is significant. It meant that he was not implacably anti-European and it made him the first, European or Maori, to advocate that a given area of land be shared by both races. Ngati Toa, throughout this period, demonstrated a willingness for accommodation and the conditions were ideal for arbitration.⁷⁸ But for the government, the emphasis during all the negotiations was directed solely towards persuading Maori to vacate the valley.

⁶⁹ Forsaith, 8 March 1844, enclosure in Spain's final report, 31 March 1845

⁷⁰ Ehrhardt, p 34

⁷¹ Hanson, p 10

⁷² Wards, p 224; Anderson, p 45

⁷³ Forsaith, 8 March 1844

⁷⁴ Forsaith, 21 March 1844

⁷⁵ Wards, p 225; Miller, 1972, p 38; Anderson, p 43

⁷⁶ Turton's deeds, p 98

⁷⁷ Wards, p 225

⁷⁸ *ibid*, p 226

Conflict with the settlers escalated. In mid-December, Charles Mabey's farmlet at Taita was invaded by angry Maori, who stole his axe, pulled up all his peas, potatoes and other vegetables, and left "the poor man without anything growing to feed himself".⁷⁹ Another settler, Bryce, saw fires lit round his green barley patch and hot embers flung into the midst in order to hasten the blaze.⁸⁰

The company settlers, for their part, thought that what the "natives" needed was "a good thrashing".⁸¹ Frederick Weld, at the end of 1844, wrote that disputes between the races were owing to the policy of Hobson and Fitzroy "and the Exeter Hall philanthropists who have persuaded the natives that they may do anything and everything with impunity". He believed that the best way of dealing with the Maori was that of the early sailors, "wholesome severity and well-timed kindness". For the "arrogance" of some chiefs, the only solution was "a sound thrashing".⁸² There was mounting pressure from the settlers for an armed resolution to the Hutt question, even though they had the example of Wairau as to the likely outcome. "The people are downright mad", wrote Major Richmond, Superintendent of the Southern district.

The disastrous affair of Wairau has proved no lesson, on the contrary they would not hesitate to risk a repetition of it. You cannot form an idea of what I have undergone by the constant endeavour to goad me on to some act of like indiscretion.⁸³

Even Spain, who had been one of the first to point out that the European action at Wairau had been illegal, believed that a strong military demonstration was necessary, to convince the Maori that resistance to British law was futile. He was upset because Ngati Toa and the occupiers of the Hutt valley had refused to accept his verdict. He convinced himself, along with the majority of the settlers, that the Wairau affair had persuaded the Maori that the Europeans were too weak and cowardly to retaliate.⁸⁴ But Fitzroy was reluctant to initiate a policy of military pacification and refused "to enforce a sale of land, *vi et armis*".⁸⁵ Military support was promised in the event of attack, but no troops were sent at the time.

Spain's final report was dated 31 March 1845 and his reports became the basis for official effort to obtain the valley land for the company. After receiving Spain's reports, Fitzroy issued such awards as he was able to the company. These specifically exempted pa, burial places and "grounds actually in cultivation by the Natives....and the cultivations being those tracts of land which are now used by the Natives for vegetable productions, or which have been so used by any Aboriginal Natives of New Zealand *since the Establishment of the Colony*".⁸⁶ Ngati Rangatahi and Ngati Tama arguably fell within this description. Wards points out that this was probably meant to refer to long established cultivations only, but "lack of precision in definition gave ground for present trouble and future legal difficulties".⁸⁷ As the crown prosecutor, R D Hanson, wrote, Kaparatahau and his people "had a claim by

⁷⁹ cited in Miller, 1972, p 38

⁸⁰ *ibid*

⁸¹ Burns, 1989, p 280

⁸² *ibid*; see also Miller, 1958, p 79

⁸³ Richmond to Fitzroy, 24 December 1844, cited in Wards, p 228

⁸⁴ Wards, p 227

⁸⁵ Anderson, p 46

⁸⁶ quoted in Wards, p 241, my emphasis

⁸⁷ Wards, p 225

conquest, and by occupancy, and their claim had been, whether intentionally or not ... recognised and confirmed by grant from the Crown".⁸⁸

Tensions continued to build in the Hutt as the occupants refused to leave. In fact, as Taringa Kuri told Richmond, they had no where else to go.⁸⁹ No one had given any thought as to where the dispossessed tribes were to go. There were no reserves for them, Hanson wrote, that of "the land claimed by Kaparatehau not a twentieth has been reserve, and the only available reserves have been leased to Europeans". To the question frequently asked by the occupants, "if we leave this land where are we to go? What land will you set apart for our use?", the reply had been "that they must quit the district".⁹⁰ Richmond told Taringa Kuri to return to the land he occupied before going to the Hutt. But that had been Kaiwharawhara, from which Taringa Kuri had already departed in the face of European pressure.⁹¹ The occupants, naturally, refused to oblige and Hanson, for one, could find no reason for blaming them.⁹²

Richmond, however, was reaching the end of his tether. By the end of January 1845 he had concluded that none of the occupants had any intention of leaving until driven out by force and even he had come around to the opinion that the time had come to give the Maori a check.⁹³ On 31 January he wrote to Fitzroy suggesting that he should ride up to the valley to select a site for a stockade, as a demonstration of the government's intentions.⁹⁴ The only bright spark in the proceedings was when Te Rangihaeata accepted his share of the compensation in March. It now appeared that Te Rangihaeata would no longer give his support to the tribes in the valley. But he would take no part in persuading them to move. Wards says, that with Te Rangihaeata's acceptance of the money, Richmond no doubt felt that this was a step forward, for he had always refused to admit that any but the Ngati Toa chiefs had to be considered.⁹⁵ In July he wrote,

no individual native or portion of the Tribe [Ngati Rangatahi] can substantiate a right to any part of this valley - it was unthought of as a native location - no ancient pas nor cultivations exist - the dense Forests remained undisturbed till the axe of the European and European labour and perseverance opened out and displayed the capability of the district.⁹⁶

He either did not know, or chose to ignore, Thomas Mason's evidence to Hanson, of Kaparatehau's cultivations. He also displayed great ignorance of Maori customary tenure by not being aware that,

a tribe would fight for a cherished eel weir situated within an empty forest, or for a sunny and well favoured spot for growing early kumura in the midst of miles of seemingly waste land, or for the right to snare birds or pick the berries of the karaka or

⁸⁸ Hanson, p 11

⁸⁹ Richmond to Fitzroy, 1 March 1845, cited in Wards, p 231

⁹⁰ Hanson, pp 11-12

⁹¹ Wards, p 231

⁹² Hanson, p 12

⁹³ Wards, p 229

⁹⁴ Richmond to Fitzroy, 31 January 1845, cited in Wards, p 231

⁹⁵ *ibid*, pp 231-232

⁹⁶ Richmond to Fitzroy, 29 July 1845, cited in Wards, p 228

the kahikatea. He made no allowance for any rights that Kaparatehau may have accrued, and gave no thought to the future location of these people.⁹⁷

As the valley Maori now went about their cultivations armed, professing that it would be better for them to die on the land than leave, he felt that he was being provoked.⁹⁸

At the end of March, word reached Wellington of the sacking of Kororareka. Richmond, fearing that Wellington might be attacked by either Te Rauparaha or Te Rangihaeata, decided to erect forts and places of refuge in both Wellington and the Hutt. At Thorndon, Te Aro and on the Hutt River forts were speedily erected with the swearing-in of residents as special constables, able to bear arms, in April. The Hutt stockade, Fort Richmond, was erected on the left (east) bank of the river, just south of Makaenuku pa.

Events now began to snowball. Fort Richmond was completed in April 1845, about the same time as the Wellington volunteers began daily military drills on Thorndon Flat. In the same month two detachments of the 58th Regiment arrived in Wellington. Captain A H Russell, commander of the one of the detachments, accompanied Russell to inspect the Hutt. For some reason they reached the conclusion that the Maori intended attacking the just completed fort so one detachment was sent to take possession of the fort.

Fitzroy's instructions were that these detachments were to remain strictly on the defensive. Colonel Wakefield thought that one more military demonstration, similar to the garrisoning of Fort Richmond, would convince the occupants to evacuate the valley. Richmond, however, after the disturbances in the north, was no longer certain. He therefore authorised Forsaith to negotiate money payments as compensation for leaving the Hutt, to be paid to those actually occupying the land, who had not shared in the money distributed earlier among Te Ati Awa and Ngati Toa. The compensation was to be in the form of the settlers buying all the produce from the valley in bulk. The plan failed mainly because of the lack of unanimity among the settlers. Wakefield called it a lamentable and feeble measure of expediency.⁹⁹ But by offering them money, it was, perhaps inadvertently, another recognition of their claims.

Richmond now decided that force was the only solution and proposed to blockade the valley so that the Maori would be unable to get their produce out. This idea was eagerly supported by the settlers, but Fitzroy was determined that until the situation in the Bay of Islands was pacified, nothing should be done in the Wellington area. In May 1845, Te Rangihaeata moved with a 500-600 strong party to the Hutt, but according to Wards, this was merely a defensive move, it was not an indication they were going to take the initiative. They were joined by Te Mamaku, a chief of the Ngati Haua from the Whanganui river, who was a relative of Kaparatehau, and who wished to support the Whanganui Maori in the valley.¹⁰⁰

Richmond remained quiet. In October he reported to Fitzroy that Te Rangihaeata was adamant that an area north of Boulcott's farm must remain in the hands of the Ngati Rangatahi before he would consider any Maori evacuation of the valley. Kaparatehau was more specific, he was threatening to cut a boundary line across the valley at Boulcott's farm. Such an action,

⁹⁷ Wards, p 228

⁹⁸ *ibid*

⁹⁹ *ibid*, p 236

¹⁰⁰ *ibid*, p 237

wrote Richmond, would “dispossess” many settlers living in the upper valley and he refused to consider it as a solution.¹⁰¹

Up to now, the settlers, who wished to impose a military solution on the Hutt problem, had been tied by three things, “the lack of troops, a military campaign north of Auckland, and a Governor with a conscience”.¹⁰² With the recall of Fitzroy, and his replacement by Governor Grey in November 1845, this all changed. Grey was given more money, adequate supplies of men and ammunition, and, unlike Fitzroy who had been hampered by Colonial Office instructions, “an unfettered discretion”.¹⁰³ Fitzroy, like his predecessors in office, was committed to a policy that ostensibly guaranteed Maori their existing rights and privileges, and recognised their status as British subjects.¹⁰⁴ Without troops, he may not have had much choice. But it was a policy that did little to endear him to the settlers anxious to establish themselves in their new land. On the announcement of his recall there were “joyful illuminations” at Wellington and at Nelson effigies of Fitzroy, and those of the chief protector and the attorney-general, were paraded about the town before being burnt.¹⁰⁵

By the time of Grey’s appointment, after Fitzroy’s inability to control the situation in the north, and increasingly strident demands from the settlers that British law protect them and punish Maori “outrages”, the colonial office was taking a harder line towards Maori. Grey was instructed to uphold the Treaty and to consider Maori feelings and prejudices, “but only where these were not inconsistent with the peace and welfare of colonists of European descent”.¹⁰⁶ He was to require implicit submission to the law, and would “of necessity enforce that submission by the use of all the powers, civil and military” that were at his command.¹⁰⁷ It was the colonist’s, and not Maori concerns, which were to be of primary importance.¹⁰⁸

With the end of the war in the north, Grey could now turn his attention to Wellington.

¹⁰¹ Wards, p 238; Miller, 1972, p 41

¹⁰² Miller, 1972, p 41

¹⁰³ Miller, 1958, p 92

¹⁰⁴ Wards, p 72

¹⁰⁵ Miller, 1958, p 91; Burns, 1989, p 280

¹⁰⁶ Wards, pp 172-173

¹⁰⁷ Stanley to Grey, 13 June 1845, cited in Wards, p 173

¹⁰⁸ *ibid*, p 175

CHAPTER 3

GOVERNOR GREY AND THE ROAD TO WAR

Grey arrived in Wellington on 12 February 1846, backed by a body of nearly 600 men, to add to the 200 men already there.¹ The presence of such a large body of troops did little to allay the suspicions of Maori already sceptical of arrangements concerning their land.² Grey lost no time in inspecting the Hutt Valley. He arrived at the same old conclusion that a good show of military force was all that was needed to persuade Ngati Rangatahi and their protector, Te Rangihaeata, to leave the Hutt Valley. He was yet to discover that seasoned warriors were not a people to be intimidated by mere martial display.

Grey's primary concern was the creation of an area of European dominance between Wellington and Wanganui, not the protection of guaranteed Maori rights.³ He insisted that the Maori must leave the valley and threatened force if they did not. At first it appeared that a display of force would work. Taringa Kuri, whom Grey regarded as the principal "intruding chief", promised he would leave but wanted compensation for his crops. Grey replied the subject would be considered once Ngati Tama had shown proper respect for the government by withdrawing. The compensation, however, would be given as a token of the government's good faith, not as recognition of their legal entitlement. Ngati Tama began to vacate the valley, leaving behind them an empty pa, a considerable number of gardens, livestock, a large number of houses and a church. Protector Kemp then came up with an estimate of £1,500 as compensation. Grey rejected that and called for two further estimates. He finally settled on the figure of £371.⁴ Taringa Kuri, for leaving the valley, was eventually granted £120 in goods and foods, and land at Kaiwharawhara.⁵

Things were looking positive. Ngati Tama, with some of the Whanganui people, had left without a shot being fired, while Ngati Rangatahi, and the remainder of the Whanganui Maori, took up a position in the Western Hutt hills.⁶ On 21 February the settlers starting moving in to take possession of the disputed land. At that, Kaparatehau and Ngati Rangatahi came down from the hills to warn the settlers to keep off the land for which, they asserted, the Ngati Rangatahi had not received compensation. Grey reacted with a demonstration of military power. On 24 February, 340 men from the 58th, 96th and 99th Regiments, were marched up the valley and occupied a large potato field, belonging to Ngati Rangatahi, a short distance from Boulcott's farm. Grey also wanted some of Te Puni's people to act as guides but they refused, "saying they were friendly to both sides and so did not wish to quarrel with either". Grey was "rather disappointed" at their refusal.⁷

Reverend Richard Taylor, the Church Missionary Society's missionary at Wanganui, who had arrived in Wellington on 18 February, was then sent in to mediate with the Ngati Rangatahi. Taylor was to enjoy a close relationship with Grey, whose policy, if not his actual

¹ Cowan, pp 99-100; Wards, p 239

² Anderson, p 46

³ *ibid*

⁴ Wards, pp 240, 242

⁵ Miller, 1972, p 41

⁶ *ibid*, p 42; Hanson, p 7

⁷ Richard Taylor's journal, entry for 24 February 1846

implementation, he agreed with. He was also believed to have great influence over the Maori. On the morning of 25 February, Taylor met with Kaparatehau. The chief was firm in his claim to the land but said they would leave if adequately compensated. Grey replied that he would pay it only when Ngati Rangatahi had moved. When it became clear that they would not move until compensation was paid, Grey threatened that if they had not left by noon he would commence hostilities. He had had two guns brought up the previous night and a number of settlers, spoiling for a fight, had congregated in the vicinity. Taylor impressed on Ngati Rangatahi the urgency of the situation and finally, to Taylor's delight, they agreed to go "and they rose up and left".⁸ Taylor left the area late in the afternoon and it was at this period, as he recorded that night, that,

I was sadly grieved as I and my native companions went along to notice the low Europeans plundering the native houses of everything they thought worth taking as well as their plantations. I also noticed with sorrow and shame that some of the worthless miscreants had been into the native chapel and overthrown the pulpit and violated even the sanctity of the House of God.⁹

One of Taylor's companions, Te Karamu, a friend of Ngati Rangatahi, exchanged his tomahawk for Taylor's staff "lest the soldiers should think he distrusted them". He also pointed out four canoes which belonged to Ngati Rangatahi and asked Taylor to ensure that the governor took care of them. Grey readily promised to do so. The next night, however, Taylor recorded that two of the four canoes had been stolen by the settlers, along with a large proportion of their potatoes. In retaliation, Ngati Rangatahi plundered the houses of several of the settlers.¹⁰

Ngati Rangatahi not only had to put up with the settlers stealing their possessions, on 27 February, they witnessed the troops ransacking and burning their pa and a church, and also violating their urupa.¹¹ Their response, by all accounts was quick and effective, if some what restrained. After digging up the bones of their dead, and carrying them off into the bush,¹² they visited almost every house north of the boundary cut by Kaparatehau and forcibly carried away most of the settlers' moveable property. There was no great violence or wanton destruction of property. Hanson, the Crown prosecutor, believed their reaction was fully justified and was only surprised at the degree of moderation displayed.¹³

Taylor, who could still move freely among the Ngati Rangatahi, was once again sent in by Grey to speak to them. But although they were very civil, they were also very determined not to give up their land without a fight. They now told Taylor that peace was impossible.¹⁴ Despite the justice of their situation, Taylor advised them to "listen to the Governor and leave".¹⁵ Taylor returned to Wellington and saw Grey on the following day. Earlier Grey had told Taylor that he was disgusted with the position the settlers had placed him in and remarked that "he was more like a bailiff turning the poor natives from off their pretty little

⁸ *ibid*, entry for 25 February 1846

⁹ *ibid*

¹⁰ *ibid*, entry for 26 February 1846

¹¹ *ibid*, entry for 1 March 1846; Hanson, p 7

¹² see Taylor, *Te Ika a Maui*, p 350; and journal entry for 21 December 1850

¹³ Hanson, p 8

¹⁴ Taylor, *Te Ika a Maui*, p 350

¹⁵ Taylor, journal entry for 1 March 1846

cultivations than a British Governor".¹⁶ But this did not stop Grey from deciding to take severe measures against Ngati Rangatahi. Taylor spoke of the injuries Ngati Rangatahi "think they have received", of their ignorance of European customs, and of the danger to the out-settlers "but he said it was no use *they must be put down*".¹⁷ Taylor did not seriously try to dissuade Grey as even he believed that the Maori needed to be taught a lesson.¹⁸

On 2 March Grey drew up a proclamation of martial law but was persuaded not to sign it by Hanson, who protested that Grey was acting illegally in trying to evict the Maori. Hanson pointed out that, Fitzroy, in his deed of grant to the New Zealand Company, had made it clear that all their cultivations and homes were to remain in Maori hands.¹⁹ But as Taylor said, "strange to say none of the authorities had remembered the terms of the deed".²⁰ Later that day, Taylor met with Te Rangihaeata at Porirua. The chief was seething with anger at the destruction of Ngati Rangatahi's property, particular their urupa. He reiterated that if the governor was to give Kaparatehau a piece of land there would be peace as they did not wish to fight.²¹

However, on the same day, two Maori were arrested for the removal of the settlers' property and charged with robbery. The next day, Tuesday 3 March, the settlers at Waiwhetu were plundered. Shots were also fired at Boulcott's farm, leading to the conclusion that the troops had been attacked by the Maori. Hanson, on investigation, could find no evidence as to the reality of an attack. All that he could learn, with certainty, was that the troops had fired for up to an hour, that not one of them received the slightest injury, and that there were no signs afterwards of any Maori.²² Grey, however, felt he now had his justification for proclaiming martial law over an area south of a line between Wainui (near Paekakariki) and Castlepoint. He also ordered the *Driver* to the Hutt, with an additional body of troops.²³ But Grey was left without an enemy to fight, for the Ngati Rangatahi, under Kaparatehau, retreated to Porirua.²⁴ The New Zealand Company paper, the *Spectator*, demanded the pursuit and destruction of Ngati Rangatahi but the troops remained on the defensive and Grey issued a proclamation on 13 March that martial law no longer existed.²⁵ For the rest of the month all appeared quiet in the Hutt, and "the settlers were satisfied that the vigorous policy for which they had so long been anxious had proved completely successful".²⁶

The situation was far from settled though and it only needed a spark to set it off again. This was provided by the trial of Wiremu and Kumete, the two who had been arrested, earlier in the month. On 27 and 28 March they were tried before the Supreme Court held under a special commission which Grey issued for the purpose. One of the defendants was related to Te Puni and the other to Te Kaeaea and it was asserted by their relatives that it could be clearly proved that both of them had spent the whole of the Sunday, on which the so-called robberies had been committed, at Kaiwharawhara. Despite this, Kumete was found guilty, on

¹⁶ *ibid*, entry for 27 February 1846

¹⁷ *ibid*, entry for 2 March, my emphasis

¹⁸ see for example, entry for 18 February 1846

¹⁹ Cowan, p 102; Wards, p 246; Miller, 1972, p 42; Burns, 1989, p 287

²⁰ Taylor, entry for 3 March 1846

²¹ Taylor, 2 & 3 March

²² Hanson, p 8

²³ *ibid*; Wards, p 247

²⁴ Hanson, p 8

²⁵ Wards, pp 247-248; Burns, 1989, p 288

²⁶ Hanson, p 8

the evidence of the Crown witnesses, and sentenced to ten years transportation, while Wiremu was acquitted. The Maori insisted that the witnesses for the Crown were mistaken and even one of the parties to the action, a settler named Hughes, cast grave doubts on the credibility of one of them. The Reverend Hadfield warned of reprisals. Kumete was subsequently released, by order of Mr Justice Chapman, on 23 April, on the grounds that his alibi had been substantiated. But it was too late. On 2 April, the Thursday following the sentence of transportation, a Ngati Rangatahi chief, Te Pau, led a small party into the area north of Boulcott's farm, where they surprised a settler named Gillespie, and tomahawked him and his son to death. Gillespie was one of the first settlers to have been placed in possession of the land from which Ngati Rangatahi had been evicted. According to Wards, it is not entirely possible to say whether the murders were an act of utu for the conviction of Kumete, or an unconnected gesture of defiance, but it was too coincidental, and both the Maori and settlers at the time believed it to be in connection with the trial.²⁷ The fact that Kumete was subsequently found innocent of the charges only made it all the more tragic.

Tension in the Wellington area grew again. The Europeans demanded strong action on the part of the military. As far as the settlers were concerned, the Maori had been paid for their land, and were therefore "intruding" upon private property. "The inability of the Europeans to see", says Miller, "that the *Ngati Rangatahi* had received no compensation, nor any consideration when the land was sold to the European, was very marked".²⁸ Instead, Ngati Rangatahi, because they refused to move off their own land, were described as "thankless" and "rapacious".²⁹ Henry Swainson declared that only "a war of extermination against the whole race ... will be the end of it".³⁰

Two days after the murders, a message arrived from Te Rauparaha advising that the people responsible were at Porirua. Accordingly, a police party set out to apprehend them. Te Rauparaha insisted that the offenders were from Wanganui and was clearly anxious to avoid fighting in his district.³¹ The quarry however had fled to the bush and it was discovered that Te Rangihaeata had built a stronghold at Pauatahanui, the head of the Porirua harbour, about five miles from the open sea.³² Wards claims that the actions of Te Rauparaha and Te Rangihaeata, at this time, were consistent with their previous behaviour. Te Rauparaha hoped for peace, and would use his influence to that end, but that the final solution lay with Te Rangihaeata whom he would not directly oppose. Te Rangihaeata's attitude was that he would not actively oppose the government in the dispute over the Hutt Valley but neither would he discourage Ngati Rangatahi in their claims, which he considered to be just.³³

Grey now decided that Porirua was the key to the pacification of the Wellington district. He was convinced that the area had become an assembly point for all the disaffected. It was also the point through which passed all the traffic between the northern districts and Wellington. A military station here would keep communications open, would also directly menace Te Rangihaeata and his troops, and would strike at the rear of any force attacking the Hutt. For this purpose he had a fort built at Paremata. He also adopted the "Caesar-like mode of

²⁷ Hanson, p 9; Cowan, p 102; Wards, p 249; Miller, 1972, p 43; Burns, 1989, p 288

²⁸ Miller, 1972, p 43, emphasis in the original

²⁹ *ibid*

³⁰ quoted, *ibid*

³¹ Hanson, p 9; Wards, p 249

³² Cowan, p 103

³³ Wards, pp 251-252

conquest", road-making. Before returning to Auckland in April, he had the troops begin constructing a military road, over the hills, from Wellington towards Porirua. At convenient intervals along the route, and in the Hutt Valley, several small stockades were erected.³⁴ The Hutt conflict was providing an ideal opportunity for opening up access to Porirua, something that Te Rangihaeata had actively resisted in 1841-42. Grey was also thinking in terms far beyond the defence of the company settlement. Besides supporting the garrison at Paremata, a road would provide access to the fertile lands to the north and be the means for holding the large tract of territory between Wellington and Taranaki.³⁵

Grey was determined to secure British authority and British law throughout the land, but his actions

ran strictly counter to what the Maoris had been so solemnly promised. The land through which the new road was being driven, and the site of the garrison at Paremata, belonged not to the Crown, or to the Company, but to the Maori tribes.³⁶

Despite the provocation, Te Rangihaeata kept his promise not to actively oppose the government and refrained from attacking the troops.³⁷

The scene then shifted back to the Hutt Valley, where fifty men of the 58th Regiment were stationed under Lieutenant Page at Boulcott's farm. A little further up the valley, at Taita, an outpost was established near Mason's section, where a small detachment of the Hutt Militia was stationed. On 16 May 1846, the post at Boulcott's was attacked by a group of 200 hundred Maori, under the leadership of the Whanganui chief, Te Mamaku. Te Mamaku would have needed the support of Ngati Toa to make up the estimate of the numbers present, but there was no direct evidence that Te Rangihaeata, himself, was present. This did not stop the settlers putting all the blame on him and, possibly Te Mamaku was fighting under the orders of Te Rangihaeata. He could also have been acting on his own initiative, in support of the Whanganui people and his relations, the Ngati Rangatahi.

The whole of the outlying picket was killed but the sentry had time to fire a shot before he was overtaken and tomahawked to death. The sentry's shot, and the answering volley from the war party, roused the rest of the camp, and the Maori, who had calculated on the element of surprise, met a force of disciplined British troops. Page assembled his remaining 44 or 45 men, and extending them in skirmishing order with fixed bayonets, they advanced. They were joined by a party of seven of the Hutt Militia. After an engagement lasting about an hour and a half the Maori were forced to withdraw across the river. They made no attempt to rally for a new assault and quit the battle field, leaving behind six soldiers dead and four wounded. The casualties of the Maori were unknown, "but two were seen shot dead, and ten or more were wounded, some of them severely".³⁸

The *Spectator*, after the event, claimed that every-one but the officials had know an attack was going to occur in the Hutt.³⁹ The situation was much as it had been after the Wairau, with the

³⁴ Cowan, p 103; Miller, 1958, p 95; Wards, pp 253-255

³⁵ Wards, p 256

³⁶ *ibid*, p 258

³⁷ *ibid*, p 262

³⁸ Cowan, pp 104-109

³⁹ The *Spectator*, 23 May 1846, cited in Wards, p 266 and Burns, 1989, p 289

settlers in a state of acute anxiety and making preparations for war. The civic leaders called out the militia, collected small arms from the company store and even armed the tribes of Petone, Pipitea and Te Aro. Te Puni, who previously had refused to get involved, now decided that his best interests lay in fighting with the government troops. Ehrhardt claims that it was a means of upholding his sale of the valley.⁴⁰ Another explanation is that Te Ati Awa feared that sustained military action would hamper economic co-operation with Europeans and actively supported the government for this reason.⁴¹ The “vigorous policy” for which the settlers had so long been anxious had resulted in about two hundred Maori being “driven from the occupation of about eight hundred acres which they had cleared and rendered productive ... the out-settlers on the Hutt [being] driven in; their property plundered, and their agricultural operations suspended ... and all the peaceful pursuits, upon which the prosperity of the colony depends,” being suspended or impeded.⁴² Te Puni built a stockade between Boulcott’s farm and Fort Richmond and strengthened the palisading around his own pa at Petone.

Skirmishes continued in the Hutt. On 2 June 1846, two settlers’ houses near Boulcott’s farm were burnt down and a few shots were exchanged between Te Mamaku’s men and the 58th, who had been reinforced by Te Puni’s and Muturoa’s men. On 15 June Richard Rush, a settler, was surprised at work on his section, near the present Lower Hutt Station, and tomahawked to death. The next day, a reconnaissance party under Captain Reed disturbed a group of Ngati Toa unearthing potatoes in a small clearing close to the Taita stockade. The Ngati Toa delivered a volley from the cover of the felled trees and five of the soldiers were wounded. They then attempted to encircle the British party and cut off their retreat. Reed decided to withdraw back to Boulcott’s farm. He met Page, on the way back, who, on hearing firing, had come up from Boulcott’s, with a large detachment and about 100 of Te Puni’s men. After a brief consultation Page was ordered to form an advance guard and return to Boulcott’s farm. It wasn’t that the regulars were afraid to fight, it was just that they were unprepared for bush fighting. Their training had taught them shoulder to shoulder combat in open ground. In the bush, they were right out of their element. The Ngati Toa, “whose pertinacity in regarding this spot, within a quarter mile of the Taita stockade, as their potato ground deserves notice”,⁴³ were finally chased off by a combination of Te Puni’s men and a dozen of the Hutt Militia, under Ensign White, from the Taita stockade.⁴⁴

Grey arrived back in Wellington on 2 July, determined to strike a decisive blow. He decided that it had to be on Te Rangihaeata’s pa at Pauatahanui, to where, it was alleged, the “rebels” in the Hutt had returned. He knew it would be too difficult with the British troops available, especially if Te Rauparaha were to choose to attack him from the rear. Grey apparently had his suspicions about Te Rauparaha, but how well founded they were is debatable. Taylor wrote that Grey suspected Te Rauparaha “of playing a double part as he has forbidden pigs to be driven to Wellington and sent on the rations the Governor gave for his men to the hostile natives, also because his name was used by the enemy in a letter to the Wanganui natives”.⁴⁵ Wards concludes that, “much of the evidence implicating Te Rauparaha bears the hallmarks of

⁴⁰ Ehrhardt, p 35

⁴¹ see Belich, 1988, p 73

⁴² Hanson, pp 9 & 13

⁴³ Wards, p 274

⁴⁴ Cowan, pp 110-111; Wards, pp 273-274

⁴⁵ Taylor journal, entry for 29 July 1846

a too-obvious plant".⁴⁶ But Grey was desperately anxious to make a convincing example of his power and authority in a situation where the only outwardly hostile Maori were out of his reach. His solution was to seize a neutral unguarded Te Rauparaha as proof of his power to punish "rebel" Maori. At dawn on 23 July, Te Rauparaha was seized in his sleep by troops and seamen put ashore at his domestic pa at Taupo, Porirua.⁴⁷

Anderson says that in his arrest of Te Rauparaha, and subsequent holding him with out trial, Grey displayed the "same lack of adherence to principles of justice" that he had when he had decided to build a military road across land that did not belong to the Crown.⁴⁸ There was no crime for which Te Rauparaha could be tried, so he was never brought to trial.⁴⁹ Grey tried desperately hard to justify his capture of Te Rauparaha,⁵⁰ but he need not have bothered. The Colonial Office looked only for legal safeguards, not justice. Stephen, the permanent under secretary, wrote, "Under what authority the Governor holds him in prison without a Legal Commitment, he does not explain, nor, perhaps, is it necessary, or desirable, very closely to enquire".⁵¹

Wards maintains that,

Grey's inability to maintain a course set strictly within the confines of enunciated policy and established law, and his refusal to distinguish between fomenting rebellion and disturbances, and defending guaranteed rights and property ... demonstrated ... that moral considerations, in dealing with the Maoris, meant little to the Colonial Office when it came to practical politics.⁵²

It was to have its repercussions. Grey's "lack of good faith in his dealing with Te Rauparaha nourished the feeling of distrust that led to the King Movement and the wars of the following decade".⁵³

With Te Rauparaha out of the way, Grey hoped that his example of power had removed any immediate crisis. On 29 July, however, six days after the capture of Te Rauparaha, it was reported that Te Rangihaeata was on the move again. Grey feared that he might be preparing another swoop on the Hutt Valley and decided to take his pa from the rear. He ordered a mixed force of militia, armed police and Te Puni's Te Ati Awa to start marching over the hills from the Hutt Valley to Pauatahanui. On 31 July this force set off, ascending the western Hutt hills nearly opposite Boulcott's farm stockade, and following an old native track over the ranges to the upper valley of Pauatahanui. On 1 August, just short of the pa, a minor chief, Te Wareaitu (or Martin Luther) of Wanganui, was encountered and captured.⁵⁴ He was later

⁴⁶ Wards, p 278

⁴⁷ The Whanganui Maori accused Taylor of being responsible for Te Rauparaha's arrest because, they said, he had sent a letter from Te Mamaku, asking them to come and join him and Te Rangihaeata, on to Grey. Grey then had used that as his justification for seizing Te Rauparaha. Taylor denied the accusation but later recorded that Grey had been thankful for the assistance Taylor had rendered him by his communications, see entries for 20 & 22 February 1847

⁴⁸ Anderson, p 48

⁴⁹ Burns, 1989, p 290

⁵⁰ see Wards, p 280; Burns, 1980, p 282

⁵¹ CO 209/46, 4 May 1847, cited in Burns, p 290

⁵² Wards, p 281

⁵³ *ibid*

⁵⁴ Cowan, pp 124-125; Wards, pp 281-282

court martialled and executed although others, whose "offences" were identical to his, were released, or never brought to trial. The incident did nothing to enhance the British reputation for justice and consistency.⁵⁵ Even Taylor, a stout supporter of Grey, thought it a disgraceful act.⁵⁶ Te Wareaitu's capture had been seen by some women who raised the alarm at the pa. The pa was abandoned without a shot being fired and was empty by the time the Hutt body reached it.

The scene of hostilities now shifted northwards. Te Rangihaeata and his group had taken refuge in the thickly wooded Horokiwi (Horokiri) valley. The government forces were strengthened in number by the addition of over 100 Ngati Toa men from Porirua, under the chief Rawiri Puaha. On 3 August these combined forces, under the command of Major Last, began the march up the valley in chase of Te Rangihaeata. It was a slow (and some what curious) advance as Major Last found it necessary to fell the trees and clear the route before continuing, leaving the troops following clearly exposed. On 6 August the scouting party reported that Te Rangihaeata positions was on the crest of the ridge which the troops had been forcing their way up. At a point where the ridge narrowed to a few yards, above a very steep slope, his followers had dug a trench and built a stockade of tree trunks and earth. They had cleared the area in front of it so that no sheltered frontal attack could be attempted. A preliminary investigation cost the attackers two killed and nine wounded. For several hours an irregular but heavy fire was maintained, for very little result. As night fell the troops were forced to fall back to their previous night's position.

The next day, Captain Henderson of the Royal Artillery brought up a detachment of eleven men and a subaltern, with two small mortars. On 8 August they began shelling the stockade, and after some difficulty, mainly due to the height of the trees, managed to land some shells within the stockade. But by this time, Major Last had concluded that Te Rangihaeata's intention was to kill as many of his troops advancing along the narrow spur as possible, before fleeing into the bush. He decided to advance no further, nor remain in their present position. On 10 August the troops were marched back to Pauatahanui, where the majority were boated back to Paremata. The Te Ati Awa and smaller group of Ngati Toa, under Puaha, were left on the ridge, working at their palisades and occasionally skirmishing with the foe.⁵⁷

The question arises as what were the motives of this section of Ngati Toa. Richard Taylor suggested that it was because they blamed Te Mamaku for Te Rauparaha's arrest.⁵⁸ However, one settler recorded that the Ngati Toa had extracted the bullets from their guns and fired blanks.⁵⁹ Te Mamaku was reported as saying that Puaha and Ngati Toa were their friends and while they had fired at them they took care not to kill them, and at night gave them ball cartridges and food. The *Spectator* later quoted Te Mamaku as saying that Puaha was able to give them more assistance than if he had actually joined them.⁶⁰ However, this was dismissed by Ameria, the wife of Te Rauparaha's eldest son. She claimed that although Puaha was a near relative of Rangihaeata's, "he had been faithful to the Governor". It had been some young men of his party that had given powder to "the enemy", not Puaha.⁶¹ Grey, in February

⁵⁵ Wards, pp 293-298

⁵⁶ Taylor, *Te Ika a Maui*, p 351

⁵⁷ Cowan, pp 125-130; Wards, pp 282-284

⁵⁸ Taylor journal, entry for 7 August 1846

⁵⁹ Wards, p 284

⁶⁰ Wards, pp 284-285

⁶¹ Taylor journal, entry for 18 February 1847

1847, told Taylor that he had forgiven Puaha, but he “appeared perfectly convinced of his treachery”.⁶²

On 13 August it was discovered that Te Rangihaeata and his force had quietly abandoned the place under cover of darkness and rain, moving northward along the narrow forested ridges of valley. The regular troops and militia having been withdrawn, the chase was left to the Te Ati Awa allies and the Ngati Toa, under Puaha. The pursuit was delayed by bad weather until 17 August, an indication, says Wards “of the enthusiasm of the Maori parties entrusted with this task”.⁶³ The scene of the pursuit was the roughest terrain imaginable. The forested ranges slanted steeply to the narrow belt of coastal flats; inland the landscape was a confusion of sharp and lofty ridges and narrow cannon-like valleys, each discharging a rocky bedded rapid stream. Te Rangihaeata, moving slowly because of the number of women and children, was forced to construct temporary fortifications as they progressed, where they could make a stand and give the non-combatants time to move ahead. They were determined to make no submission. Cowan says that it would have been a simple matter to descend to the level country on the sea coast north of Paekakariki but this was obstructed by Wiremu Kingi, and his branch of Te Ati Awa, who had promised Grey to block the beach, north and south.⁶⁴

The pursuing force caught up with the fugitives on 19 August, on the mountain crest of the Pouaha (Pouawha) range, inland of Wainui. The Te Ati Awa, moving to the left, had scarcely gone 300 yards before they were caught in an ambush. Three of their number were killed and one was wounded in the first burst of firing. In the sharp skirmish that followed four of Te Rangihaeata’s force was killed, including Te Pau, the Ngati Rangatahi chief who had led the party that killed the Gillespies. The fugitives eventually slipped away, making their retreat along the ranges inland of Waikanae and into the Manawatu county. Te Mamaku and his men made their way back to Wanganui, where they arrived on 24 September, apparently boasting openly of their exploits.⁶⁵ Hadfield, at the beginning of August, had dismissed Te Rangihaeata and his group as “a band of vagabonds - outcasts from various tribes, amounting to about 150”.⁶⁶ But this “band of vagabonds” had been able to defy about 1,200 British soldiers and sailors for eight months. The number rose to nearly 1,500 when the number of Maori and settlers who assisted was added.⁶⁷ Taylor, for one, thought that this was ridiculous but this only serves to show how slow the British were in learning lessons, the most important of which was that the coercion of Maori within their own areas was a difficult business.⁶⁸

Te Rangihaeata made his way to his pa named Poroutawao, an island in the swamps of the Manawatu. There he entrenched himself and vowed that the soldiers would never get him. Access to his pa was by a long narrow strip of land, running through deep swamps. The pa itself was on a mound, the only one in the vicinity, and strongly fortified, with thick lofty posts deeply sunk in the ground, and bound together with a connecting pole running round, at the height of about ten feet from the ground. Inside the outer fence there was another, behind which the defenders could post themselves and take aim through the outer one. The pa was divided into a number of small courts, each equally defended, and connected by very narrow

⁶² *ibid*, 20 February 1847

⁶³ Wards, p 285

⁶⁴ Cowan, p 132

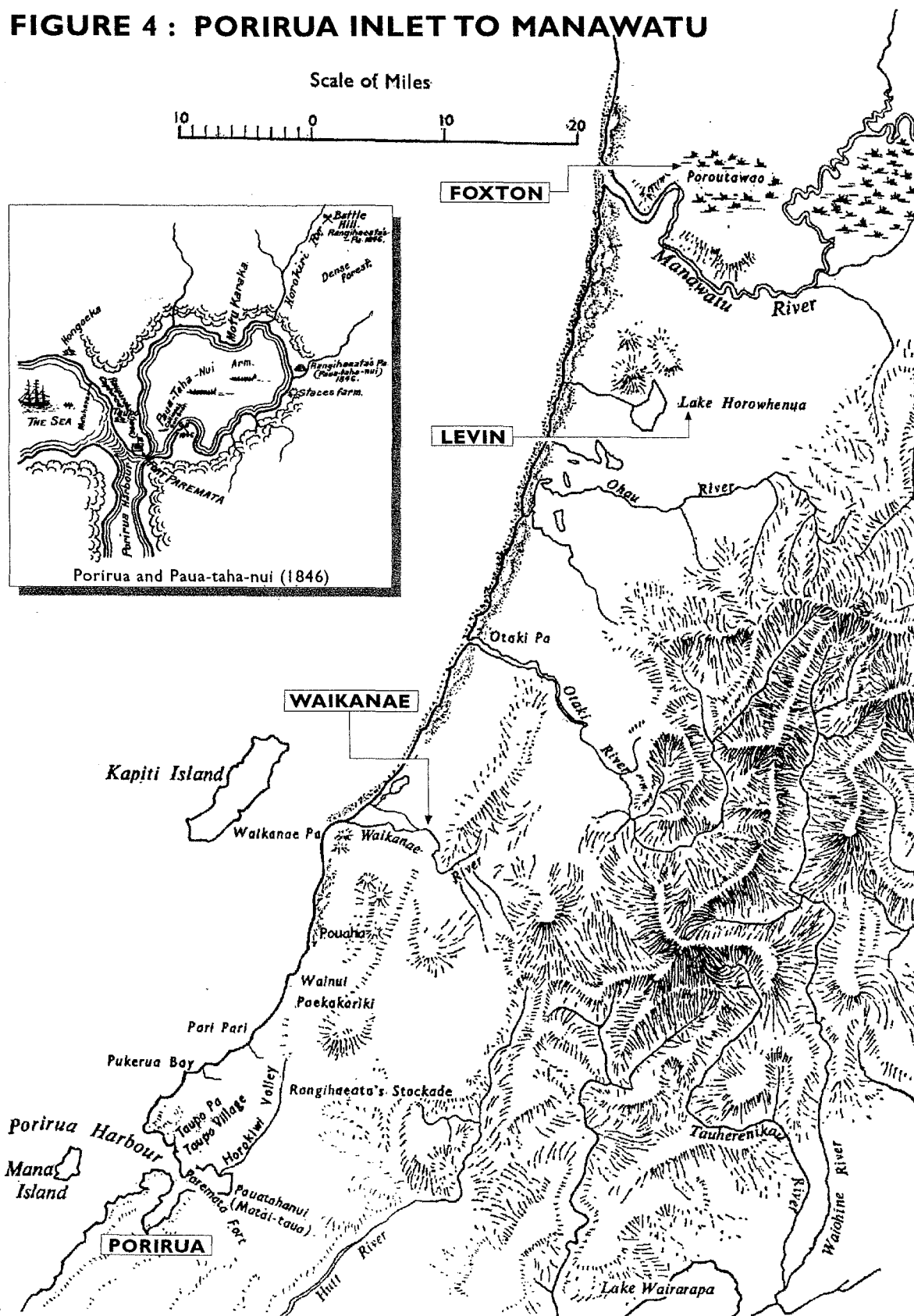
⁶⁵ *ibid*, pp 132-133; Wards, pp 285-286

⁶⁶ Hadfield, 1 August 1846, cited in Miller, 1958, p 95

⁶⁷ Taylor, entry for 25 September 1846; Belich, 1988, p 73

⁶⁸ see Belich, p 75

FIGURE 4 : PORIRUA INLET TO MANAWATU



passages.⁶⁹ Attacking Te Rangihaeata in the swamps was never seriously contemplated by Grey, who did not have the troops to attempt such an operation. Besides, the pacification of the Wellington province had been achieved, and the settlers could be placed on the land. "Military measures had overcome the slipshod land buying procedures of the New Zealand Company".⁷⁰ Te Rangihaeata was left to live out the final years of his life in peace.

The only prominent person in Wellington who criticised Grey's policy was the Crown prosecutor, R D Hanson. Grey's proceedings, he protested, had "been of such doubtful expediency, and so clearly unjust" to Ngati Rangatahi that he felt he could no longer remain in government employment. He resigned and so disgusted was he that he felt that he could no longer even stay in the country. At great expense to himself, he left the colony to try his fortune in Adelaide, where he had a distinguished legal and political career, being knighted in 1869.⁷¹ From Adelaide, in July and August of 1846, he wrote to Fitzroy setting out the whole story of the Hutt Valley, from the original "purchase", to the recent disturbances. Hanson insisted that "the Government was the aggressor, forcibly dispossessing the natives of land which they had occupied and cultivated, for several years, under a title which those who have most patiently investigated it believe to be well founded".⁷² He admitted that Spain had reported against the claim of Ngati Rangatahi but, he pointed out, they had never been brought before Spain's court, "nor was any evidence taken excepting with regard to the claims of the natives residing around the harbour".⁷³ Besides, Spain's "mere report could not operate to divest the natives of any land, which they might possess. Nor, had there been any sufficient evidence of the circumstances which I have detailed, do I imagine that even a grant from the Crown could have that effect".⁷⁴ On the contrary, their land had been guaranteed to them by Crown grant, from which,

they were driven, at the point of the bayonet; their property was stolen; their houses and enclosures burned and their crops seized. Perhaps I may attach too much importance to the mere legal rights of the natives under the grant: but I confess that I have seldom known an act which appeared to me more arbitrary and illegal.⁷⁵

There were a number of lessons to be learnt from the pacification of the Wellington district. Number one was the bad impression the regular troops made on the Maori when their ability to operate in the thick New Zealand bush was put to the test. It demonstrated that the British troops were not invincible and that their success, when it did come, was due to Maori support. The second lesson, which was not lost on the settlers, was that whatever concessions may have been made to Maori in the past, they could still get the land they wanted by the successful application of force. The last was, that in possessions and in justice, the Maori had become second class citizens on their own land.⁷⁶

⁶⁹ Taylor, *Te Ika a Maui*, p 339

⁷⁰ Miller, 1972, p 45

⁷¹ Hanson, p 3; Notes on Colonial Wakefield's Diary, p 30

⁷² Hanson, p 5

⁷³ *ibid*, p 10

⁷⁴ *ibid*

⁷⁵ *ibid*, p 11

⁷⁶ Wards, pp 274-300

CHAPTER 4

AFTER THE WAR

While Te Mamaku and his men returned to Wanganui, and Te Rangihaeata retreated into the Manawatu, Ngati Rangatahi made their way to the Rangitikei. There they occupied a pa on the south bank of the river, opposite Parewanui, a Ngati Apa pa, about five miles up the river. In 1849 McLean reported them to be living there on sufferance, but a year later, Kemp reported them as having settled there.⁷⁷ When Colonel McCleverty was appointed in 1847 to make final Native Reserve settlements in the Hutt, Ngati Rangatahi were not granted any reserves.⁷⁸ Interestingly though Kaparatehau, by 1850, had returned to the Hutt and was occupying the very spot which he had been commanded to give up.⁷⁹ Apparently he was to die and be buried there.⁸⁰

The rest of the Ngati Rangatahi from the Hutt appear to have stayed in the Rangitikei. In 1884, a report showing the hapu in the Rangitikei-Manawatu, listed them as having settled at Te Reureu since 1850.⁸¹ They were there in 1870 when McLean was sent to the Rangitikei to make reserves out of the Rangitikei-Manawatu block. This block had been purchased by Dr Featherston, superintendent of Wellington, in 1866 but no reserves had been included in the deed of cession. Featherston had feared that disputes about the location of the reserves would prolong the negotiations for the sale. He promised to make reserves of villages, cultivations, eel weirs, and grave sites to the residents of the block after the sale was completed. By 1870 Featherston's promised reserves had still not been laid off or Crown granted and Maori, in protest, were obstructing the survey of the land. It was then that McLean was sent to determine the reserves. McLean promised that Crown grants for the Rangitikei-Manawatu reserves he had awarded to the Maori would be issued immediately but by 1876 they had still not received the Crown grants to their reserves.

In 1882, Alexander McKay was appointed a Commissioner under a Royal Commission to enquire into Native Reserves in the Wellington Province. Some of the reserves promised in the Rangitikei-Manawatu district came within the scope of this investigation. In 1884 he reported on Reureu. A total of 4510 acres was to be divided between four hapu who MacKay found entitled to the reserve. These were Ngati Pukau, Ngati Waewae, Ngati Maniapoto and Ngati Rangatahi. Ngati Pukau and Ngati Waewae were to share between them 2550 acres, while Ngati Maniapoto and Ngati Rangatahi were to share 1960 acres.

This acreage did not take into account any land that had been taken for the road or railway line, or which had been lost by river encroachment. However, the position of the division line, between the two parties, was to be adjusted so as to ensure that the respective hapu maintained their houses, burial sites and cultivations, as far as it was possible. "Interference"

⁷⁷ Journals, of Sir Donald McLean 1839-1877 (typescript copy) ATL, entry for 3 March 1849; Kemp to the colonial secretary, 10 March 1850, IUP vol 7 (1420) p 237

⁷⁸ Miller, 1972, p 45

⁷⁹ Taylor journal, entry for 21 December 1850

⁸⁰ Anderson, 1996, p 44

⁸¹ MA 13/71, pp 374-378

with the cultivations was “not of so much consequence”, but interference with houses or burial grounds was to “be avoided as much as possible”.⁸²

It appears that some Ngati Rangatahi attempted to return to the Hutt, or at least to the Wellington area. In 1888 the Public Trustee applied to the Native Land Court for an investigation to determine the names of the people beneficially interested in the Native Reserves, Wellington town sections, the ‘tenths’.⁸³ During the course of the inquiry a claim was brought by Kere Ngataierua and others, representing the four hapu of Ngati Tu, Ngati Ronganui, Ngati Rangatahi and Ngati Ruru, to the Tiakiwai reserve. Kere Ngataierua submitted a list of 84 persons, who he claimed belonged to the four hapu, and who were residing at Tiakiwai at the time the land was sold to the New Zealand Company. But when it was asserted that the four hapu could not have been living at Tiakiwai at the time his whole claim collapsed. Ngati Rangatahi were even accused of not having arrived in the district until after the land had been sold to the company, even though it was claimed in evidence that Kaparatahau had assisted in Te Rauparaha’s invasion of the South Island.⁸⁴

The judgement denied any Ngati Rangatahi entitlement in the ‘tenths’ land on the grounds that they had not been resident “over the land in question”.⁸⁵ If the court was referring to only the Tiakiwai reserve, it had a point, but if it was also including the land in the Hutt in its judgement, then it was clearly wrong. Just how suspect the court’s judgement was is shown by its treatment of Ngati Toa. The court claimed that the only part of the country that they had preferred a claim to was the Porirua district. Ngati Toa had “made no attempt to prefer a claim to the land against the resident hapus at the sale to the Company in 1839 but allowed them to sell such portions as they were considered to be entitled to”. What the court imagined Te Rauparaha’s protestations to Wakefield at the time were about, or what the payment for the Heretaunga District in 1844 was for, or even what the war in the Hutt was all about, it is hard to say. It is clear though that the “reliable evidence” before the court was not as reliable as it claimed.⁸⁶ The 1888 Native Land Court judgement added nothing further to Commissioner Spain’s decision in 1845.

⁸² A MacKay, 9 February 1884, MA 13/71, p 458

⁸³ Wellington Minute Book 2, p 73, 20 March 1888

⁸⁴ *ibid*, p 104, 22 March 1888

⁸⁵ *ibid*, p 137

⁸⁶ *ibid*, p 134

CONCLUSION

Ngati Rangatahi, a hapu of Ngati Maniapoto, came from the Ohura Valley. Around 1821 a group of them left Ohura, under the leadership of Kaparatehau. Joining with Te Rauparaha's migration south, they arrived in Te Whanganui-a-Tara under the mana of Te Rauparaha and Ngati Toa. Ngati Rangatahi had a kinship link to Ngati Toa, through Te Rauparaha's paternal grandmother, Kimihia.

Ngati Rangatahi participated in chasing out the original occupants of Heretaunga (the Hutt valley) and in return were granted rights to the area by Te Rauparaha. They had times of residence at Porirua with access to the resources of the Hutt valley. They were not resident there at the time of the initial purchase, but returned to the valley where they resumed their cultivation rights in 1841. Although their cultivation use had been initially subject to Ngati Toa approval, by the mid-1840s, they considered themselves to have acquired independent rights and defied Te Rauparaha's efforts to remove them.

Their entitlement was rejected by the Spain commission on the grounds that they had not been resident in the valley in 1840. Their cultivations, however, whether intentional or not, fell within the terms of Fitzroy's 1845 grant which guaranteed to them "those tracts of land which are now used by the Natives for vegetable productions, or which have been so used by any Aboriginal Natives of New Zealand since the Establishment of the Colony". Despite this they were ordered to leave the valley. Ngati Rangatahi eventually agreed to leave peacefully, but Governor Grey then allowed his troops to desecrate their possessions. Ngati Rangatahi retaliated and Grey ordered in his troops. Ngati Rangatahi were finally forced to evacuate the valley. It was now clear that the peace and welfare of the colonists were to outweigh the rights of the Maori.

After the war, Ngati Rangatahi settled in the Rangitikei, on sufferance from the local iwi. Eventually, they were recognised as having acquired their own rights to the area. In 1884, Commissioner McKay found that they were entitled to a share in the Te Reureu reserve, out of the Rangitikei-Manawatu block. They were not granted any reserves when Colonel McCleverty was appointed in 1847 to make final Native Reserves in the Hutt valley.

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OLC 1/906 Evidence of Tonga
Kuri

31

Case 374

July 11th 1842.

Witnessed by J^r Evans.

on the part of
the New Zealand Company

Māwarapa alias Harawa, appearing to understand the nature of an Oath was duly sworn.

Q. What tribe do you belong to, and where do you reside?

A. Amua is the old name of the Tribe, the present name is Matihou; I live at Pipitea.

Q. Are you a Chief of that Tribe?

A. Yes; I am a Brother of Moturoa, I am an elder ^{friend} of Puhakawe.

Q. Do you recollect the arrival of the "Tory" and you go on board of her?

A. Yes, and I went on board.

Q. Tell us all that happened from the first arrival of the "Tory" that came within your own knowledge.

A. William Taka and I and my son Wirepoua took back Col. Wakefield's Boat to the ^{"Tory"} ~~beach~~ ^{beach} when we reached it the things of Col. Wakefield had been taken up on the Deck of the ship & divided; Dicky Barnett said to me, to William and my son "The payment is for the Sea the Europeans do not like the shore the

Witness
Māwarapa

live
Māwarapa - Maik

28 May 1942

Case 374

Examined by
Dr. Evans,
on the part of the
N. Y. Company.

Turinga Kurri alias Kaikaid - examined by the Interrog.
and it appearing that he did not understand the natives
an oath he swore as follows -

2. What is the name of the Tribe to which you belong?

a. *Kyotitama*

2. Are you the principal Chief of that Tribe?

A. Talone am the principal Chief.

2. Is the Ngatitama a Branch of any other Tribe?

d. They and the Kyatimutunga form one Tribe

2. Where is your principal Residence?

A. Kaiwarawara

2. Have you the same rank and authority over the Ngatimetur
Tribe, as over the Ngatitama Tribe?

a. Mare is the Chief of the Syatimatunga -

2. Are any of the *Xyatinatunga* Tube remaining at Port Nicholson, or are they all gone down to the Chatham Is.

A. They are all gone; the only people remaining are Tuhata.
^{Twice} ~~Twice~~ ^{Twice} ~~Twice~~ at Queen Charlotte's Sound.

2. What are the places belonging to the Agatitama Tribe in Port Nicholson and the neighbourhood?

A. Oaikaka, Naurima, Te Pakiaho, That is all -

W. Trust

Kacaca his mark

Robert. Gates

28 May 1842

Case 374

By J. Evans

Q. How long have the Ngatitama been settled in Port Nicholson?

A. A long, long time.

Q. Can you tell how many Summers is it since they went to the Chatham Islands?

A. Eight years.

Q. How many Summers had the Ngatitama ^{and the Ngatimutunga} been here before the

A. Forty years before they went to the Chatham Islands.

{The Interpreter adding that the natives have
Little Idea of estimating time.

Q. When you came here did you find any other natives living in the
harbour?

A. The Ngatikahuhune.

Q. Were there any of the present inhabitants then living here?

A. The Ngatikahuhune was living here, they were killed ^{and eaten} by the Ngatitama. { True

Q. Was your Tribe present, or any other assisting the Ngatimutunga?

A. My Tribe was there, we killed and eat the Ngatikahuhune.

Q. Where did your Tribe come from to this place?

A. From Mokaui.

Q. Why did your Tribe leave Mokaui?

A. It was on account of a war with the Waikata and Ngapuhi.

Witness

Robert Bates

Karaka ^{his} mark

28 May 1842.

Case 374

By Dr Evans —

Q. Did Mare come down with you?

A. Mare and Rauparaha ^{together} went to Kapiti before us, also Hiko and Rangiaiaata.

Q. Did these Chiefs all belong to the Ngatiawa Tribe?

A. All belong to Ngatitoea.

Q. What tribes do Puni and Maripori belong to?

A. The Ngatiawa.

Q. Did you join Mare at Kapiti, and did he accompany you to Port Nicholson?

A. No, I stayed ^{at} Kapiti and Mare came down here - I came down afterwards.

Q. Was that the first time your friends made war upon the Ngatikahukunu?

A. It began before that; Rauparaha commenced the fight.

Q. Had Rauparaha conquered the Ngatikahukunu before Mare came down?

A. No, ~~as~~ they were not conquered they still lived here.

Q. Did not Rauparaha give his Daughter in marriage to Mare?

A. Yes.

Witness
Wm. D. L. S.

Haeaea ^{his} mark

28 May 1842

Case 374

By Dr. Evans -

Q. Did not Rauparaka promise to give Mare Port Nicholson in consequence of the marriage if he could drive out ^{the} Ngatikohu?
A. I do not know.

Q. When your Tribe came down was Rauparaka your Chief?

A. Yes.

Q. After the Ngatitama and Ngatimatonga had settled down quietly in this place, which was the next Tribe that joined them?

A. Another part of the Ngatiawa Tribe.

Q. What were the names of the Chiefs that brought the last name people down?

A. Toharoa, Aretawangaunga.

Q. Did they come down to Port Nicholson?

A. No, they came to Haikanae.

Q. After you & Mare had settled at Port Nicholson who came here next?

A. Harepori, Puni & Moturoa.

Q. Did any other party come down afterwards?

A. No.

Q. What induced Mare to go to the Chatham Islands with his people?

Witness

Robert Gibbs

Iacaca

his

+ mark

28 May 1842

Case 374

By Evans

A. Hewent because it was a better place - better Land,

2. Was it not also because he was tired with the wars with the Ngatikahuhunu?

A. Hewent to look for a better Land, there were no Potatoes in this place -

2. When did Matangi come down?

A. With Warepori -

2. Was there any bargaining or buying and selling of Land ^{between the two} when Mare went away?

A. Mare said to Warepori, "Ware, remain here, here is your Land"
"Poneke"

2. What did Warepori give to Mare on that occasion?

A. Nothing; I did not see.

2. Did not the whole of this place and the neighbourhood belong you and Mare alone, before the others came down?

A. Yes.

2. After the Departure of Mare, was it not the case that you kept your own Land; and that all the rest of the Land which had belong to Mare became the property of Warepori and his people?

A. Yes.

2. Do you know the Boundaries of all the Land in this District that ever belonged to the Ngatikahuhunu or Ngatikahuhunu?

A. Yes I do know them -

Witness

Robert Carter.

his
mark

[illegible]

Case 374

27 June 1842

Examined by J^r Evans
on the part of

The New Zealand Company.

Taringa Hui, Hiaia / not appearing }
to understand the nature of }
his oath. Stated as follows }

Q. Do you remember the first arrival of the "Dory" in
Port Nicholson?

A. Yes.

Q. Do you remember conversing with Richard Barrett
that time about the Sale of Land?

A. No.

Q. What did Richard Barrett say to you at that time?

A. He said to me "Huri, do you and your childrens see
that the ship go to Wairau," but Wairau said
"let the thing be landed here," Barrett said -
that he would put the things for the Harbour
shore.

Q. Did you go on board the "Dory" yourself?

A. Yes.

Q. Look at the Deed now produced and tell the

Witness
Robert Hales.

Hiaia ^{his} mark

Case 374

27 June 1842

Examined by Dr. Evans
on the part of
The New Zealand Company.

I. Look if that is your signature

The Deed having been shown to
the witness he answered.

A. Yes

I. What explanation did Richard Barrett give you
of the contents of that Deed?

A. The words that Barrett said to me were
"Be not angry about your Land - the payment is
for the sea - the shore is not good - the Europeans
do not like the Land it is all Mountains and
Stones - The Flour of the Europeans will not grow
there".

I. Did Barrett give you no other explanation of the
Deed? is that all he said to you?

A. That is all.

I. Were you present when the other Chiefs signed
Deed?

A. Yes.

Witness
Robert Gater.

Harara his mark

Case 374

29 June 1842

Examined by Dr. Evans

on the part of
New Zealand Company

Q. Did you see the payments given?

A. Yes.

Q. What part of the payments did you receive yourself?

A. Three Kegs of powder, Six blankets, one bag of Muskets, part of a bag of Tobacco, three portions of the three pair of trousers, three jackets, ten axes, ten iron pots, three shovels, 50 Jews Harps, Ten pairs of de. fifty fishhooks, ten tombs, ten pieces of soap, an umbrella, & three warporters. that is all.

Q. Did any other chiefs of the Ngaitama Tribe receive any ~~other~~ part of the payments besides yourself?

A. Only myself.

Q. Did you give any portion of this payment any of the people of your Tribe?

A. I distributed the goods amongst them.

Witness

Robert Tates

Maerea ^{his} mark

Case 374

27 June 1842.

Examined by Edw. James
on the part of
the New Zealand Company

Q. What was said to you about Europeans coming to settle here

A. Nothing was said.

Q. Was nothing said by Col. Wakefield or Richard Ba or any of the People in the "Boat" about Europeans coming to settle either here or in this neighbourhood

A. Yes, to Petoa.

Q. Did Col. Wakefield leave any white man behind him to take care of the Land which he had bought?

A. He left Smith with Warepouri at Ngauranga

Q. Why was Smith left there?

A. To take care of some wine and things that Col. Wakefield had left there.

Q. Where were these things deposited?

A. At Ngauranga.

Q. Had Col. Wakefield purchased Ngauranga at that time?

Witness
Robert Gates.

Maiaed his mark

Case 374

27 June 1842

Examined by Dr. Mans.

on the part of
New Zealand Company.

A. Yes

Q. What other Land had he purchased at that time in Port Nicholson or the neighbourhood?

A. From Ngauranga to Petone.

Q. Into how many portions was the payment from the "Tong" divided?

A. Six.

Q. Were those portions all equal, and who made the division?

A. Yes. Warepouri, Puni and myself divided them into parcels.

Q. Why did you divide them into six parcels?

A. One for Waimetu; One for Petone; one for Ngauranga; one for Kaiwarawara; one for Pipitea; One for Kumatoto and Te Wro.

Q. Did Kumatoto and Te Wro have only one portion between them.

A. Only one

Witness

Robert Gales

his
Taeaea x mark

Late 374

27 June 1842

Examined by J. Evans
on the part of
The New Zealand Company

Q. Why was that

A. Because there were no more guns

Q. Who was the chieftain that received that portion
and divided it between the people of Tumatoto
and Te Aro?

A. Tako brought to Te Aro

Q. Is Tako a chieftain of the Paki Te Aro?

A. He is not a Chief of Te Aro.

Q. What induced Tako to divide the portion between
the people of Tumatoto and Te Aro?

A. Warepouri said that it should be taken to his
sister, Toko's wife, at Te Aro.

Q. Do you know what goods were sent to Te Aro?

A. The last of guns, is all known of.

Q. Did you see the parcel of goods made up for the
people of Te Aro?

A. Yes, Toko, Pahi, Hopoka, divided them; the Taranaki
part of the Paki had none.

Witness

Robert Jones

his
Kareka + mark

Case 374

27 June 1842

Examined by D^r Evans
on the part of
New Zealand Company

Q. What was the reason the Taranaki part of the Paki had none of the goods?

A. Because there were not enough goods - Col. Baker was stingy.

Q. Did the people at Pehui and Ngawanga have separate portions, or one portion between them?

A. Separate portions

Q. Did the people at Marama receive a canoe for themselves?

A. No.

Q. Do you remember the a Talk taking place on shore before the signing of this Deed at which Pahakawa was present?

A. I do not know.

Q. Do you remember any meetings of the people taking place to talk about the selling of the Land ^{to Col. Wakefield} after the arrival of the "Tory"?

A. There was a Talk at Pehui about selling the Land

Witness

Robert Gates

Kareka ^{his} mark

Page 374

27 July 1842

Examined by Dr Ewins
on the part of

New Zealand Company.

A. Waripouri said "The ^{shall} ~~Hutt~~ would be the place for
Col. Wakefield; About one hundred Natives were
present.

Q. Which of the principal Chiefs were present?

A. Puni, Tukoto, Tuarau, Matahiwi, Pakakawa; all
Natives of the Aro, Kumatoto, Pipitea, Huiwarawara
Ngauranga, Ohariu, Poroma. No meeting took
place before the receiving of the Goods, about

selling the Land; but the meeting I am alluded
to was that of the War dance at Petone.

Witness

Robert J. Galt

Signed before me in Court

William Hall

Commissioner

Taeaea

his

X mark

A true interpretation

John Galt
Interp.

Case 374

29 June 1842

Taringa Huri, stated as follows—

Examined by D.^r Evans
on the part of
the N. Z. Company

Q. Tell you what took place at the meeting at
Petoni, after the distribution of the goods.

A. The talk was that all the Natives should let
Col. Wakefield live at Petoni.

Q. Who was it invited the Natives to attend
that meeting at Petoni?

A. Warapouri and I.

Q. What was the object of calling that meeting?

A. To go there and talk about giving Petoni to
Col. Wakefield.

Q. If Petoni belonged to Puni and Warapouri, a
interest had the ^{other} Chiefs of the ~~other~~ ^{other} Paks in
attending such a meeting?

A. They went to hear the talk of Warapouri about
giving Petoni to Col. Wakefield.

Q. Do you remember the time of signing the

Witness
Whit. Tals ^{his} Kaara & mark

Case 374

29 June 1842

Examined by Dr. Evans

on the part of
the N. Z. Company.

Q. Did on board the ship hearing Warepouri
describing the boundaries of land any
land to Col. Wakefield?

A. No.

Q. What is the Do you see

Q. Can you recollect the names of the principal
chiefs who attended that meeting at Petou
and the number of Natives who were pres.

A. The Natives of all the Taks - viz Te Aro.

Humatoto: Peputa: Rawimua: Takuao:

A. Kaiwarawara; Okarui; Ngawanga; Petou
and Waiweta, were there.

Q. Were any of the Natives of Paryua there

A. Yes, there were ^{the} Ngatiraungatahi Tribe.

Q. What are the principal Chiefs of that Tribe, &
were they present at that meeting?

A. Te Kohera; Ririhi; Papāhukahu; Hore; Teahuta;

Nakaherea; that is all they were all these

Witness
Robert. Yates.

his
Aacaea & mark

Case 374

29 June 1842

Examined by D^r Jones
on the part of
the New Zealand Company.

A. I invited them.

Q. Are those the natives who lately took possession
of some Land at the Hutt?

A. Yes.

Q. Was that Land they so took possession of
included in the Land sold to Col. Wakefield?

A. Yes.

Q. On what ground did they take that Land to
Col. Wakefield?

A. That Rauparaha and Watanui should come
and fight with us.

Q. What reason had you ^{for} fearing they would do so?

A. Rauparaha was offended because the place was
taken up by the Ngatitawa.

Q. Did Rauparaha ever claim that Land, and who
were the grounds of his claim?

A. Yes we killed all the men of the place

Witnesses
Robert Jones
Kaeaka his mark

29 June 1842

Examined by Dr Evans
on the parson

the N. Z. Company.

Q. What Land did Rauparaka claim in this neighbourhood.

A. His all Rauparaka's

Q. What determination did the chiefs come to at the meeting at Petoni?

A. They agreed to let Col. Wakefield have Petoni -

A. We never sold Hainarawara, Raurimu, Pākūai, Repitua; this place Te Aro. Col. Wakefield and Drury Barnett took ^{Kumototo} possession - the Europeans forcibly took possession of the place.

Q. When did they take forcible possession of the places you have described, and in what way?

A. After the Treaty about two years ago Dr Evans took possession of the Land - he was here, and told the Europeans at Petoni to come here that this was the Land of Col. Wakefield

Witness
Wm. Hall

his
mark

Case 374

29 June 1842

Examined by D^r Evans
on the part

The N. Z. Company.

Q. Was there any fighting or violence used upon that occasion, and if so by whom?

A. No.

Q. Then what did you mean by saying "they took forcible possession?"

A. The Europeans all came over here in such a boat.

Q. Did the Europeans use any threats towards natives upon this occasion?

A. No, the Europeans said to the Natives "go and live in the mountains, go and live in the sea."

Q. Were you told at the same time that land would be reserved for you in the town and in the country?

A. No.

Q. Do you not know at this time that portions of land are reserved for you and your children in the town and in the country?

A. No the Europeans took it all

Witness
Robert Gates Hareea his
+ Mack

Case 374

29 June 1842

Examined by D^r Evans
on the part of

Q. Have the Europeans settled on your land,
and did you object to it?

A. Yes, Warepouri and I were angry, we
wanted Mr. Murphy to tie up the man
who took our land. They pointed guns
at us.

Q. Who were the parties that did so?

A. Yes, Mr. Donald pointed a pistol at
and Warepouri.

Q. Did you quarrel about nothing but the
Land? at the time you allude to?

A. Warepouri and I were talking about the
Land at the time

Q. Was that before or after the ^{Maori} Native was
found dead at Te Ro?

A. ^{No} it was a long time ^{after} after. The pointing
of the pistol at myself, Warepouri took place
a short time ago, after the Native was found

Witness

Robert J. Jones

Maara

his
mark

Case 374

29 June 1842

Examined by G^d Evans
on the part of
the New Zealand Company

Q. Were you and Waeapouri armed at the time
and what did you say or do to Mr. Mc Doni

A. We were not armed, only the European
was armed, we were only talking about the
Land. We went to ask Mr. Mc Donald for
payment for the Land: he said "no, Col.
Wakefield has given you quite enough
payments."

Q. What did you and Waeapouri then say to
Mr. Mc Donald?

A. I am very anxious to go home, I will now
and tell you all about it tomorrow.

Witness

Robert Galt.

his
Jacaca X mark

Signed before me and with me

William Evans

Commissioner

a True Interpretation

Geo Clarke
Interpreter

Case 374

August 31st 1842

Taringa Kuri alias Kaiaea
examined by Dr. Evans, on
behalf of the N.Z. Company

Q. The last time you were examined you said you would return here and tell us about your quarrell with Mr. MacDonald - with you now to do so.

A. The name of the person I spoke of is Makiwara, not Mr. Donald - I do not know where he is living.

Q. Then you did not mean Mr. W. Donald living at Taiwarawara near your Pa-h?

A. No, it was Makiwara.

Q. Where did Makiwara live at the time the transaction took place?

A. His house was on some cultivations ~~at~~ ^{belonging} to Ngauango.

Q. Was Makiwara at that time living on your Land?

A. No, it was on Warepouri's Land. I went with Warepouri.

Witness
Taringa Kuri
his Name
Mark

August 31st 1842.

By D^r Evans.

Case 374

Q. Who are the chieftains that had a right to sell Kaiwarawara, at the time of the arrival of Colonel Wakefield?

A. Wakakako, Rawi Paka and myself.

Q. Did each of these receive a part of the payment from the "Tory"?

A. I distributed some goods amongst them.

Q. Which of the chiefs of Kaiwarawara were aboard the "Tory" when the deed was done?

A. Only myself, ^{my son} Rawia, and Rawi that is at

Q. When you distributed the goods was any thing said as to what land they were the payment for?

A. No, I only told them that it was for the Sea

Witness *Rawi Paka* his
Tarniga & Kuri
marks

Case 374.

August 31st 1842.

By the Court

Q. Who are the Principal Chiefs of Te Aro?

A. Parai, Ngaponga, Tawarahi; Pakuahi is the old chief.

Q. What Land at Port Nicholson do they claim?

A. Te Aro.

Q. Who are the principal Chiefs of Kumatoru?

A. Tako,

Q. What Land at Port Nicholson does Tako claim?

A. Kumatoru.

Q. Is that all the Land Tako claims?

A. That is all.

Q. Who claims the Land at Waiaetia?

A. Matahiwi, and Pukakaawe, that is all.

Q. Who are the principal Chiefs of Repi?

Witness Robert H. G. Jones for the
Tamea + Muri
Marby

August 31st 1842.

By the Court.

Case 374

A. Moturoa & Wairarapa.

Q. What Land do they claim?

A. Papeete up to the mountains.

Q. Who are the principal chiefs of Ngauru,

A. Warepou, Matangi, and Tetou; and
and Maru, are the chiefs ~~on the~~ of the
other side of Papeete.

Q. What Land at Port Nicholson do the
chiefs of Ngauru claim?

A. ~~Ngauru~~ Pakakā belongs to Warepou;
Puni; Ngauru belongs to Warepou.

Q. Who are the principal chiefs of Tetou?

A. Puni, Mahau, Tuari, and ~~Tetu~~
Teatuawera.

Q. What Land do they claim?

A. Teaho, Tekapawai, and Tetou up to the
mountains.

Witnesses: Wharao, Ota, Tama, & Tani
Mark

Case 374.

August 31st 1842.

By the Court
L

Q. Do you think that Puni and Warepoua had a right to sell all the Land claimed by the Chiefs of Te Aro - Huarato, Repitea, Raiwarawara, Waiwatu to Colonel Wakefield, without their consent?

A. No.
Is there a custom amongst the Natives that all they acknowledge Chiefs or Superiors amongst each Tribe, yet that different inferior men hold lands for cultivation which no one has a right to sell without their consent?

A. Every man must consent to sell his own Cultivations no other person can take it.

Q. Did you ever know an instance where a free man had cleared and cultivated a piece of Land for his own benefit, that a Chief or a Superior took that Land away from him, or sold it to another without his consent?

Witness
Wm. M. C. J. Taringa

his J
& then
Mark

MA 13/71 Rangitikei - Manawatu.

- List of hapu occupying
the Reureu Reserve.

Name	Shape	Residence & Claimant		Remarks
		Permanent	Temporary	
Paranilla de Lian	Spitzförmig	Tarpo		Dead
Erwin Paranilla		"		
Karalia de Rota	Spitzförmig	"		
Aemur	"	"		
Permalia de Kerypa	"	"		
Pimuliti de Kales	"	"		
Pimuliti de	"	"		
Uakurulo	"	"		
Pakake	"	"		
Kerapora de Kuro	"	"		
Pam de Lian	"	"		
Kerino	"	"		
Karapota de Liana	"	"		
de Malinehne	"	"		
Erin	"	"		
de Lian	"	"		
Lup	"	"		
Paiomoris	"	"		
Ramora	"	"		
Wakamawa	"	"		
Kemi Mokena	"	"		
Koropapera				
Kawa Kape	Spitzförmig			
Kerema	"			
Kipirini Puta	"			
Caigolia	"			
King de Liana	"			
Pori	"			
Reveli Kanana	"			

located in the mountains of the Province of
 Pinar del Rio, 1850.

Name	Skops	Residence of Claimant		Remarks.
		Permanent	Temporary	
Rameria	Ngatirangatali	Purima		<u>Dead.</u>
Hirawano	"	"		
Kery, Kerye	"	"		
Hakarara	"	"		
Hoani	"	"		
Kolua	"	"		<p>See Note on preceding page</p> <p>Notes:- The Ngatiranga tribe fought under 2 Rangatiras in the last war, and often made Red work. Henry & Ann settled at 2, Hauer.</p>
Keremini	Ngatimamafoto	Lampo		
Kori Paora	"	"		
Pitara	Ngatirana (New Kaituma)	Purima		
Kori Papahua	Ngatirangatali	"		
Matenga	"	"		
Kereti	"	"		
Wieruna	"	"		
Ngakurku	Ngatimamafoto	Lampo		
Paora Lala	Ngatirangatali	Purima		
Kori Tama	Ngatipikahu	Lampo		<p>See Note on preceding page</p> <p>Henry & Ann settled at 2, Hauer.</p>
Puri Letan	Ngatimamafoto	"		
Maata & Lapuka	Ngatipikahu	"		
Purika	"	"		
Ngaroi	"	"		
Kura	"	"		
Maata Hauer	"	"		
Wairi	"	"		
Erena Kakeke	Ngatirangatali	Purima		
Purika	Ngatipikahu	Lampo		
Kahupokipahi	"	"		<p>See Note on preceding page</p> <p>Henry & Ann settled at 2, Hauer.</p>
Milipetka	Ngatipikahu	Wairi		
Kiraka	"	Lampo		
Koka	"	"		
Enamara	"	"		

Name	Kapu	Residence & Claim and		Remarks
		Permanent	Temporary	
Pareka	Hytirungatoh	Poruru		
Merama	Hytirungatoh	Tampopo		
Ruta Koruru	Hytirungatoh	Okato		
Orilia	Hytirungatoh	Tampopo		
Roroha	"	"		
Parelanwhiti	"	"		
Ngamfhi	"	"		
Retina	"	"		
Marima	"	"		
Triopa	"	"		
Parepetu	"	"		
Pangikapama	"	"		
Le Hyopopo	Hytirungatoh	Poruru		
Whakaoke	Pangitama (wicker stand)	Potatohu		
Okurki	Hytirungatoh	Poruru		
Roka Paki	Hytirungatoh	Potatohu		
Roka Okuru	Hytirungatoh	Poruru		
Kura Le Pahu	"	"		
Pora	"	"		
Kinetiki	"	"		
Maheue	"	"		
Ruta Tomahua	"	"		
Orilia Le Retia	Hytirungatoh	Potatohu		
Kinuwai	Hytirungatoh	Poruru		
Meretini	"	"		
Kurini	"	"		
Ngopunga	"	"		
Tampunga	"	"		
Le Kinatua	"	"		

Le Remen
remeny

See Appendix Page

Manned to a Hytirikohu
man

[illegible]

List of Names—belonging to the Ngatumanisapo.
 and Ngatumanisapo brother occupying the—Rensow Rensow
 at the date it was set open by Mr. M. L. M. in 1870. 71

1 Ravini to Koka	41 Laahona Tarikamu	d +
2 Wiari Ramin	42 Kumanama Kahoma	d x
3 Koria Wiari Ramin	43 Meri to Heteke	d
4 Tawhitani	44 Rini to Rukawiteiri	
5 Hama	45 Ruma to Rukawiteiri	
6 Kothapora	46 Keremete	d
7 Mawaka	47 Kunga Keremete	
8 Tawiti	48 Pika Keremete	
9 Ruma	49 Miti Keremete	
10 Rangitohu Poutama	50 Ho Pata to Oho	
11 Kamaura Pama	51 Tawitani to Pahi	
12 Koka Kama	52 Muka Katakara	
13 Koma	53 Tuka to Taitake	
14 Koringu	54 Katakara to Witi	
15 Kaka	55 Pika Katakara	
16 Witi	56 Wini Katakara	d
17 Koka	57 Katakara Katakara	d
18 Tawiti	58 Tahama Kaka	d x
19 Pika	59 Koka Tahama Kaka	
20 Katakara	60 Ruma to Katakara	
21 Koringu	61 Kaka Ruma	
22 Kamaura Kamaura	62 Muka Pama	d
23 Patawiti	63 Tawitani to Tawitani	d
24 Muka Pama	64 Te Pama	d
25 Pika	65 Te Rangitawitani to Pama	
26 Teotima	66 Pika Kamaura	
27 Kapa	67 Koma Poutama Tawitani	
28 Kamaura	68 Kori Koma	d
29 Rangitawitani	69 Tawitani Kori	
30 Rukawiti	70 Tawitani Kori	d
31 Rangitawitani	71 Koma Kori	
32 Rukawiti	72 Pika Koma	
33 Tawitani	73 Tawitani	
34 Tawitani	74 Katakara Tawitani	d
35 Koka Tawitani	75 Katakara Tawitani	
36 Kamaura Katakara	76 Katakara Tawitani	
37 Koka Kamaura	77 Katakara Tawitani	
38 Tawitani	78 Katakara Katakara	
39 Koma Tawitani	79 Tawitani to Katakara	
40 Kamaura Tawitani	80 Koka Pika	d
	81 Pika Pama	d
	82 Pika Pama	d

- 83 Tameri Patu
- d 84 Paramene te-Rangar
- 85 Hori Papa ahu Iru
- 86 Keepu te-Raken
- 87 Te Naiti Hikiaru
- 88 Horiaparu ~~Horiaparu~~ Ngahana
- 89 Karewa
- n 90 ~~hore te-Ran~~
- 91 Konanu Karewa
- n 92 ~~Horiaparu Karewa~~
- 93 Te Kai Rangahau
- 94 Kauruau
- n 95 ~~horiaparu~~
- 96 Ngahauke Ngahana
- 97 Ngahana Ngahau
- 98 Horiaparu te-Rangar
- n 99 ~~horiaparu~~
- n 100 ~~horiaparu~~
- 101 Kame Marau
- d 102 Hapiu
- n 103 Horiaparu (Horiaparu)
- n 104 ~~Horiaparu~~
- 105 Te Pake Hapiu
- n 106 ~~Hapiu~~
- n 107 Horiaparu Hapiu
- 108 Te Horiaparu Horiaparu
- 109 Horiaparu te-Rangar
- 110 Horiaparu Horiaparu - Horiaparu
- 111 Horiaparu Patu

approved L. M. S. M. S.

Jul 18

Penren

Less of Ngahiangatatu

(51)

- | | | | |
|----|----------------------|----|------------------|
| 1 | Taita-ke-Katou | 32 | Taita-ori Palua- |
| 2 | Kakarua-ke-Katou | 33 | Palua-ke-Katou |
| 3 | Amara Hamora | 34 | Tanapala-Hamara |
| 4 | Rangatatu | 35 | Taita-ke-Taita |
| 5 | Tou Rangatua- | 36 | Retimara |
| 6 | Roku Taita | 37 | Palua-ke-Katou- |
| 7 | Kamapiu | 38 | Whiti Taita |
| 8 | Taita-ama | | |
| 9 | Am Taita-ama | | |
| 10 | Kamapiu Taita-ama | | |
| 11 | Katou | | |
| 12 | Miriamu Katou | | |
| 13 | Kewaka-ke-Puakimiri | | |
| 14 | Taita-ke-Puakimiri | | |
| 15 | Kanga Kereke | | |
| 16 | Pita Kereke | | |
| 17 | Kipala-ke-Oha | | |
| 18 | Pita Kakara | | |
| 19 | Kakara-ke-Aitua | | |
| 20 | Peh-Kakara | | |
| 21 | Roua Taita | | |
| 22 | Kewaka-ke-Kakara | | |
| 23 | Te Rangikamira-ke-Pu | | |
| 24 | Peh-Kamapiu | | |
| 25 | Emu Taita | | |
| 26 | Amara Kereke | | |
| 27 | Pouhara Amara | | |
| 28 | Taita | | |
| 29 | Pouhara Kereke | | |
| 30 | Hamora Kereke | | |
| 31 | Hohepa Kereke | | |

