

CHAPTER 2

NGATI PAOA

The story of Ngati Paoa begins with the Tainui people of Waikato, probably in the 1600s when Paoa, younger brother of Manuta, left his home at Taupiri on the Waikato River to marry Tukutuku, great grand-daughter of Marutuahu, eponymous ancestor of the Hauraki tribes. In the course of time the children of Paoa and his followers dominated the western shores of the Hauraki Gulf where they lived close to the related tribes of the Marutuahu compact, Ngati Maru, Tamatera, Ngati Whanaunga and those earlier tribes absorbed by them, Ngati Huarere and Ngati Hei. Soon Ngati Paoa exerted an influence northwards until, by the 1700s, they held to a corridor from the Waitemata Harbour south along the western shores of the Gulf to the Hauraki Plains. A section of the tribe called Ngati Hura occupied Waiheke Island.

In about 1740 Ngati Paoa lost ground. Their northern extension was checked by the movement south of Ngati Whatua. Battles were fought on Tamaki isthmus and Ngati Paoa was obliged to shift over, to the eastern side of Tamaki and to the islands of the Hauraki Gulf. Then peace with Ngati Whatua was compacted by marriage settlements and gifts. That was the way of days gone by when warfare was constrained by its own technology and the relative equality of rival tribes.

The northern Ngapuhi followed close on the heels of the Ngati Whatua in the later 1700s to challenge the Waitemata holdings of both tribes. We need not traverse the complicated history of attack and counter-attack save to say that Ngati Paoa held firm. Their famous fighting canoes, Kahumauroa and Te Kotuiti, and the strategic buttress of Putiki-o-Kahu Pa on Waiheke Island, maintained their coastal prowess. But for Ngapuhi they also maintained a legacy of unsettled scores.

Ngati Paoa had also an enviable economy to sustain them. Captain Cook in 1769, and later in the 1790s several whalers, sealers and traders, visited the area leaving pigs and potatoes and bequeathing to us a picture of Ngati Paoa at that time. For the following portrait we are indebted to 'The Ancestors of Ngati Paoa' written by Bronwyn Kayes when a student in the Anthropology Department of the University of Auckland.

Cook's description of the Firth of Thames attracted a great number of ships to the area. The period 1790–95 was dominated by sealing and whaling ships who did most of their

REPORT ON THE WAIHEKE ISLAND CLAIM

repairs at Waiheke Island, the domain of Ngati Paoa. The years 1795–1801 were a time of timber ships to the Hauraki Gulf. To provide for the ships the Maori people of the Firth of Thames grew potatoes and, by the beginning of the 1800s, had very large quantities growing . . .

In April 1801 the *Royal Admiral* came to the Hauraki to collect spars. In the log of that vessel it states:

The only European vegetables grown by the natives was the potato, extensive fields of which were grown and all very free.

This use of Maori land made an enterprising adaptation to the needs of the ships entering the Firth of Thames, and for their own benefit the potato being a more hardy plant than the kumara, thus the Hauraki Maoris supplied potatoes for the ships in exchange for iron and goods of use to them (Barton, 1978:15).

However, 1801 marked an abrupt end for a period to the timber ships coming to the Hauraki. The *Plumier* became badly damaged on a sand bank and the *Royal Admiral*, being near to the area, spent three months anchored near Miranda toiling to bring out logs from Turua only to find that the logs were useless. White pine is not kauri!

In 1806 the brig *Venus*, captured by convicts came to the Hauraki Gulf. Te Haupa (a Ngati Paoa chief) went on board the brig and was captured by convicts. Te Haupa escaped by jumping overboard.

These ships did bring with them one thing the Maori population could well do without – disease. Three great epidemics spread through the Thames area . . . In 1795 a vast epidemic occurred so terrible that, as Isdale says, ‘The living could scarcely bury the dead’. The burial pits of that time are full of a pathetic number of the small skulls of children. 1801 was a year of the epidemic known as rewharewha influenza which greatly depleted the population.

Nevertheless, by the time of Marsden’s arrival in the brig *Active* in November 1814 the Ngati Paoa were again a force to reckon with. The brig came down from Bream Head to the harbour of the River Thames and to Tapapakanga where the great chief Te Haupa resided. Tapapakanga is a fortified village situated on a hill about a mile from Whakatiwai. Marsden had heard of the chief Te Haupa, ‘as a man much esteemed as well as feared and who possessed very great power’ (Elder, 1932:103).

A party of warriors including Te Haupa and his son came out in a war canoe to meet them and Te Haupa and his son got on board the brig. Marsden described him as ‘one of the strongest and best made men I almost ever beheld’ (Ibid:104)⁷. Cruise who sailed to Hauraki in the 1820s talked to Te Haupa as a great ariki who possessed an immense tract of land and held almost despotic control. He said of him ‘he was a very old man, his beard white as snow and his body much tattooed’ (Cruise, 1824). Perhaps he was like Ruatao, son of Te Ngako and grandson of Marutuahu, who was described by one author as ‘obviously

NGATI PAOA

one of those Polynesian giants sometimes seen in the South Sea Islands, as well as in New Zealand . . .' (Isdale, 1967:15).

Te Haupa and Marsden exchanged gifts. Because of bad weather, Marsden was forced to harbour at Whakatiwai where the Ngati Paoa headquarters were. They were welcomed with great joy and provided with many hogs and potatoes . . . Few men were present at the village as the men were on a taua. They then proceeded to Te Haupa's fortified village at Tapapakanga. There they observed many women and children, very fat hogs and fine plantatiwnre full of potatoes containing some thousands of baskets and they had some very fine hogs. The soil is uncommonly rich and easily cultivated. They grow sweet and common potatoes, turnips and cabbage the principal. No grain foods.

The pillars leading into the fortification were much carved with various figures such as men's heads etc. (up to 14ft high)' (Elder, 1932:8).

Piti a chief of the village wished Marsden's group to come to the upper end of the village where he resided. Said Marsden, 'when we arrived we met some of the finest men and women I have yet seen in New Zealand, and well dressed' (Ibid:8).

These accounts of Marsden and Nicholas are first-hand accounts of the Ngati Paoa and everything described is indicative of an extremely powerful and wealthy tribe; clothing, cultivation, carving. Te Haupa, an ariki of the Ngati Paoa has great mana and under his mana would the Ngati Paoa reside.

Their residence however was precarious. On the debit ledger of their economy was a list of old scores Ngapuhi wanted settled, and while the Reverend Marsden was preaching in New Zealand, Hongi Hika was in England planning a trip to Australia to acquire muskets to deal with his old foes.

The Reverend Marsden, with Mr Butler, arrived on a second voyage to New Zealand in about 1820 on the brig *Coromandel*. They visited the chief Te Hiinaki at Mokoia on the Tamaki River. Kayes continues:

They were joyously and enthusiastically received at Mokoia Pa. Mokoia was a very populous settlement Butler estimating four thousand inhabitants, while Te Hiinaki stated there were seven thousand. Marsden described Mokoia; 'Their houses are superior to most I've met with. Their stores were full of potatoes containing some thousands of baskets and they had some very fine hogs. The soil is uncommonly rich and easily cultivated. They grow sweet and common potatoes, turnips and cabbage the principal. No grain foods.

Butler who climbed what was probably Mt Maungarei (Mt Wellington) saw twenty villages in the valley below and 'with a single glance beheld the greatest portion of cultivated land I had ever met within one place in New Zealand' (Butler, 1927:99-105, 174). Butler and Marsden write of the anxiousness of the people to acquire a missionary or a white man . . . From these accounts Mokoia was a vast settlement with enormous cultivations.

REPORT ON THE WAIHEKE ISLAND CLAIM

Marsden had not been gone two days when Cruise arrived at Mokoia on the 'Prince Regent'. He describes the village and the extensiveness of the surrounding villages and cultivations. Cruise says of the people 'It was generally observed that for the harmony of their voices, the gracefulness of their movements as well as in personal appearance they had far the advantage of any other tribe we had met with . . . in appearance these people were far superior to any of the New Zealanders we had hitherto seen – they were fairer, taller and more athletic, their canoes were larger and more richly carved and ornamented and their houses, larger and more ornamented with carving than we had generally observed.'

But this wealthy tribe was on the brink of more war and a new type of warfare. The old balance of power was about to shift dramatically with the advent of the gun. Hongi Hika returned from overseas. In 1821 some 2,000 well armed Ngapuhi warriors set off from the Bay of Islands. In the holocaust that followed, the Ngati Paoa on Tamaki were routed and dreadful massacres took place. It appears that soon after the invaders challenged Waiheke – the island that for 60 years had thwarted their pretensions. The defenders at Waiheke were no match for the musket and soon fled down the Firth of Thames. They had not the expected opportunity to regroup and counter-attack. The beach near Kaiaua remains sacred to this day for there some of the finest of the Ngati Paoa fighting force were overtaken in pursuit, and slain.

The Ngati Paoa survivors of these battles fled south to receive refuge with the Waikato tribes, principally at Horotiu near to what is now Hamilton, but the corridor to Hauraki plains and thence to Waikato had been cleared and Ngapuhi wasted no time 'm moving on, thrusting south into Waikato through the exposed Hauraki flank. Once more we need not recount the long and tangled stories of raid and counter-raid that continued well into the 1820s. It is sufficient to say the invaders sought revenge and glory rather than land. It is said that Ngati Paoa occupied the main 'trading and raiding route' of the time, but their lands were not occupied. Thus being vacant Ngati Paoa were able to return.

With the aid of a peace pact between Ngapuhi and Te Rauroha of Ngati Paoa, some of Ngati Paoa returned to their villages skirting the gulf. They did so cautiously at first holding to the southern villages around Kaiaua not too distant from Waikato and often returning only to cultivate land or to fish. But several settled permanently and Captain D'Urville, on his second visit to New Zealand in 1827, records a great village in the area with many inhabitants and a great quantity of drying fish. The return to Waiheke came later when the Ngapuhi chief, Patuone, married the Ngati Paoa chieftainess Riria in a peace arrangement, and settled on Waiheke at Putiki Pa.

But additionally in the 1830s Ngati Paoa sought a pact with the kinder instruments of European contact, the missionaries, who offered a new life, and who promised them a Treaty with the white chiefs that would bring 'peace and good order' and 'the necessary laws and institutions'.

NGATI PAOA

Trade also came to occupy the interests of Ngati Paoa. A trading station was established at Miranda in 1832 dealing in flax and spars. A mission station opened at Thames in 1833 with a second, soon after, at Puriri. The missionaries described the people as numerous despite fearful devastations, industrious and willing to receive instruction. Ngati Paoa was soon involved in the production of maize, onions, kumara, cabbage, wood and flax and tended herds of pigs, goats, fowls and geese.

The Treaty of peace that the missionaries promised was the Treaty of Waitangi, signed by five representatives of Ngati Paoa at Waitemata on 4 March 1840, a further three at Coromandel and another one at Mercury Bay until finally, on 9 July 1840, seven of the Ngati Paoa chiefs travelled from Kaiaua to Waitemata to execute a further copy there. That Treaty of peace was nonetheless, for Ngati Paoa, born in the wake of the musket. Even at the time of signing in 1840 a further Ngapuhi raid was thought to be imminent and Auckland settlers were soon preparing for it. Ngati Paoa saw advantage in an alliance with the white tribe to share the land with them. So it was that Ngati Paoa entered with hope the next significant stage of their history.

The missionaries heralded a new life indeed. Behind them came the Government Land Purchasing Officers to acquire nearly all the Ngati Paoa lands around Auckland in the very early 1840s.

The claim was filed before our jurisdiction was extended. It was beyond our authority to review those early transactions in any detail except, as here, to provide a background to the Ngati Paoa people. As part of that background however we refer to the research of some modern historians doubting that at this early time the Maori understood that a deed of sale meant they were giving up their right to the land forever, and postulating that they often seem to have believed they were granting only rights of occupancy (see for example A Ward *A Show of Justice* p29 and A Parsonson in *The Oxford History of New Zealand* p148). We would add that customary settlement arrangements had no affinity at all with sales as the settlers know them. Occupational arrangements such as Waikato made with Ngati Paoa during the Ngapuhi wars, or customary land gifts both involved in sharing in land, not a conveyance of ownership or vacant possession. They each required too a commitment from the recipient to honour the mana or authority of the benefactor.

From the Crown's viewpoint it may have been thought that Ngati Paoa would still retain sufficient land for their own needs despite the extensive purchases. Early maps accompanying the Deeds of Sale on Waiheke indicate that intention. The western extremity called Te Hurihi containing 2,100 acres is depicted as a 'Native Reserve for Ngati Paoa'. But the reserve was never created, just as similar proposed reserves were not respected for other tribes. New Zealand history is marked by the continuing attempts of the Maori to retain tribal identity and autonomy and that may be largely due to the failure to ensure tribal reserves.

The European settlement of Auckland meanwhile was growing rapidly – there were some 18,000 there by 1854 – and Ngati Paoa benefitted. Kayes (*supra*) considers

REPORT ON THE WAIHEKE ISLAND CLAIM

The Government Gazette of the Province of New Ulster has recorded the tribes who brought produce to Auckland, how much and what and these records are amazing. Ngati Paoa is one of the major food suppliers to the Auckland province. They have obviously regrouped into a strong and powerful tribe once more as the quantity and variety of their production is mammoth. Often these government documents are inaccurate and these foodstuffs all came via canoe but nevertheless the quantities are impressive. One inaccuracy that is possible in this document is the crediting of Ngati Paoa with produce of another tribe. A map of the 1860s marking tribal areas has allotted all the Coromandel as Ngati Paoa territory which is incorrect. If the canoes bringing foodstuffs were asked the area they came from not the tribe they belonged to inaccuracies would be inevitable. But without a doubt proportionately the Ngati Paoa are far outstripping the other tribes in both production and range of produce.

Extensive land sales however, and some uncertainties about the new settlers appeared to cause concern and misunderstanding.

In 1851 Te Hoera of Ngati Paoa living on Waiheke, and Ngawiki or Ngati Tamatera, were arrested and then released, apparently without any explanation. Some of Ngati Paoa proposed retaliation in a raid on Auckland, a raid that did not eventuate when the would be attackers, on reaching the mainland, were warned off by a warship in Waitemata Harbour. The tribe saw the proposed raid as an act of foolishness and tendered to Governor Grey a Ngati Paoa heirloom, a mere called Hinenui-o-te-paoa, as representing their desire for continued peace.

There followed, in the later 1850s, the sale by Ngati Paoa of the islands in the Hauraki Gulf including some three quarters of Waiheke Island. Once more, further research would be needed to settle the background to those sales. We are not called upon to provide that in this case but we do have some accounts indicating that the mere of peace was not received in the spirit in which it was given and that the sales may have resulted from reprisals for the abortive raid, a pressure upon Government Land Purchase Commissioners to buy more land, and a feud between Ngati Paoa and Ngati Maru.

Hori Matua Evans, who will figure again later in this report, gave his family's understanding of events according to the oral accounts passed down. His great great grandmother, he explained, Hariata Whakatangi of Ngati Maru and Ngati Paoa, was born on Waiheke in the early 1800s. She married an American seafarer, William Martin, who traded in flax gathered from the distant Te Araroa region near East Cape. Mr Martin returned to the United States, taking with him his two half caste sons but leaving behind Hariata Whakatangi and a daughter also called Hariata. Hariata (No 2) was born on Waiheke as well, in 1824. She married Hori Akuhata of Te Araroa, and although buried at Te Araroa, when she died at age 104 in 1928, she lived most of her married life in the Coromandel area. Hariata Akuhata passed on to her children her understanding of events. She, her parents and grandparents had lived at

NGATI PAOA

Waiheke and were there when the Treaty of Waitangi was signed in 1840. Then, in Mr Evan's words '... the Maoris living on the outlying islands were routed by the constabulary for it was felt that the seat of Government should be positioned in developing Auckland' (which it was, by *Gazette* Notice 26 November 1842) 'and it was feared then that the Maoris living on the outlying islands could pose a threat to that objective. Her whanau (family) were moved from the island and settled in the Thames–Coromandel area and there they had to restart and rebuild a heritage for themselves. She further related that when her mother Hariata Whakatangi died, Hori Akuhata, her husband, returned her body to Waiheke and she was buried there at Putiki – Te Putiki o Kahu.'

It seems more likely the relocation Mr Evans described, if correct, would have postdated the 1851 raid. Added to that the 1850s saw considerable settler pressure on Government Land Purchasing Commissioners to acquire more Maori land (see MPK Sorrenson in Appendix B to the 1986 *Report of the Royal Commission on the Electoral System*). A measure of responsible government had been given to the young colony but Britain retained control of Maori matters. The settlers, resentful of the slowness of the Government to purchase Maori land, campaigned for the abolition of pre-emption. Eventually, in 1859 the General Assembly passed a Native Territorial Rights Bill which would abolish the Crown's pre-emption and allow settlers to buy direct from individual Maori. While the Bill was disallowed by the British Government, as an infringement of the Treaty of Waitangi, the pressure remained on the Government land purchase officers to acquire all they could. It was during this period of pressure that the islands of the gulf including the greater part of the Waiheke lands were acquired, in 1857 and 1858.

That pressure, combined with the possible relocation of the islanders to the mainland may explain why the deeds of sale for the islands are executed by remarkable few alienors and why we have no record (as yet) of the large tribal meetings that were normally associated with customary land transactions. It may be of greater significance however that the alienors were of Ngati Paoa when, as contemporary evidence discloses, Ngati Maru had also a claim to the land.

We have accepted that Waiheke is the ancestral home of Ngati Paoa because that is what the Maori Land Court came later to determine and because subsequently, and at our hearings, no demurrer was made to that claim. It is not that we consider that Ngati Maru had no right but rather that we were not called upon to determine the point. The position of Ngati Maru may deserve further study however. It is clear that Ngati Paoa and Ngati Maru are most closely related tribes, enjoying a common ancestor in Marutuahu, and that for a time they lived together on Waiheke. Fighting broke out between them when Rongomarikura of Ngati Paoa was drowned at Tikapa (Firth of Thames) and Ngati Paoa blamed Ngati Maru. The former maintained that before 1840 the latter were expelled to join their kin on the Coromandel peninsula. That may be so but the latter had a different opinion and clearly the position at 1840 was not certain.

REPORT ON THE WAIHEKE ISLAND CLAIM

It was a commonplace at that time that some Maori hapu sold land to prove their own mana (authority) and negate the claims of others, particularly if there was a dispute, and common too that Crown purchasing officers elected to deal only with sellers, ignoring the claims of others. The practice has been commented upon by several historians and we need refer only to A Parsonson in *The Oxford History of New Zealand* pp 148–152, M P K Sorrenson ‘The Politics of Land’ in *The Maori and New Zealand Politics* p 23 and the broad summary of G Asher and D Naulls (for the New Zealand Planning Council) in *Maori Land* pp 15–19. Indeed, it was this very practice that sparked off the land wars in 1860 following the Waitara purchase.

Be that as it may Ngati Maru continued to insist that they had not relinquished a share in the land. They said so in the Maori Land Court some years later, in 1865, but to no avail. The Court found Ngati Paoa to be solely entitled (see Hauraki Minute Book Vol1, Maori Land Court). It seems to have been quite common too, in those days, that the Maori Land Court found in favour of those who had already sold the surrounding land. Still, if insistence is any evidence of right, it is worth noticing that Ngati Maru maintained their insistence, until in 1867 the Crown paid Ngati Maru six hundred pounds in return for an acknowledgment that Ngati Paoa alone had been entitled to Waiheke (Turtons Deeds 287 and 248).

Ngati Maru has since held to that acknowledgment – and so we have no need to question it. We note however that an uncertainty of intention may well have surrounded the mainland sales. In addition the historical events and internecine disputes described, cloud the clear wording of the Deeds of cession and question whether the Waiheke sales were freely and willingly entered into, and then with the assent of all the right people.

It is clear however that by the end of the 1850s the Crown buyers faced difficulties in acquiring more land, especially in the Auckland and Waikato areas. There was a realisation that land sales meant vacant possession to threaten that which has consistently loomed large in the post European history of Maoridom – tribal identity and autonomy. For Ngati Paoa a restoration of tribal authority was essential to prevent sales by a few individuals that would leave the tribe homeless. In that respect the Treaty appeared to offer no protection at all from dispossession.

Ngati Paoa resolved to hold to their remaining lands, now mainly reduced to the south-western aspects of the Firth of Thames, and to support in that respect the Waikato anti-land-sales policy. That policy was taken by Governor Grey as a challenge to the authority of the Crown and in July 1863, Imperial forces invaded Waikato. To many, the true intention of the new partners now seemed manifest.

Many of Ngati Paoa then joined with Waikato in the war. They faced, in any event, a traditional obligation to support the Waikato tribes that had earlier succoured them. Some of the Ngati Paoa remained ‘loyal’ to the Crown, Patara Pouroto representing Ngati Paoa at the major conference of loyalist chiefs summonsed by Governor Gore-Browne at Kohimarama, Auckland in 1860. Others however joined with Waikato in battle. For their pains they lost the

NGATI PAOA

war and some land, confiscated under the New Zealand Settlements Act 1863. (The claimants maintained 50,000 acres was confiscated from Ngati Paoa. We had the benefit of a paper on Ngati Paoa confiscated lands, prepared by Dr Michael Belgrave of the Tribunal's staff, describing the lands confiscated at East Wairoa and Miranda. While the Ngati Paoa acreage is difficult to quantify, and while it appears their land lost would not amount to 50,000 acres, yet in modern terms the losses appear substantial.)

The residue of the tribe, defeated once more and without the land resources previously held, looked to a bleak future. For them as for most tribes, land loss meant a loss of food resources leading to poor nutrition, ill health, lowered resistance to disease and a drop in fertility. Ngati Paoa, like other tribes, went into what was thought to be an irreversible decline. At the turn of the century it was believed the 48,000 Maori in New Zealand would disappear. Ngati Paoa's experience to 1900 would confirm this. With its land base a mere fraction of its former self, its people reduced by conquest and deprivation of resources, Ngati Paoa leadership declined along with its people.

Then, following the wars Ngati Paoa were to find that even the remnants of their lands they were about to lose too – not through the machinations of another war, but rather through the mechanics of another new instrument – the Maori Land Court.

Here we return our attentions to Waiheke. The tribe still owned about one quarter of the island and some had returned to live there. A report of 1870 estimated this to be some 40 persons at that time while a count in 1881 gives the number on Waiheke as 52 (see AJHR 1870 A-1 and AJHR 1881 G-3). Those who returned in the 1860s may have been greater. They returned to find a new regime, the regime of the Maori Land Court.

