

RANGAHAUA WHANUI DISTRICT 11B

HAWKE'S BAY

DEAN COWIE

SEPTEMBER 1996

WORKING PAPER: FIRST RELEASE

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## FOREWORD

The research report that follows is one of a series of historical surveys commissioned by the Waitangi Tribunal as part of its Rangahaua Whanui programme. In its present form, it has the status of a working paper: first release. It is published now so that claimants and other interested parties can be aware of its contents and, should they so wish, comment on them and add further information and insights. The publication of the report is also an invitation to claimants and historians to enter into dialogue with the author. The Tribunal knows from experience that such a dialogue will enhance the value of the report when it is published in its final form. The views contained in the report are those of the author and are not those of the Waitangi Tribunal, which will receive the final version as evidence in its hearings of claims.

Other district reports have been, or will be, published in this series, which, when complete, will provide a national theme of loss of land and other resources by Maori since 1840. Each survey has been written in the light of the objectives of the Rangahaua Whanui project, as set out in a practice note by Chief Judge E T J Durie in September 1993. The text of that practice note is included as an appendix (app 1) to this report.

I must emphasise that Rangahaua Whanui district surveys are intended to be one contribution only to the local and national issues, which are invariably complex and capable of being interpreted from more than one point of view. They have been written largely from published and printed sources and from archival materials, which were predominantly written in English by Pakeha. They make no claim to reflect Maori interpretations: that is the prerogative of kaumatua and claimant historians. This survey is to be seen as a first attempt to provide a context within which particular claims may be located and developed.

The Tribunal would welcome responses to this report, and comments should be addressed to:

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## THE AUTHOR

Tena koutou. My name is Dean Cowie. I am a Pakeha male, of Scottish ancestry. My family live in Kaitaia, Muriwhenua. I am a historian, currently residing in Wellington. My qualifications relate to the study of New Zealand history. In May 1994, I graduated from the University of Auckland with a master of arts (first class honours) degree in history. The thesis I wrote as part of that degree was titled 'To Do All the Good I Can: Robert FitzRoy, Governor of New Zealand, 1843–45'. It analysed issues relating to land, finances, politics, racial ideas, and war in mid-1840s New Zealand, focusing on the administration of Governor FitzRoy. It was completed under the supervision of Waitangi Tribunal member Professor M P K Sorrenson. I commenced work as a commissioned researcher for the Waitangi Tribunal in April 1994. My first tasks were to assist Dr G A Phillipson with his research for the Chatham Islands claims and his Rangahaua Whanui district report. In August 1994, I was employed as a permanent research officer, and was assigned claims facilitation functions for the Wairoa ki Wairarapa claims. In 1994 and 1995, I provided assistance to the Te Whanganui-a-Orotu and Turangi township Tribunals. I commenced research for this district report in November 1995. In March 1996, I was appointed to the temporary position of senior research officer, a position I currently hold.

September 1996

## LIST OF CONTENTS

Foreword iii

Introduction vii

### **Chapter 1: An Introduction to the Hapu and Iwi of Hawke's Bay 1**

Introduction 1; Maori occupation 1; Conclusion 8

### **Chapter 2: Early Contact: Land Issues, Maori Society, and the Impact of Europeans 9**

Introduction 9; Maori social and political structure 9; Traders and whalers 13;  
Missionaries 17; Land 19; Conclusion 22

### **Chapter 3: Crown Purchase Issues, 1850–62 23**

Introduction 23; Waipukurau, Ahuriri, and Mohaka: the sales of 1851 23; Secret deals:  
the purchases of 1854 36; More 'Tenei Pukapuka Tuku Whenua': the purchases of  
1855 40; The sales of 1856–57 41; 1857 Pakiaka war 44; The whata of Te Herenga 47;  
Reserves 51; Statistical overview 55

### **Chapter 4: Land Alienations via the Native Land Court from 1866 to 1873 61**

Introduction 61; Background 62; Heretaunga 67; Moeangiangi 91; Te Pahou 94;  
Rangaika 97; Quantities of land alienated via the Native Land Court, 1866 to 1873 98;  
Conclusion 99

### **Chapter 5: Raupatu and Further Crown Purchasing, 1862–75 101**

Introduction 101; The confiscation of Mohaka–Waikare 102; Crown purchasing in the  
Kaweka area 115; The purchase of Tamaki-nui-a-Rua 117; The situation as at  
1875 123; Conclusion 129

### **Chapter 6: Continuing Land Alienation and Other Issues, 1875–1930 131**

Introduction 131; Population 132; Land issues, 1875–91 133; Commentary on social  
and economic status 153; Land issues, 1891 to 1930 163; Ngati Pahauwera land north  
of the Mohaka River, 1875–1930 173; Conclusion 174

### **Chapter 7: Conclusion 177**

Introduction 177; The people 177; Early understandings 178; The first purchases 178;  
1850s Crown purchasing 179; The Native Land Court era 180; The lay-by approach to  
purchasing and the raupatu 182; Social and economic evaluation 183; Further Crown  
purchasing 184

## Contents

<b>Appendix I: Practice Note</b>	187
<b>Appendix II: The Native Land Court and Direct Private Purchase, 1865–1873</b>	189
<b>Appendix III: Summary of Claims in the Hawke’s Bay and Mohaka ki Ahuriri Districts</b>	225
Bibliography	235

## LIST OF ILLUSTRATIONS

<i>Fig 1:</i> Location map	viii
<i>Fig 2:</i> 1851 purchases	24
<i>Fig 3:</i> Secret deals	37
<i>Fig 4:</i> Further Crown purchases, 1855–57	39
<i>Fig 5:</i> Crown purchases, 1858–62	48
<i>Fig 6:</i> Heaphy’s 1864 map (detail)	56
<i>Fig 7:</i> Mohaka–Waikare 1870 agreement map	114

**Note on illustrations:** Figure 1 shows the Rangahaua Whanui districts, and where the Wairarapa district (11A) and Wairoa district (11C), are situated in relation to the district of this report, Hawke’s Bay (11B). It also gives an approximate idea of where the Mohaka ki Ahuriri claims district is situated, and shows the difference between the present-day and former courses of the Tukituki, Ngaururo, and Tutaekuri Rivers. Figures 2, 3, and 4 situate the main blocks or areas of Crown purchasing in chronological order. Figure 5 continues this progression and also includes an indication of the position of the Mohaka–Waikare confiscation district. Figure 6 is a copy of Native Reserves Commissioner Major C Heaphy’s map, which was drawn in 1864. The darkened portions indicate areas of Crown purchases. The dotted line cutting east to west across the North Island is the 39th parallel, which was used to determine the boundary of the former Auckland and Hawke’s Bay Provinces. Figure 7 shows in greater detail the Mohaka–Waikare district. This map was filed with the Tribunal by the Wai 299 (Maungaharuru–Tangitu Trust) claimants and appears in the Wai 201 record of documents (doc J7). It is hoped that more detailed maps will be included when this report is published in its final form.

## INTRODUCTION

This report is part of a series of district reports written for the Waitangi Tribunal's Rangahaua Whanui project. As described in a practice note of 23 September 1993, the project was initiated by the Tribunal in order to provide an historical review of relevant Crown policy and action to enable both single-issue and major claims to be properly contextualised (see app 1).

Initially, this district report was intended to provide an overview of the major causes of land alienation for a region spanning the east coast of the North Island, from Cape Palliser to Te Mahia Peninsula. This was called the Wairoa ki Wairarapa district, number 11 of the 15 Rangahaua Whanui districts. Helen Walter was commissioned to write the district report in 1993, and had completed two draft chapters before being re-assigned to other research. In November 1994 it was realised that there were too many issues to cover sufficiently in one report, and the Wairoa ki Wairarapa district was split into three. The Wairarapa district (11A) report has been written by P J Goldsmith, the Wairoa district (11C) report by J Hippolite. The boundaries of this district report, therefore, fall between those of Wairoa, and Wairarapa. None of the three boundaries are meant to represent iwi boundaries, and the divisions between the three, and with other districts, are flexible in the sense that the authors of these reports have gone beyond them where necessary.

The southern boundary of this district is the easiest to define. It is delineated by a line leading from the mouth of the Waimata River, south of Cape Turnagain, inland to the Manawatu Gorge (see fig 1). Two large blocks purchased by the Crown sit on this line, Tautane, and Tamaki-nui-a-Rua. The western boundary is the most vague, as it is defined by the long line of ranges, part of the spine of Te Ika a Maui, which divide Hawke's Bay from Manawatu and the volcanic plateau. These mountains, the Ruahine, Kaweka, Ahimanawa, and Kaimanawa Ranges, also act as the catchment areas of the many rivers and streams which snake toward the Pacific Ocean. The major ones mentioned in this report are the Tukituki, Ngaruroro, Tutaekuri, and Mohaka Rivers.

Of course, using natural features to describe boundaries is problematic. A study of land alienation inevitably leads the researcher to talk of the land in the linguistic currency provided by European land administration. The land of Hawke's Bay, therefore, has been sub-divided, partitioned, and fragmented into thousands of *blocks*. While it is not included in the scope of this report to argue the issues pertaining to every block, or, indeed, even to mention every one, some decisions have been made on what blocks and areas to exclude from study. This mostly affects the claimants of the Kaweka, Kaimanawa, and Runanga area. Not all the blocks they might expect to have been covered by this report will be included. The same applies to the Waiau area further north.

Figure 1: Location map

## Introduction

The northern boundary of this district is formed by the Waihua River, and any events and issues north of this point are dealt with in Ms Hippolite's Wairoa district report. Owing to inexact boundaries, it is impossible to provide accurate figures of the amount of land in this district. Very approximately it contains about 2,500,000 acres (1,011,750 hectares). This figure is calculated backwards, by adding together the blocks as they were alienated from Maori, hence it is a very rough estimate. A thorough and regionally focused mapping of the district is required before more accurate figures could be provided. The maps in this report, in most cases, have avoided ascribing definitive block lines to the Crown purchases and confiscation area. This is because this report has not gone into the detail necessary to accurately display precise cartographic information. The maps are intended to be an aid to the text, to enable readers to situate places mentioned in the chapters.

Needless to say, the combined Mohaka, Mohaka-Waikare, Ahuriri, Kaweka, Heretaunga, Waimarama, Porangahau, Waipukurau, Ruataniwha, Ruahine, Waipawa, Patangata and Tamaki-nui-a-Rua regions represent a huge and divergent geographical area. Pre-contact (and for a lengthy period after, and to a limited extent still) the area was known for rivers, lakes and lagoons teeming with life-sustaining resources, forests alive with succulent parrots, mutton-birds and other avifauna, fertile plains suitable for root-crops, and a coastline continually traversed by schools of fish. Europeans immediately saw vast potential for the native-grassed, fern, tussock and bracken covered plains and valleys as sheep and cattle grazing areas, with the promise of a successful arable industry also apparent. Today Hawke's Bay represents one of New Zealand's leading horticulture areas, and boasts a fine reputation in viticulture. Sheep stations, dry stock, dairy farms, and other pastoral uses also feature. Further inland, among the higher altitudes, forests of *Pinus radiata*, and some left as indigenous, dominate.

In 1840, despite the claims of W B Rhodes (see sec 2.6), all of this 2,500,000 acre area was owned, occupied, and utilised by Maori. By 1930, under 200,000 acres remained in Maori ownership. This report is designed to act as a general overview of the major ways in which this land was alienated from Maori. Its first task is to describe when the land was alienated. The second, to provide explanation of how and why the land was purchased, leased, and sold. Identifying with whom these transactions were negotiated is important also. To that end, this report commences with a brief description of the iwi and hapu of Hawke's Bay. It provides readers with a chance to become familiar with the Maori groups that inhabited and claimed customary rights in Hawke's Bay in 1850, and some of their chiefs, as well as providing some links between the groups of 1850 and those who have claims before the Waitangi Tribunal today.

The rest of the five chapters follow a chronological pattern. Chapter 2 describes the events of first contact between Maori and Europeans, and discusses some of the impact that it had on Maori, as well as discussing some of the aspects of Maori culture as it related to land. Chapter 2 serves as an introduction to the arrival in 1850 of Donald McLean, the Crown's first official charged with the task of purchasing Hawke's Bay land. Chapter 3 details the events of the first purchases made between the Crown and several hundred Maori the following year. The Waipukurau, Ahuriri,

## *Introduction*

and Mohaka block purchases of November and December 1851 realised 649,000 acres for the Crown. By 1862, the Crown had purchased another 30 or so blocks, totalling a further 900,000 acres. Chapter 3 describes some of the methods used by the Crown in obtaining this land, and offers some explanation of the motives of Maori during that period. Chapter 4 discusses the aspirations of Maori and European in the development of Hawke's Bay for the years between 1865 and 1873. Attention during this period was focused on the constitution of the Native Land Court, the European-style court charged with the function to investigate title to Maori customary land, and award certificates of title to the Maori owners of blocks. Its first hearings were held in Hawke's Bay in March 1866. Alienations of prime land on the Ahuriri–Heretaunga Plains, and elsewhere, followed. Chapter 4 provides case studies of some of the blocks that were alienated, spending most of its pages detailing the alienation of the 19,000-acre Heretaunga block, the site of modern-day Hastings. Further understanding of the practice of the Native Land Court in this period can be found in a chapter written by Dr G A Phillipson, which is attached to this report as appendix II. Dr Phillipson's chapter was written for the Crown Congress Joint Working Party (CCJWP) in 1993. It was part of a large report entitled 'Historical Report on the Ngati Kahungunu Rohe'. Dr Phillipson's research focused on the impact of the Native Lands Act 1865 (and amendments) had on Hawke's Bay Maori, and some of the attempts at reform made by the Crown in response to contemporary complaints. Chapter 5 covers a similar period as chapter 4, 1862 to 1875, yet its focus relates to raupatu, or confiscation, and the context provided by the New Zealand wars of the 1860s. Chapter 5 also traces further large purchases of land by the Crown. Chapter 6 continues to focus on the activities of the Crown land purchasers, for the period 1875 to 1930. It also attempts to introduce ways in which the social and economic status of Hawke's Bay Maori could be evaluated. Some of the subjects dealt with in chapter 6 are not carried through to 1930, and there are many events after 1930 which still need to be addressed. I hope to complete the narrative of relevant post-1930 issues in a further chapter, to be written later this year. This chapter will, hopefully, bring events into the present. Chapter 7, the conclusion, draws together the common issues and themes developed in the text of the chapters, offering some preliminary findings for the claimants, Crown, and others to discuss.

This dialogue is vital if this report is to present a balanced account of the major ways in which land was alienated in Hawke's Bay. It is also hoped that claimants, in particular, look carefully at the text where it deals with their claim, or at lands in their tribal rohe, and make submissions which add to the accuracy and breadth of the information so far written. The Rangahaua Whanui district reports were to be written as much as possible from existing secondary research. This report reflects that directive. Only occasionally was it felt necessary to go back to the primary sources and data, due to the volume of material and reports that had already been written on Hawke's Bay. This research was generated by the Tribunal hearings into the Mohaka River and Te Whanganui-a-Orotu claims, the soon to be heard Mohaka ki Ahuriri claims, and by the Tribunal's commissioning of Angela Ballara and Gary Scott, on behalf of the claimants, to provide block alienation histories of Crown purchasing in

## *Introduction*

the early Hawke's Bay provincial period. Ballara and Scott's reports, the documents filed with them, and the introduction summarising the possible breaches of the Treaty of Waitangi, have been used extensively in this report. With her 1991 PhD thesis, her many entries on Hawke's Bay figures in the *Dictionary of New Zealand Biography*, and other articles, the influence of Ballara's scholarship dominates. Other authors on which this report has relied are Patrick Parsons and Richard Boast. The interpretation of their work in this report, however, is that of my own. Several volumes of claimant research were presented to the Tribunal at the end of July 1996, and were unable to be incorporated into this report.

## LIST OF ABBREVIATIONS

AJHR	<i>Appendices to the Journals of the House of Representatives</i>
app	appendix
ATL	Alexander Turnbull Library
GBPP	<i>Great Britain Parliamentary Papers</i>
ch	chapter
doc	document
fn	footnote
MB	minute book
NA	National Archives
NZJH	<i>New Zealand Journal of History</i>
NZPD	<i>New Zealand Parliamentary Debates</i>
p	page
ROD	record of documents
s	section (of an Act)
sec	section (of this report, or of an article, book, etc)
sess	session
Wai	Waitangi Tribunal claim