

CHAPTER 2

EARLY CONTACT: LAND ISSUES, MAORI SOCIETY, AND THE IMPACT OF EUROPEANS

2.1 INTRODUCTION

This chapter serves as an introduction to the programme of land purchasing initiated by the Crown in Hawke's Bay in 1850. The period of intensive land purchasing from 1850 to 1862 is dealt with in chapter 3 of this report. As Paul Goldsmith has similarly written, in chapter 2 of his Wairarapa Rangahaua Whanui district (11A) report,¹ this chapter deals with issues such as Maori concepts of land ownership, old land claims, and the economic and social implications of contact with whalers, traders and missionaries, prior to the arrival of McLean in 1850.

This chapter was written prior to the splitting of the Wairoa ki Wairarapa Rangahaua Whanui district into three separate districts. Therefore, this chapter refers to events at Wairoa and Te Mahia. In many ways, it is better that these references remain included for the Hawke's Bay district, as a considerable number of the hapu and iwi of Hawke's Bay were living at Nukutaurua during the early contact period. The new ideas, and lessons learnt from events in Wairoa and Te Mahia, presumably stayed with Hawke's Bay Maori when they returned to their customary lands in the 1840s.

2.2 MAORI SOCIAL AND POLITICAL STRUCTURE

2.2.1 Introduction

Chapter 1 of this report introduced the hapu and iwi of Hawke's Bay. It drew heavily on the work of Angela Ballara. This chapter relies on Angela Ballara and Gary Scott's 'Crown Purchases of Maori Land in early Provincial Hawke's Bay', a report commissioned by the Tribunal on behalf of Hawke's Bay claimants. Their report identifies many important facets of Maori social and political structure which require examination in order to assess the impact of early whalers, settlers, traders, and missionaries, and the new ideas of leases and land alienation that they brought. It should be noted at this point that the Crown was not directly involved to any great

1. P J Goldsmith, *Wairarapa*, Wellington, Waitangi Tribunal Rangahaua Whanui Series, (working paper: first release), Wellington, July 1996, pp 3-17

extent in the dissemination of these ideas in the Hawke's Bay until late 1850. This chapter, then, will rely on interpretations of the sources which narrate the lives and experiences of the early Pakeha settlers, and on Ballara and Scott's arguments and evidence.

Ballara and Scott stress that no unified tribal hierarchy existed in the Hawke's Bay area prior to (or indeed after) 1850.² One of the major themes of the consequent Crown purchasing programme involved the Crown endowing and bestowing on certain chiefs the right to alienate land, with and without the consent of their respective people, so that it is important to identify the rights and obligations of chiefs within a Maori socio-political framework. For a comprehensive explanation of the complexities of iwi, hapu, whanau, rangatira and tangata relations of Hawke's Bay, interested readers should consult Ballara and Scott's report, Ballara's 1991 thesis, and evidence presented in support of the Mohaka River (Wai 119), Te Whanganui-a-Orotu (Wai 55), Mohaka Waikare confiscation (Wai 299) and other claims.³

2.2.2 Rights through whakapapa

Ballara and Scott believed that although paramount chiefs existed, such as Te Hapuku, Tareha, Kurupo Te Moananui and Puhara at Ahuriri–Heretaunga–Waipukurau; Paora Rerepu at Mohaka; and Te Koari, Te Apatu and Ihaka Whaanga at Wairoa; many other 'less illustrious chiefs' still exercised independent rule over both people and specific areas.⁴ As discussed in chapter 1, chiefs in the first half of the nineteenth century exercised 'mana tangata' through their whakapapa links to Kahungunu, and gained their 'mana whenua' through a combination of whakapapa links to Kahungunu and the earlier pre-Taraia ancestors, such as Awanuiarangi, Kupe, Whatumamoa, Tara, Rangitane and Toi.⁵ These chiefs ruled over a complex group of closely related hapu who generally identified with a recent common ancestor, who shared territory, and often exercised different rights within it. These communities lived alongside each other, shared resource use rights with other people, yet remained for the most politically and socially independent.

-
2. 'Claimants' Report to the Waitangi Tribunal. Crown Purchases of Maori Land in early Provincial Hawke's Bay', Introduction, Wai 201 ROD, doc I1, p 33
 3. Apart from Ballara's thesis, these documents have been entered on the Tribunal's Wai 201 record of documents. A list of the reports and submissions is available from the Tribunal offices.
 4. Ibid, pp 33–36
 5. Ibid, p 36; numerous whakapapa charts are held on the Wai 201 record of documents – see, for example, B Taylor, 'Mohaka–Waikare Confiscated Lands: Customary Usage Report', Wai 201 ROD, doc J5, end pages; Patrick Parsons, 'Claimants Report to the Waitangi Tribunal: Te Whanganui-a-Orotu', Wai 201 ROD, doc A12, sec 1; and Cordry Huata, 'Purchase of the Mohaka Block', Wai 201 ROD, doc A14.

2.2.3 Shared resource use rights

Examples of such inter-community shared resource use rights (sometimes referred to as a whanaunga right) were readily supplied to the Tribunal at both the Mohaka and Te Whanganui-a-Orotu hearings. Toro Waaka told the Mohaka River Tribunal of how Ngati Hineuru had an agreement to fish for kahawai at the river mouth at certain times. Ngati Pahauwera shared use of the upper reaches of the Mohaka River with Ngati Tuwharetoa.⁶ Fred Reti explained to the Te Whanganui-a-Orotu Tribunal how various iwi exercised whanaungatanga rights at Te Whanganui-a-Orotu:

Mountain tribes like Hineuru through their close connection with Ngati Hinepare and Ngati Mahu would often camp at places designated for them during the summer. Ngati Whatuiapiti and Kahuranaki from Te Hauke would fish and gather around the port area and Ngati Hawea also. Ngati Tu and Ngai Te Ruruku would often take their whanaunga from Tuhoe in and around Whareponga and Keterau when they were visiting. Many hapu used the Whanga on this basis.⁷

Given that this shared resource use right occurred not only within the hapu of Ngati Kahungunu, but with other iwi outside the Hawke's Bay rohe, such as Tuhoe and Ngati Tuwharetoa, there is some justification for Ballara and Scott's argument that the communities of Hawke's Bay Maori were independent of an overarching Ngati Kahungunu tribal structure, and applied whanaungatanga rights indiscriminately, within and outside the prescribed Hawke's Bay–Ngati Kahungunu rohe.

6. Waitangi Tribunal, *Mohaka River Report 1992*, Wellington, 1992, Brooker and Friend Ltd, p 17

7. Frederick Reti, evidence to the Te Whanganui-a-Orotu Tribunal, Wai 201 ROD, doc D27, p 10 (taken from Waitangi Tribunal, *Te Whanganui-a-Orotu Report 1995*, Wellington, 1995, Brooker's Ltd, p 21)

2.2.4 War alliances

Alliances formed to ward off invading foe were made between the Maori hapu of Hawke's Bay and other iwi who resided outside the Hawke's Bay rohe, during the musket war era, in the 1820s and 1830s. In a war between Ngati Te Upokoiri and Ngati Te Whatuiapiti, both invited other outside iwi to help. One of Ngati Te Upokoiri's allies, Ngati Tuwharetoa, were defeated at Te Roto-a-Tara. Fearing reprisal, Pareihe, a Ngati Te Whatuiapiti chief, led his iwi and other Wairarapa, Heretaunga, and Ahuriri Maori to Nukutaurua on the Mahia Peninsula.⁸ There an alliance was formed with Te Wera Hauraki, a Nga Puhi chief, who helped defend the peninsula stronghold.⁹ After a period of trading for muskets from the whalers and traders frequenting the Te Mahia whaling station, Pareihe was able to join with those who had remained behind (and who had suffered defeat at Te Pakake, an island in Te Whanganui-a-Orotu), to drive out the Ngati Raukawa who had attempted to establish occupation at Puketapu.¹⁰

In the early 1840s the Nukutaurua sanctuary was gradually abandoned as the iwi and hapu reclaimed their particular customary land. Ballara and Scott argue that once this process was complete, and when peace was secured, the 'Ngati Kahungunu alliance' as such, dissipated. Hapu and iwi resumed their community status,

8. See Angela Ballara's entry on 'Te Pareihe' in *The People of Many Peaks* and Maori entries from the *Dictionary of New Zealand Biography*, Bridget Williams Books, Department of Internal Affairs, Wellington, 1990, vol 1, pp 219–222.

9. For an account of Te Wera Hauraki's protection of Ngati Kahungunu at Nukutaurua in the 1820s and 1830s, see Ballara's entry on him, 'Te Wera Hauraki', *The People of Many Peaks*, pp 295–298.

10. Ballara and Scott, introduction, pp 39–42

Early Contact: Land Issues, Maori Society, and the Impact of Europeans continuing to operate as they had previously, with independent autonomous control.¹¹

2.2.5 Rights within communities

Communities generally functioned under the protection and mana of rangatira, who gained their status through a combination of whakapapa, marriage alliance, the bestowal of responsibility passed on from an older rangatira, and from the continued support of whanau under their control. These chiefs could, and often did exercise individual rights for themselves and their whanau, to the exclusion of other whanau within the community. An example of such was given to the Te Whanganui-a-Orotu Tribunal. Kurupai Koopu said it was Tareha's privilege to go to Pania's rock. Hineipitia (Beattie) Nikeria explained that Pania's rock:

11. Ballara and Scott, Introduction, p 42

Hawke's Bay

represents the Tareha family. I reckon that place belongs to them. They can go and fish there. They're the ones who can go right up to the rock. They're the only ones allowed.¹²

This right was protected, Beattie Nikeria said, by the taniwha Moremore, who would only let the Tareha whanau go to Pania's rock. Kurupai Koopu linked Napier local authorities' destruction of Pania's Rock, (for harbour development purposes) which had commenced in 1929, to the Napier earthquake of 1931. Werate Te Kape saw Moremore in a previously unseen form on the morning of the quake.¹³

Other instances of whanau having particular rights to resources in certain areas, such as eel weirs and rat trails, were common among Hawke's Bay hapu. Ballara and Scott stress that such rights as exercised by chiefs were particular and localised, and that chiefs did not have similar exclusive rights, over all the land and resources for which they held mana.¹⁴

2.2.6 Land alienation between Maori

Ballara and Scott contend that although some sort of land alienation did take place prior to Pakeha arrival and settlement, it was an uncommon practice, and differed from the concept of complete and permanent alienation conceptualised by Pakeha settlers and the Crown. For example Te Umairangi, of Ngai Te Upokoiri, gave over his lands to Hawea, of Ngati Te Whatuiapiti, and went to live on his mother's land at Whakatane. Some years later, however, he returned and resumed his occupation unopposed.

12. Oral evidence cited in Waitangi Tribunal, *Te Whanganui-a-Orotu Report 1995*, Wellington, 1995, Brooker's Ltd, pp 14-15

13. Ibid, p 15

14. Ballara and Scott, Introduction, p 43

Early Contact: Land Issues, Maori Society, and the Impact of Europeans

Most instances of land alienation took place after defeat in war. Yet even when defeat was involved, ‘the giver usually retained occupancy rights; mana, not land, was alienated . . . Voluntary and permanent withdrawal of the whole population as well as the chief was necessary for true alienation’.¹⁵ Some twenty years after the defeat and dispersment of Ngati Te Upokoiri at Te Roto-a-Tara, Renata Kawepo was able to bring his people back to reoccupy their customary land.¹⁶

To illustrate their point further, Ballara and Scott gave the example of Te Kohea Tahanga, who told the Native Land Court hearing of the Hinewaka block (in Wairarapa) that his ancestor Ngana had rights in the block based on paying a calabash of preserved birds to Hikutoto. Another witness to the Court said that Ngana continued to fill the calabash. ‘Rather than purchasing land, Ngana was assigned land by a high chief whose mana he continued to acknowledge’, Ballara and Scott concluded.¹⁷ Indeed, this perpetual payment appears more similar to Pakeha concepts of leasing, rather than a situation of permanent alienation.

Ballara and Scott’s evidence on land alienation between Maori shows that other conditions existed which made these transactions quite different from Pakeha concepts of permanent land alienation. Primarily, the deals involved mana, they were not necessarily permanent, and the agents involved in the transactions were clearly identified; that is, third parties did not feature. For Maori to legitimately alienate land, Ballara stated, agreement was necessary between chiefs who held the mana over the land, with occupants who shared proprietary rights with the chief.

15. Ibid, pp 45–46; the sections presented to the Tribunal as part of the Ballara and Scott report, are mostly taken from Ballara’s thesis. See pp 364–374 for the section on land alienation.

16. Angela Ballara, ‘Kawepo, Renata Tama-ki-Hikurangi’, in *The People of Many Peaks*; Maori entries from DNZB, Bridget Williams Books, Department of Internal Affairs, Wellington, 1990, vol 1, pp 26–28

17. Ballara and Scott, introduction, pp 47–50

The chiefs would be expected to conduct negotiations, but would require the public consent of their people.¹⁸

2.3 TRADERS AND WHALERS

2.3.1 Introduction

There are many general histories recounting the arrival of Pakeha whalers and traders in Hawke's Bay, the most useful being Lambert's *The Story of Old Wairoa*, and Wilson's *History of Hawke's Bay*.¹⁹ For the purposes of the Rangahaua Whanui district report, I am interested in discovering the impact these early visitations and settlements had on Maori society, how Maori reacted to these visitors, and the ideas that they brought.

2.3.2 Trade

18. Ballara, 'Origins of Ngati Kahungunu', p 373

19. Thomas Lambert, *The Story of Old Wairoa*, Coulls Somerville Wilkie Ltd, Dunedin, 1925, Capper Press reprint, Christchurch, 1977; and J G Wilson and others, *History of Hawke's Bay*, A H & A W Reed, Dunedin and Wellington, 1939

Hawke's Bay Maori's first recorded interaction with Europeans was distinguished by trade. Four waka gathered alongside Captain Cook's *Endeavour* on 10 October 1769 when it sailed near Te Mahia peninsula. The European crew received clothes, ornaments, pounamu and whalebone patu, spears, and a couple of waka paddles. In return Maori took away a collection of beads, trinkets, glass, Tahitian tapa cloth, an axe and a tomahawk.²⁰ Encounters further south in the bay were punctuated by Maori shows of defiance, indicating that they were jealous of their territory, and were not afraid to physically defend it. Maori off the coast at Te Matau-a-Maui, or Cape Kidnappers, learnt that trading could be fatal, when they attempted to test the strength of the visitors, by 'cheating' on a trade, and, in the confusion that followed, kidnapped Tayeto, the son of Tupaia, Cook's Tahitian guide and translator. One of the Maori abductors was shot, allowing Tayeto to escape, and two other Maori were also shot. Colenso was able to find out in 1851 that the dead were Whakaruhe and Whakaika, and that Te Ori was injured.²¹ Te Reo Areare, a coalition of Maori education groups, were reported in the *Evening Post* of 30 December 1995, as saying: 'Maori believed their ancestors thought the Tahitian was being held by Captain Cook's crew, and wanted to free him. The accusation of kidnapping was inaccurate'.²²

Despite this unfortunate incident, Maori, through trade with Cook, encountered new tools such as axes, and were given new vegetables to grow, such as cabbages and potatoes. They had also learnt that the musket was an essential item to have if a balance of power was to be maintained between two trading parties.

It is therefore no surprise that muskets were considered by Maori to be the most valuable item to secure. This was further fatally proved when Maori at Parapara and Te Ihu o te Rei, islands in Te Whanganui-a-Orotu, were slaughtered by invaders from the north and west. As a result one of the hapu was thereafter known as Ngati Matepu, or those who perished by the gun.²³ One of the benefits of the retreat to Nukutaurua was to secure the support of Te Wera Hauraki, who had muskets, and that Te Mahia peninsula was on the irregular Pacific trade route. As Lambert wrote, 'The possession of guns . . . became almost a mania'.²⁴

20. Anne Salmond, *Two Worlds*, Penguin Books, 1991, p 141

21. *Ibid*, pp 149–150

22. *Evening Post*, Wellington, 30 December 1995

23. Waitangi Tribunal, *Te Whanganui-a-Orotu Report 1995*, Brookers Ltd, 1995, Wellington, p 29

24. Thomas Lambert, *The Story of Old Wairoa*, Coulls Somerville Wilkie Ltd, Dunedin, 1925, reprint Capper Press, Christchurch, 1977, p 351

The traders who fulfilled this need for muskets and gun powder were often agents of Sydney based merchants. Barnet Burns, who later achieved some notoriety in England for his full facial moko, was the first such agent to set up operations in Hawke's Bay. He was contracted by L B Montefiore and Co, who already had J W Harris working for them at Turanganui. Burns traded muskets, powder, blankets and tobacco for flax at Te Mahia from about 1829. To ingratiate himself as the 'Pakeha' of Te Wairoa, he married Amotawa, the daughter of the chief whose patronage he depended on.²⁵ In his own account Burns wrote that he took full part in Maori society, from receiving moko, to fighting against other Maori, and eventually leading a hapu of a couple of hundred people as their chief.²⁶ Putting to one side obvious reservations about the authenticity of Burns' account, we are left with a record of someone who, for the eight years he was there, became immersed in the prevailing Maori culture. To remain at Te Wairoa, Burns had to rescind most aspects of his previous culture, and adopt those of the Maori on whose sufferance he remained.

This theme appears to continue with other traders, and especially whalers. For example Alexander Alexander arrived at Ahuriri in 1846, married Harata, of Ngati Te Upokoiri and who lived with her uncle at Poraiti, and set up trading stores at Onepoto (now Napier), Ngamoerangi (near Tangoio), and Waipureku (now Clive).²⁷

On behalf of Sydney merchants Cooper and Holt, W B Rhodes set up trading stations in Hawke's Bay in 1839, leaving agents to husband pigs on a commission basis.²⁸ Maori obviously did not accept all these traders. Rhodes' Ahuriri agent, a Mr Simmons, had his store and goods razed by local Maori. At the end of 1841 Rhodes closed all his trading posts at Ahuriri, Te Mahia and Te Wairoa.²⁹

2.3.3 Whaling

To separate the impact of the whalers from that of the traders is to impose an artificial distinction. In reality the whalers, to survive, had to trade with Maori, and did. From the series of profiles that Lambert provided, many whalers also appeared to adopt the cultural norms of the Hawke's Bay Maori with whom they were associated. This is evident in the number of Maori families who are descended from

25. A H Reed, *The Story of Hawke's Bay*, A H & A W Reed, Wellington, 1958, p 26; A E Korver, 'Burns, Barnet', DNZB, vol 1, p 57

26. Extracts of Burns' pamphlet, published in London in 1835, can be read in Lambert (pp 355–362).

27. J G Wilson, *History of Hawke's Bay*, A H & A W Reed, 1939, p 148

28. Brad Patterson, 'Rhodes, William Barnard', DNZB, vol 1, pp 361–362

29. A E Woodhouse, *George Rhodes of the Levels and his Brothers. Early Settlers of New Zealand*, Whitcome and Tombs Ltd, 1937, p 31

Early Contact: Land Issues, Maori Society, and the Impact of Europeans

the whalers who married significant wahine, and thus substantiated their position within the various communities in which they lived. For example, John (Happy Jack) Greening's descendant, K Greening, has a claim with the Tribunal regarding the Whangawehi block, Te Mahia peninsula, which was the original site of Happy Jack's whaling and trading station.³⁰

30. Lambert, p 370; Karanema Greening's claim is Wai 101

Hawke's Bay

The first station to be set up in Hawke's Bay was that of the Ward brothers at Waikokopu in 1837. Others quickly followed, and by 1851 there were 140 Europeans manning 26 shore boats, operating from stations at Te Wairoa, Waikokopu, Moeangiangi, Whakaari (near Tangoio), Whakamahia, Kinikini and Cape Kidnappers.³¹ According to Lambert, some Maori operated their own boats, and Maori were employed as crew on European owned boats.³² Because the right (from 1842 predominantly sperm) whales only swam past Hawke's Bay for part of the year, resident European whalers justified their existence in the off-season by operating as traders. Wilson writes that Captain Ellis, who arrived from the Bay of Islands in 1837, married into a Waikokopu hapu, and ran a trading store to supplement his three whaling boats. He paid for Maori labour with goods.³³ (It should be remembered that the English pound as a currency was not in sufficient quantity to be an effective medium until the late 1840s.³⁴) Apparently the whalers paid a yearly rent for whaling, fishing and occupation rights. Colenso recorded the example of William Morris, of the Rangaika station south of Cape Kidnappers, who was paying £5 per annum.³⁵

The *Wellington Spectator*, on 12 December 1854, described the Hawke's Bay whalers as all having Maori wives, and that they spoke a piebald language called, undeceptively, 'whaler's Maori'.³⁶ Most reports from the time indicated that by the late 1850s the trade was in significant decline. Therefore those whalers who remained were likely to be the ones who stayed on as pastoral farmers and permanent traders, and were likely to have Maori wives and some understanding with a hapu as to use of land.

The 'lawlessness' of whaling communities in New Zealand is legendary, and Hawke's Bay, it appears, was no exception. Joseph Mason wrote to McLean in 1851, complaining that his overseer, Samuel Harrington, following an intense bout of rum drinking, had attacked him with a blubber cutting spade, and the next day, 'raving like a mad man took up an axx [sic] and threaten[ed] to kill all around'. Apparently he struck one of five Maori working for him on the back with the axe, but 'did not do him much hurt . . . the Native running at the time'. Mason concluded that it 'appear[ed] he did not wish to pay us by his behaviour', and asked McLean to intervene.³⁷ McLean's response is unknown. Social activities of whalers, most notably the drinking of copious amounts of rum for entertainment purposes, was a new spectacle for Maori. Although Lambert believed that Maori did not join their whalers in such indulgence, and generally occupied a sober and moral high ground, William Colenso certainly feared the effect that alcohol would have on local

31. Vincent O'Malley, 'The Ahuriri Purchase', overview report commissioned by the Crown Forestry Rental Trust, 1995, Wai 201 ROD, doc J10, p 10

32. Lambert, pp 366–367

33. Ibid, p 368

34. R P Hargreaves, *From Beads to Banknotes*, Dunedin, 1972, pp 28, 53

35. Reed, p 87

36. Reference found in Wilson, p 135

37. Joseph Mason to Mr Maclane [sic], 3 December 1851, folder 130A, McLean Papers, copy, micro 0535, reel 34, ATL

Maori.³⁸ Hawke's Bay was described as a 'favourite resort from justice' for ship-jumpers, convicts from Australia, and elsewhere.³⁹ In the 1840s at least, such men were safe from the reach of the fledgling British justice system, although there were a couple of notable examples of fugitives being arrested.⁴⁰ It appears likely, however, that if shipwrecked on the Hawke's Bay coast, as the *Falco* was on 26 July 1845, that the whalers would plunder any goods worth salvaging. As it happened, the *Falco* was carrying American muskets, gunpowder and rockets, possibly to be sold to the chiefs at war with the Government in the Bay of Islands.⁴¹ Wilson records other instances of wrecks being plundered.⁴² It is unclear how Maori viewed this behaviour by the whalers, yet with the presence of missionary families (the Colensos, the Hamlins, and the Williams), other examples of how Europeans conducted themselves were readily available.

38. Lambert, p 374; for an analysis of Colenso's attitude, see P J Goldsmith, 'Aspects of the Life of William Colenso', MA thesis, University of Auckland, 1995.

39. Lambert, p 351

40. See Wilson, p 139

41. Dean Cowie, 'To Do All the Good I Can', MA thesis, University of Auckland, 1994, pp 156–157

42. Wilson, pp 138–139

So what was the effect that whalers and traders had on Maori in Hawke's Bay? The most obvious is the contact it brought with men of many different parts of the world. By 1842 an American, Captain Perry, exercised a large influence in the Te Wairoa area, perhaps giving Maori a different understanding of British imperialism, than that supplied by British whalers and the missionaries. A number of the whalers came from the Australian colonies. Other ideas about the worth of becoming a British Colony are most likely to have been aired, certainly around 1840. The most concentrated area of whaling activity was on the Te Mahia peninsula, which coincided with the largest population of Maori at the time, including a number of the influential Hawke's Bay and Wairarapa Ngati Kahungunu chiefs. Whalers would surely have passed on their thoughts about Kororareka – the possible effect of a large permanent settlement, and, from 1840, the imposition of customs duties. If they had not, then Maori who visited the Bay of Islands during this period, such as Te Hapuku and Renata Kawepo, may well have.⁴³ Ideas concerning land ownership and alienation would surely have surfaced at this time as well.

As well as ideas, different work patterns were introduced. Maori were employed on whaling stations, and were also engaged in planting, harvesting and preparing flax for trade. Other foodstuffs were grown to supply the whalers, and husbandry of a variety of introduced animals was carried out. As a result of participation in the commercial market, according to A McKirdy, tension among chiefs and members of hapu resulted from disputes over land and resource use.⁴⁴ O'Malley adds that such tensions worsened as Ngati Kahungunu chiefs became aware of the economic value that Europeans placed on their land.⁴⁵

2.4 MISSIONARIES

43. Angela Ballara and Patrick Parsons, 'Kawepo, Renata Tama-ki-Hikurangi', *The People of Many Peaks*, Maori entries from DNZB, vol 1, pp 26–28; and Angela Ballara, 'Te Hapuku', *ibid*, pp 159–163

44. A McKirdy, 'Maori-Pakeha Land Transactions in Hawke's Bay, 1848–1864', MA thesis, Victoria University of Wellington, 1994, p 11, from O'Malley, pp 11–12

45. O'Malley, p 12

William Williams led the Church Missionary Society's charge on the East Coast of the North Island, visiting Te Mahia in 1834, and, with his wife and family, established a mission station at Turanga in 1840. Although Williams had limited contact with Hawke's Bay he did petition the Queen on behalf of Maori, concerning the purported purchases of Captain Rhodes (see below).⁴⁶ Maori adherents of the faith had already toured Hawke's Bay in the early 1840s, and, when he visited in 1842, Bishop Selwyn was impressed by Ahuriri Maori; their attempts at literacy, and at having built a chapel capable of seating 400 people.⁴⁷ Te Hapuku and Puhara asked that Hawke's Bay be supplied with its own missionary, and in December 1844 two men, their wives and families, arrived. The Hamlins set up at Te Wairoa, and William and Elizabeth Colenso settled at Waitangi, on the coast south of present-day Napier.

Secondary sources reveal little of James Hamlin's activities, in contrast with almost intense interest in Colenso. P J Goldsmith has conducted the most recent analysis of Colenso's personal attitudes towards his first years spent in Hawke's Bay. Colenso was, undoubtedly, of substantial influence on Maori in the period leading up to Crown purchasing. Along with his 20 or so Maori missionaries (known as native teachers), Colenso represented a potential 'rival power base in villages to the chiefs and a serious political threat'.⁴⁸ Colenso's substantial journals and correspondence remain a well used source for claimant researchers such as Patrick Parsons:

When it comes to determining ancestral and occupational rights to the Esk Forest these journals are invaluable as a record of which sub tribes were in occupation and where, prior to the Mohaka – Waikare confiscation.⁴⁹

46. William Williams to the Queen, 1 February 1840, enclosure in Dandeson Coates to Lord Russell, 9 March 1841, BPP, 1841, no 311, p 140, cited from B Gilling 'Te Whanganui-a-Orotu. Brief of Evidence', Wai 201 ROD, doc E1(b), p 5

47. Wilson, p 177

48. Goldsmith, p 60

49. Patrick Parsons, 'The Mohaka–Waikare Confiscated Lands Ancestral Overview (Customary Tenure)', report for Wai 299 claimants, 1993, pt G, p 244

Colenso had no success in converting principal chiefs until July 1848, when Kurupo Te Moananui and Tareha were baptised, with others quickly following. Te Moananui's conversion, however, was possibly motivated by an effort to disassociate himself from Te Hapuku.⁵⁰ Certainly Maori politics played a significant part in Colenso's popularity, and this intensified when issues concerning land alienation arose.

Colenso's advice to Maori concerning land transactions was clear and well documented. In 1846 he lectured Wairarapa Maori on the benefits of leasing small blocks of land – not to sell outright.⁵¹ When the Crown asked for his assistance in their purchase of large tracts of Hawke's Bay land, Colenso refused to assist either side in the negotiations, and yet went ahead to advise Maori that if they did sell land, that they insist on large reserves, and make sure that identifiable natural boundaries were agreed upon.⁵² Colenso called a meeting of Hawke's Bay chiefs on 22 December 1848, held at Puhara's Pakowhai pa, warning them not to part with the whole of their land.⁵³ Although Colenso welcomed the friendship afforded by McLean, he also opposed wholesale colonisation. Colenso often managed to isolate himself from the principal chiefs, even the Christian ones. In January 1850 he refused to attend a meeting held by Te Moananui, Tareha and Karaitiana Takamoana to discuss Church matters, and was assaulted and threatened because of it.⁵⁴ Despite his character flaws, and personal failings, he provided Maori with positive, and most

50. Goldsmith, pp 62–64

51. Ibid, pp 76–95

52. O'Malley, pp 28–29

53. Ballara and Scott, p 53

54. Ibid, p 72

Early Contact: Land Issues, Maori Society, and the Impact of Europeans importantly, different advice concerning land alienation, than that provided by the Crown.

2.5 LAND

2.5.1 Old land claims

Old land claims refer to purchases said to have taken place prior to the signing of the Treaty of Waitangi. There were five such land claims identified in the Hawke's Bay area, and they were eventually investigated by commissioner Francis Dillon Bell in the 1850s. Four of these involved whaling station land and whalers who had decided to settle in the area. Robert Brown claimed 500 acres on the north-eastern side of Te Mahia peninsula, purporting to have a deed written in English, but did not bring any such evidence to the Old Land Claims Commission. John (Happy Jack) Greening claimed to have been gifted land, presumably at Whangawehi, but again brought no such evidence before the commission. As noted above, Greening's descendants are still associated with the former whaling and trading station at Whangawehi. Thomas Bateman claimed the four to six acres that his whaling station resided on, but withdrew the claim as it was 'of little value except as a whaling station'.⁵⁵

55. All the evidence for these three claims came from their respective old land claim files, deposited at National Archives, Wellington. I have used them as summarised and quoted from O'Malley, pp 24–25.

Hawke's Bay

In 1837 George Clayton had apparently purchased the 37 acres surrounding the whaling station at Waikokopu, and this 'deed' had been sold to J W Harris in 1841. By the time Bell issued a Crown grant for the 37 acres in 1858 the station was run by Captain John Salmond, who complained to Bell that Maori were resisting his claim to the land and were preventing his occupation of the site. Ihaka Whaanga and Matenga Tukapeaho wrote to Bell in 1859 arguing that it was not their desire to sell land (in 1837), but that the whalers had scared them about the Queen taking the land from them anyway. O'Malley suggests that Maori were opposing the award in 1859 because the original 'purchaser' of the land, George Clayton, was no longer the occupier, and therefore as a third party, Captain Salmond had no claim.⁵⁶

56. O'Malley, pp 25–26

Early Contact: Land Issues, Maori Society, and the Impact of Europeans

The most impressive old land claim was that made by Captain William Barnard Rhodes. Acting for Sydney merchants Cooper and Holt, Rhodes wrote on 27 January 1840 that he had purchased, save for obtaining one further signature, about 1,400,000 acres of land including Te Mahia peninsula, Te Wairoa, Hawke's Bay and Wairarapa. He paid £150, and also said he negotiated the reservation of one tenth of the area for Maori.⁵⁷ O'Malley notes many inconsistencies in the claims made by Rhodes, concerning the estimated amount of land, a further purchase deed, and further purchase money and goods. Eventually Rhodes, with Cooper and Holt, were awarded 2560 acres in settlement of their claim. This land was to be selected 'in three to four blocks in any locality where Maori had admitted the bona fides of the purchases, but only once the Government had acquired the title to these lands'.⁵⁸ Evidence is scant as to whether Rhodes accepted this, and the locality of any blocks remains uncertain. Wilson believed that Rhodes' Clive Grange pastoral run originated from this 2560-acre award.⁵⁹ Rhodes presumably had little cause for concern over the denial of his enormous claims, as he quickly became one of Wellington's richest men, and he and two brothers eventually amassed ownership of a staggering 300,000 acres of land in New Zealand, a good portion of which was in Hawke's Bay.⁶⁰

57. A E Woodhouse, *George Rhodes of the Levels and his Brothers: Early Settlers of New Zealand*, Whitcome and Tombs Ltd, 1937, pp 18–19

58. O'Malley, pp 20–21

59. Wilson, p 144

60. Patterson, p 362

2.5.2 Leasing and the Crown

Hawke's Bay Maori were well aware of the leases Wairarapa Maori had negotiated from 1844, and in the late 1840s Hawke's Bay was increasingly seen as an ideal place to establish further pastoral runs. Wairarapa leaseholders conducted negotiations with Te Hapuku about the possibility of moving north into Hawke's Bay in 1847. By 1849 Thomas Guthrie was paying an annual rental of £69 for a run at Castlepoint, a rental which, according to McLean, had risen to almost £200 a year by 1851.⁶¹ In 1849 J H Northwood was leasing land at Pourerere for between £60 and £100 a year.⁶² Wilson compiled a list of the early pastoral stations, a number of which had commenced operations in 1851 and earlier.⁶³

As Paul Goldsmith has explained, in the late 1840s the Crown was actively discouraging Europeans from squatting on Maori land, and was starting to threaten leaseholders with prosecution under the Native Land Purchase Ordinance 1846.⁶⁴ This Ordinance was passed by Governor Grey in order to make illegal transactions of land between Maori and settlers. Grey wanted to reinstate the right of Crown pre-emption that his predecessor, Governor FitzRoy, had allowed to be waived. The Ordinance gave the Crown a monopoly in purchasing or leasing land from Maori. With the momentary suspension of Crown purchase negotiations in Wairarapa in February 1849, following the New Zealand Company's preference for Port Cooper (Canterbury), attention shifted to Hawke's Bay. It had been mentioned previously that Hawke's Bay might be included as part of the proposed settlement, possibly as a re-settlement area for the displaced Wairarapa squatters.⁶⁵ Certainly the pressure was on for the Crown to purchase sufficient Hawke's Bay land prior to the mass arrival of eager pastoral run-holders, and avoid the problems experienced with illegal squatters in Wairarapa. When McLean arrived in Hawke's Bay to commence negotiations for the Waipukurau, Ahuriri and Mohaka blocks in December 1850, he warned off men such as H S Tiffen, writing to declare Tiffen's lease 'cancelled', and asking him to remove his sheep from the Ahuriri Plains.⁶⁶ When reporting the purchase of the three blocks a year later, McLean mentioned that settlers were arriving at Ahuriri with their flocks of sheep and herds of cattle.⁶⁷

61. O'Malley, pp 60–61; Donald McLean, Memorandum to His Excellency the Governor-in-Chief, enclosure in McLean to Colonial Secretary, 6 January 1852, no 11, AJHR 1862, C–1, p 317

62. O'Malley, p 61; Wilson records that the run started in 1847.

63. Wilson, pp 225–228

64. Goldsmith, 'Wairarapa', p 16

65. O'Malley, pp 83, 91

66. McLean to Tiffen, 16 December 1850, enclosure 2 in McLean to Colonial Secretary, New Munster, 21 December 1850, AJHR, 1862, C–1, p 308

67. McLean to Colonial Secretary, Wellington, 29 December 1851, AJHR, 1862, C–1, pp 315–316

2.5.3 Maori offers to sell

It is clear that Maori wanted Europeans to settle in Hawke's Bay. George Thomson wrote that in the 1840s to the mid-1850s, the 'skills and trade opportunities, the markets and employment that came with Pakeha were seen as outweighing the disadvantages' of European settlement.⁶⁸ Stephanie McHugh records that Kurupo Te Moananui and Tareha offered land for sale to the Crown in 1844.⁶⁹ In 1849 a letter was sent by Te Hohipi, Hou and Hoani Waikau asking that the Governor come and discuss the settlement of white people, cows, sheep, horses, and goats on their land.⁷⁰ Two weeks later another letter was written by Hawke's Bay chiefs, translated as saying:

Our land we have consented to sell to the white people. . . . and do not throw overboard this our Letter because this seems to be what pleases you viz. The consenting on our part for the selling of the land – Friend Gov. Grey approve of this our request for White People for this our land and let them be Men of high principle or Gentlemen no people of the lower order – let them be good people – let them be the Colony of Missionaries who [we] have heard . . . are coming out.⁷¹

The list of 'principal talking Men' included Karaitiana Takamoana, Kurupo (Te Moananui), Paora Totoro, Te Whakaunua, Wiremu Wanga, Hona Te Hopera and Puhara. Ballara and Scott have outlined how the prospect of the Crown purchasing

68. George Thomson, 'Ngati Kahungunu Land Loss in the Area between the Mohaka, Te Hoe and Waiiau Rivers, Northern Hawke's Bay, 1864–1930', 1991, Wai 201 ROD, doc A23, p 7

69. Stephanie Louise McHugh, 'The Issue of the Hawke's Bay Purchase Instructions, June 1848–October 1850', Wai 201 ROD, doc C2, p 17

70. Te Poihipi, Hou, Hoani Waikau to His Excellency, 12 April 1849, transcript of a translation, G7/6/61, NA Wellington, Wai 201 ROD, doc A21(d), p 827; see also McHugh, Wai 201 ROD, doc C2, pp 17–18

71. Tareha, on behalf of 'the principal talking Men', to His Excellency, transcript of a translation, G7/6/61, National Archives, Wellington, Wai 201 ROD, doc A21(d), p 828; see also Waitangi Tribunal, *Te Whanganui-a-Orotu Report 1995*, Brooker's Ltd, Wellington, 1995, p 36

Hawke's Bay

their land excited Hawke's Bay Maori, and that as a result conflict over boundaries and overlapping use rights multiplied from 1849.⁷² Building on their understanding of traditional Maori land ownership as outlined above, Ballara and Scott warned that certain chiefs 'failed to distinguish between their mana to 'tuku' or give land, with the concomitant limits with which such gifts were bound, and the power to alienate it', and that the pressure of possible Crown purchasing helped those same rangatira 'to convert their chiefly mana over land into a new right to sell land without consultation with the occupants'.⁷³ The tension concerning iwi and hapu boundaries and the right to alienate land came to dominate the politics of Hawke's Bay Maori in the 1850s and 1860s.

72. Ballara and Scott, introduction, pp 53–54

73. Ibid, p 57

2.6 CONCLUSION

This chapter has outlined a selection of Ballara and Scott's main points concerning their summary of Maori societal framework, and their attitudes to customary land ownership, and has illustrated their argument with a couple of examples from Tribunal hearings. Compared to other parts of the North Island, Hawke's Bay had little contact with settlers, and almost none with the Crown, in the first decade following the signing of the Treaty, and immediately prior to the arrival of McLean in 1850. This chapter has argued that the contact they did have, with the whalers and early traders, did not significantly alter Hawke's Bay Maori's societal structure. New ideas and people, on the whole, were absorbed within the prevalent cultural framework.

Since there were so few examples of land alienation in Hawke's Bay prior to the arrival of Donald McLean in 1850, Maori may have been unprepared to negotiate such important and far-reaching deals. This appears to be what Bryan Gilling argues.⁷⁴ While the lack of contact is noted, Hawke's Bay Maori had had the opportunity to contemplate the experiences of those at the Bay of Islands and Wellington, and had also the advice of the missionaries. Colenso's views against selling were sufficiently documented for Maori to have had at least some warning about the possible consequences of agreeing to large scale alienations. Ballara and

74. Gilling, p 6

Hawke's Bay

Scott boldly conclude that 'by 1850 Hawke's Bay Maori knew that if the land was bought, it was gone forever', and that this view is confirmed by Mclean's use of the phrase 'o muri iho I a ia ake tonu atu' ('and afterwards for ever').⁷⁵ O'Malley has questioned the degree to which Maori understood that they were to permanently alienate Ahuriri. This is discussed further in chapter 3.⁷⁶ Whatever the extent of Maori understanding, it is quite clear that they were eager to have settlers live amongst them, and to have Hawke's Bay become part of the new Colony's economic and social future.

75. Ballara and Scott, introduction, p 196

76. O'Malley, p 231