

CHAPTER 10

TARANAKI

10.1 Principal Data

10.1.1 Estimated total land area for the district

The estimated total land area for district 10 (Taranaki) is 1,985,242 acres.

10.1.2 Total percentage of land in Maori ownership

The total percentage of land in Maori ownership in district 10 (as calculated from 1940 *Historical Atlas* maps held in the Alexander Turnbull Library) was 96 percent in 1860, 28 percent in 1890, 14 percent in 1910, and one percent in 1936 (or approximately 5.2 acres per head according to the 1936 population figures provided below).

10.1.3 Principal modes of land alienation

The principal modes of land alienation in district 10 were:

- New Zealand Company purchases;
- Crown pre-emption purchases;
- confiscations (including subsequent purchases);
- Native Land Court purchases; and
- sales under Maori land boards and the Maori Trustee.

10.1.4 Population

The population of district 10 was approximately 4000 to 5000 in 1840 (estimated figure), 3114 in 1891 (estimated from census figures), and 3828 in 1936 (also estimated from census figures).

10.2 Main Geographic Features Relevant to Habitation and Land Use

The boundaries of this research district stretch eastward from a point just south of Mokau and then south-east to the Whanganui River. After following the west bank

of the river, the boundary runs south to the coast between the Waitotara and Whanganui Rivers. To the west, the district is bordered by the Tasman Sea.

The principal geographic feature of this district is Mount Taranaki. The fertility of the district is due largely to the rich volcanic soil and the drainage from the mountain. While much of the district in the nineteenth century was dense bush, a strip of land along the coast had been cleared by Maori for cultivations and habitations. The rugged eastern area of the district was by nature more inaccessible. The coastal boundaries of this district provided Maori with ample food resources, including both fish and shellfish from the coastal reefs. This was supplemented by food resources from the fertile valleys of the numerous rivers that drained into the Tasman Sea. In recent years, Taranaki has witnessed the large-scale development of the district's energy resources of oil and natural gas, both on- and offshore.

10.3 Main Tribal Groupings

Kaumtua before the Waitangi Tribunal for Wai 145 stated that their ancestors derived from two sources, the Kahui Maunga (family of the mountain) and the Tangata Waka. Aotea, Tokomaru, and Kurahaupo are the principal Taranaki waka. According to Taranaki traditions, Patea was the final resting place for the Aotea waka, and it is from this waka that the southern Taranaki iwi trace descent. North Taranaki iwi whakapapa to the Tokomaru waka, which made final landfall at Tongaporutu. There is debate over whether the Kurahaupo waka reached New Zealand, but its crew are said to have eventually settled in Taranaki, their descendants being the central Taranaki iwi. Figure 4 in *The Taranaki Report: Kaupapa Tuatahi* shows the iwi boundaries within Taranaki. In the case of Rangahaua Whanui district 10, there may be some overlapping interests with Ngati Maniapoto to the north and Whanganui iwi to the east.

Conflict between Taranaki iwi and iwi from further north is a constant theme of the early part of the nineteenth century. Wave after wave of taua came south to Taranaki, principally containing combinations of Tainui, Ngapuhi, Ngati Whatua, Ngati Raukawa, and Ngati Toa. Owing to kinship ties, some north Taranaki iwi for a time avoided casualties, but they were inevitably drawn into the conflict. The result of these continuing raids was a number of heke, or migrations, by mostly north Taranaki iwi to Otaki, Waikanae, Whanganui a Tara, and even the South Island. Some Maori remained to 'keep the fires burning', and they retreated into the dense bush inland or to offshore refuges like Nga Motu. South Taranaki iwi apparently remained, having reached peace with the Waikato iwi.

Of those iwi who had migrated south, a group of Ngati Mutunga and Ngati Tama went to the Chatham Islands in 1835. Some returned to Taranaki in the late 1840s.

Figure 17: District 10 (Taranaki)

10.4 Principal Modes of Land Alienation

10.4.1 Pre-1840 purchases (including approved old land claims and surplus lands)

Colonel Wakefield arranged two purchases at New Plymouth by deeds that were drawn up on 15 February 1840 (after Hobson's proclamation on 30 January 1840 and the Treaty of Waitangi on 6 February 1840). The completion of the deeds saw the distribution of an assortment of guns, blankets, and other chattels. The first of the deeds, 'Nga Motu deed', purported to purchase an area extending from New Plymouth to embrace the coastal lands of north Taranaki. Included in the deed was the Maori settlement of Waitara, the value of which was recognised by Maori and European alike. The size of the block is uncertain, although it was obviously large.¹ The second deed was for land directly south of New Plymouth, which was also a large area of uncertain size. In both transactions, the company undertook to retain 10 percent of the land purchased for Maori purposes. In May 1844, the Spain commission commenced its inquiries into the Taranaki transactions, at which point the company withdrew all but the Nga Motu claim, for which the commission recommended an award of 60,500 acres, while reserving a tenth for Maori purposes. When Maori protested, an agreement was reached, whereby the FitzRoy block of 3500 acres at New Plymouth would be transferred on the condition that the settlers expanded no further than its boundaries.

10.4.2 Pre-1865 Crown purchases

Over a period of 15 years (from 1844 to 1859), purchases were made of 75,378 acres either side of New Plymouth – land that had been included in the New Zealand Company's deeds for either central or northern Taranaki.

Transactions were effected by the Governor in relation to five blocks of land (amounting to 27,000 acres) during 1847 and 1848. The blocks were the Tataraimaka block of 4000 acres (with no reserves), bought for £150, and the Omata block of 12,000 acres (with two reserves totalling 381 acres), bought for £400, both from Taranaki hapu; the Grey block of 9770 acres (with four reserves totalling 1187 acres), bought for £380, Cooke's farm of 100 acres (with a single five-acre reserve), for which cattle were preferred as payment, and the Bell block of 1500 acres (with a 165-acre reserve), bought for £200, all from Te Atiawa.² In 1853 and 1854, the Crown also effected transactions for two further blocks that amounted to 30,500 acres.³ These were the Waiwhakaiho block of 16,500 acres (with 17 reserves amounting to 2663 acres), bought for £1200, and the Hua block of 14,000 acres (with four reserves amounting to 250 acres), bought for £3000. Both deeds were negotiated with Te Atiawa. In 1859, the Governor purported to have acquired from

1. Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington, GP Publications, 1996, p 23

2. Ibid, p 30. Turton deed numbers for these purchases are 6, 7, 8, 9, and 10, respectively.

3. The Turton deed number for the latter purchase is 15 (the earlier one is unknown).

Te Atiawa a further 14,000 acres (the Tarurutangi block) with a single 10-acre reserve, for which £1400 was paid.

In 1863, the purchase of the Waitotara block, a transaction that had begun in May 1859 with the payment of £500 to some 13 Maori, was completed with the payment of an additional £2000 to some Nga Rauru. Eight reserves totalling 6713 acres were created.

In November 1859, a £100 advance was made on the Pekapeka block at Waitara. On 24 February 1860, a deed of purchase was executed for the block with a section of right-holders. Boundaries were listed in the deed, but no reserves were allocated. Payment of £500 was made. The Te Atiawa tribe under Wiremu Kingi resisted the survey, and the army was sent against them. War followed.

10.4.3 Pre-emption waiver purchases

There were no pre-emption waiver purchases in district 10.

10.4.4 Confiscations

During 1865, some 1,199,622 acres of Taranaki land were proclaimed confiscated under the New Zealand Settlements Act 1863.

The proclamation of 26 October 1864 announced that Maori who surrendered themselves and their lands to the Governor would be pardoned. In a second proclamation on 17 December 1864, seven days after once the pardon period had expired, it was announced that the Governor would assume the lands of rebels while assuring 'loyal' Maori the retention of their lands.⁴ By a further proclamation on 30 January 1865, the Governor declared that the district that extended from the Waitara River in the north to the Waimate Stream in the south was a district where Maori were, or had been, in rebellion since 1 January 1863, and from which suitable sites for settlement might be taken. On 2 September 1865, the confiscation area was substantially expanded to include the Ngati Awa and Ngati Ruanui districts.⁵ Within these confiscated districts, eligible sites for settlement were set aside: two areas described as 'Waitara South' and 'Oakura' in January 1865 and a further two areas, 'Ngatiawa coast' and 'Ngatiruanui coast', in September 1865. The only area that was not taken as an eligible site for settlement was the area around New Plymouth, which the Crown had already purchased.

On 25 January 1867, the confiscated land south of the Waitotara River was abandoned by the Crown, apparently because it was claimed by a Whanganui hapu that was fighting as an ally of the Crown.

In the early 1880s, the West Coast Commission finalised the return of confiscated lands to Maori in Taranaki at 201,395 acres for 5289 people (an average of 38 acres each). Another 13,280 acres were later added. In the north, 39,265 acres were divided among 1467 grantees; in the south 43,609 acres went to 1967 grantees; and

4. *New Zealand Gazette*, 1864, no 49, p 461

5. *New Zealand Gazette*, 1865, no 35, p 266

in the centre, 1855 grantees received 118,520 acres, known collectively as the west coast settlement reserves. These returned lands were passed to the Public (later Maori) Trustee for administration. As at 1912, reserves totalled 193,996 acres, of which 120,110 acres were held by Europeans in perpetual leases; 18,400 acres by Europeans under 30-year leases; 24,800 acres by Maori under occupation licences; 25,798 acres by Maori as papakainga or commonages; and 4890 acres by Maori under 'various tenures'.

10.4.5 Purchases under the Native Lands Acts (Crown and private as indicated)

(1) 1865–90

Aside from the individual interests acquired in awards, grants, and reserves, the Crown claimed 648,098 acres in Taranaki by claim, deed, or gratuity from 1872 to 1881 (or approximately 32 percent of the district). The lands involved are indicated in the following table drawn from *The Taranaki Report*.⁶ Curiously, a large number of these blocks fell within the confiscation boundary.⁷ The Tribunal has made a number of findings on these purchases, which call into question the Crown's actions.⁸

In 1882, judgment was given by the Native Land Court on the Mohakatino–Parininihi block (66,163 acres), which lay between the Mohakatino River and the northern confiscation boundary. Despite debate about whether Ngati Tama title had been extinguished through conquest by Ngati Maniapoto and whether Ngati Tama's resettlement on the land was a re-establishment of ancestral occupation, judgment was made in favour of Ngati Maniapoto rather than Ngati Tama.⁹ The Tribunal believes that 'it was a foregone conclusion that the Native Land Court would find against Ngati Tama in respect of the lands north of the confiscation line'.¹⁰

Little research has been done into the area of land in the east of this district abutting the Whanganui Rangahaua Whanui district.¹¹ Some of the land along the upper reaches of the Whanganui River is scenic reserve, some is State forest, and some is Crown land or Crown leasehold.¹² Much of the area is isolated and mountainous.

(2) 1891–1910

While it is possible that some of the west coast settlement reserves were alienated in this period, further research is required to determine the extent of these aliena-

6. *The Taranaki Report*, pp 174–175

7. *Ibid*, see p 172, fig 13

8. *Ibid*, pp 171–198

9. E Stokes, 'Mokau: Maori Cultural and Historical Perspectives', report for the Ministry of Energy, Waikato University, 1988, pp 135–140

10. *The Taranaki Report*, p 281

11. *Ibid*, p 278

12. S Cross and B Bargh, *The Whanganui District*, Waitangi Tribunal Rangahaua Whanui Series (working paper: first release), 1996, fig 10

tions. Calculations using the maps reproduced in volume 1 of this report indicate that approximately 275,000 acres were alienated between 1890 and 1910 (or 14 percent of district 10).

(3) *Post-1910*

Between 1911 and 1976, about 63 percent of Maori reserves were purchased by the Crown and subsequently on-sold to lessees. In 1975, those reserves remaining were passed into Maori management, and then sold, except for 5 percent of the original reserves, which are held under Maori freehold title today (mostly under the Parininihi-ki-Waitotara Incorporation).

Taranaki fell within the Aotea Maori Land Board district, which also included parts of Whanganui (district 9) and the King Country (district 8). An exhaustive search of files would be necessary to determine which of the Aotea board's alienations fell within the Taranaki district. However, the maps reproduced in this report indicate that alienations under the Native Land Act 1909 in this district totalled approximately 252,700 acres between 1910 and 1939.

10.4.6 Public works takings

Public works takings in the Taranaki district included numerous parcels of land taken by the Crown and local bodies, principally for the purposes of railways and roading, with some additional takings for an airfield and public buildings. Examples of takings identified by Waitangi Tribunal researchers include land taken for a railway between New Plymouth and Waitara, land taken for an aerodrome from the Puketapu block, and land taken for a school at Waitara.¹³ Exhaustive research would be necessary to determine the level of compensation paid (if any) or if the land remained dedicated to the purpose for which it was taken. For a further discussion of public works national policy and law, see volume ii, chapter 11.

10.5 Outcomes for Main Tribes in the Area

The outcomes for the main tribes of the area can be summarised as follows:

- (a) The Waitangi Tribunal recently reported that virtually the entire district was alienated from Taranaki iwi in a manner 'inconsistent with the principles of the Treaty'. The pre-1860 purchases in north Taranaki and at Waitotara amounted to 107,578 acres; the confiscations to 1,199,622 acres.
- (b) Only 4987 acres, or 6.6 percent of the alienated land, had been reserved for Te Atiawa hapu in the pre-1860 purchases in north Taranaki. By 1976, 90

13. S Woodley and B White, 'The Acquisition of the Puketapu Blocks for the New Plymouth Airport', report commissioned by the Waitangi Tribunal, April 1996 (Wai 143 rod, doc m30), p 3; S Woodley, 'Pukekohatu', report commissioned by the Waitangi Tribunal, June 1995 (Wai 143 rod, doc m3), pp 1-2; S Woodley, 'Manukorihi', report commissioned by the Waitangi Tribunal, June 1995 (Wai 143 rod, doc m7), pp 26-47

Block	Deeds		Date	Acres	Amount	Reserves (acres, roods, perches)	Sellers	
	O	T					No	Hapu
Kopua	14	91	1 August 1872	3140	£230	2r	23	Ngati Maru
Waitara–Taramouku	19	50	27 February 1873	12,800	£1600	231a	23	Ngati Maru–Ngati Tu hapu of Ngati Mutunga
	20	51	19 February 1874		£200		5	
Moa– Whakangerengere	13	26	14 November 1873	32,830	£3750	Nil	107	Puketapu–Pukerangiora
	35	27	27 February 1874		£1700		103	Puketapu
	63	28	19 May 1874		£50		40	Puketapu (at Waikawa)
	64	29	25 May 1874		£150		38	Puketapu (at Nelson)
Pukemahoe	31	53	28 February 1874	1000	£125	1a	7	Ngati Maru
Ruapekapeka	18	52	28 February 1874	400	£50	Nil	1	Ngati Maru
Onaero–Urenui– Taramouku	32	46	3 March 1874	36,000	£3530	700a	85	Ngati Uenuku, Ngati Tupaewhenua, Ngati Rangi, Ngati Teuruwhakawai, Ngati Maru
	55	47	8 October 1874		£400		1	Mitiwai (of Nelson)
Waipuku	33	60	12 March 1874	7000	£875	Nil	31	Ahitahi
Waipuku–Patea	34	61	22 May 1874	20,700	£2500	700a	29	Ahitahi
	62	62	20 November 1874		£700		7	Residents of Nelson and Wellington

Manganui	60	41	21 August 1874	11,200	£1350	397a 2r 28p	24	Pukerangiora
	60	45	20 November 1874		£500		6	Residents of Wellington
Te Wera	57	42	1 September 1874	6320	£787	50a	14	Ngati Maru
Huiroa	58	43	25 September 1874	25,300	£3100	1050a	3	Ngati Ruanui
	61	44	20 November 1874		£500		11	'Wellington aboriginal natives'
Ahuroa	80	54	24 February 1875	12,600	£1575	Nil	33	Ngati Ruanui
Otoia	79	55	16 March 1875	2660	£322 10s	Nil	45	Ngati Ruanui
Mangaehu	81		11 November 1875	560	£70	Nil	5	Natives of Taiporohenui
Pukekino	82		16 December 1875	11,870	£1482 10s	10a	12	Ngati Ruanui (Ngati Hine hapu)
Mangaotuku	83		16 December 1875	61,200	£7650	Nil	18	Ngati Ruanui and Ngati Maru
Kaharoa No 1	84		16 December 1875	8750	£1093 15s	Nil	3	Ngati Ruanui
Kaitangiwhenua	173		18 December 1880	92,186	£11,723 05s	Nil	6	As owners named by Native Land Court
Witinui	196		24 August 1881	2080	£260	Nil	12	Natives of Hawera district
Mangaere	174		25 August 1881	6250	£781 5s	Nil	7	Natives of Hawera
Mangamingi No 2	193		25 August 1881	8200	£1025	Nil	20	Natives of Patea district
Kaharoa No 2	176		9 September 1881	7300	£506 5s	Nil	11	Nga Rauru living at Whenuakura
				370,346	£48,586 10s	3140a 1r 28p		

O: Original deed number T: Turton deed number

percent of the reserves had been alienated, and today only 480 acres remain, representing 9.6 percent of the original reserves. Of these 480 acres, most are either wahi tapu or subject to perpetual leases to Europeans.¹⁴

- (c) Some 214,675 acres of the confiscated lands were returned to Taranaki iwi as the west coast settlement reserves. The Tribunal concluded that, ‘at the time they were created, the Maori reserves were the least desirable lands for farming. They included a significant proportion of bush requiring clearing and grassing.’¹⁵ Passed to the Public Trustee for administration, by 1912 the reserves amounted to 193,666 acres, of which 138,510 acres were leased to Europeans mostly on perpetually renewable terms and for peppercorn rents. This meant not only that the leases could not be terminated and negotiated afresh on better terms to the beneficial owners but also that periodic rent revision, in accord with economic rents in the community generally, could not be levied. Only 24,800 acres were being farmed by Maori under occupation licences.¹⁶ Of those reserves that were not leased, many were too small to be economic and were sold, or they became too small owing to successions and partitions.
- (d) Between 1911 and 1976, approximately 63 percent of the west coast settlement reserves were purchased by the Crown, most of which were on-sold to lessees. In 1976, the remaining reserved lands (about 25 percent of the original amount) were vested in the Parininihi-ki-Waitotara Incorporation. Around 20 percent have since been sold, leaving less than 5 percent in total.¹⁷
- (e) Post-war purchases outside the confiscation line included an estimated 189,000 acres; the Ngati Tama expropriation through the Native Land Court amounted to 66,000 acres. The balance, where native tenure was expropriated, included approximately 360,000 acres.¹⁸ All Taranaki iwi were represented in these alienations.

10.6 Examples of Treaty Issues Arising

This report concurs in the observations of the Tribunal in respect of the right of the Taranaki tribes and the flawed nature of the company and Crown purchases. The presence of Waikato before the arrival of the British should, however, be noted. While Taranaki tribes had taken certain actions to keep their claims alive during their heke southward, their return migration was facilitated to a degree by the British prohibition on tribal warfare. (Nevertheless, Governor Grey actively sought to discourage the movement of Kingi and his people from Otaki to Waitara.)

14. *The Taranaki Report*, pp 52–53

15. *Ibid*, p 273

16. *Ibid*, p 12

17. *Ibid*, p 273

18. *Ibid*, p 15

The Crown's proceedings in the Waitara (Pekapeka) purchase sought to override by force the tribal right as expressed by Wiremu Kingi. Te Atiawa and their allies were not rebels but defenders of their legitimate rights. The confiscations under the 1863 Act were therefore in breach of the Treaty, and probably illegal as well, as was the subsequent occupation of the land in the face of Te Whiti's non-violent resistance.

The compulsory vesting of the west coast settlement reserves in the Public Trustee and the Maori Trustee was an abrogation of Maori rangatiratanga and led to the alienation of much of the land and to the loss of economic benefits as a result of the system of perpetual leases and peppercorn rents.

Reserved lands in Maori control were inadequate for the tribes to enjoy an appropriate share of the developing economy or were inadequate even for their own subsistence.

By the individualisation of titles and the piecemeal purchase of interests, and by the progressive removal of restrictions on the alienation of reserves, Maori were left with insufficient land for enduring participation in the new economy. Many reserves were too small to be economic, or have become so by partition and fractionation of title.

Maori have received little or no compensation for the loss of foreshore seafoods and river and lake fish as the result of coastal development and interference with natural waterways. It is arguable that Maori aboriginal title rights still obtain in much of the foreshore between the high- and low-water mark (see vol ii, ch 13).

A main concern about the post-1910 sales under the Maori land board is that the board's check on whether the board's Maori beneficial owners had sufficient other land or means was perfunctory in many cases. In addition, the meeting of 'assembled owners', which authorised sales by the boards under Part xviii of the Native Land Act 1909, commonly did not represent a majority (let alone a totality) of the beneficial owners, either by value or by number. Given the limited areas of land remaining in Maori hands and the burgeoning population, any alienations at this time must be regarded as likely to infringe the Crown's Treaty obligation of active protection.

Mount Taranaki was included in the confiscation despite the fact that it was unsuitable for settlement (as envisaged under the New Zealand Settlements Act 1863). The mountain was returned to Taranaki iwi by vesting it in the Taranaki Maori Trust Board under the Mount Egmont Vesting Act 1978. By the same Act, the mountain was passed back to the Government by the trust board as a gift to the nation. The Tribunal was unaware of any evidence that Taranaki hapu had agreed to this gifting.¹⁹

19. Ibid, pp 299–300

10.7 Additional Reading

The following are recommended for additional reading:

Waitangi Tribunal, *The Taranaki Report: Kaupapa Tuatahi*, Wellington, GP Publications, 1996;

Hazel Riseborough, *Days of Darkness: Taranaki 1878–1884*, Wellington, 1989;

Aroha Harris, 'The Purchase of Land in the Taranaki Provincial District, 1872–1883', report commissioned by the Waitangi Tribunal (Wai 143 rod, doc h3);

Ann Parsonson, 'The Purchase of Maori Land in Taranaki, 1839–1859', report commissioned by the Waitangi Tribunal (Wai 143 rod, doc a1); and

Ann Parsonson, 'The Waitotara Purchase and War in Taranaki', report commissioned by the Waitangi Tribunal (Wai 143 rod, doc a3).