

# Ngai Tahu Land Report

## 03 Ngai Tahu before the Treaty

### 3.1 Ngai Tahu Iwi

Chapter 3

#### NGAI TAHU BEFORE THE TREATY

##### 3.1. Ngai Tahu Iwi

The descendants of Tahupotiki

3.1.1 Ngai Tahu take their name from Tahupotiki, a descendant of Paikea and a close relation of Porourangi, the ancestor from whom Ngati Porou has descended. Tahupotiki lived his life in the North Island on the east coast around the area now known as Poverty Bay-Hawkes Bay. Sometime in the seventeenth century his descendants gradually migrated south, travelling first to the Wellington coast and then crossing Raukawamoana (Cook Strait) in several waves to Te Wai Pounamu. Over a number of generations they spread over the large expanse of the island and on to Rakiura (Stewart Island). These heke occurred in comparatively recent times, but by intermarriage with those peoples who already inhabited the islands Ngai Tahu were able to forge links with the islands' more ancient history and resources. As Ngai Tahu moved south they sometimes fought and defeated, and sometimes intermingled with other tribes. In doing so they absorbed these peoples' older knowledge and experience of the land and its resources. This process of fusing Ngai Tahu with earlier communities was still continuing when Europeans first arrived on the islands in the eighteenth century.

Ngati Mamoe

3.1.2 While Ngai Tahu occupied Wairau and Kaikoura, interaction linked Ngai Tahu by whakapapa to many of the tribes which still inhabit the northern South Island, including Rangitane. However, Ngai Tahu's strongest rivals for control of the island's resources as a whole were Ngati Mamoe. Like Ngai Tahu, Ngati Mamoe were recent immigrants from the east coast of the North Island. A century before Ngai Tahu's arrival they had moved south, gradually shifting from their bases on the south coast of the North Island to Wairau and then further south. When Ngai Tahu arrived Ngati Mamoe were strong in the Kaikoura area. For a time there was peaceful coexistence. Then followed a series of clashes which resulted in Ngati Mamoe being driven further south and Ngai Tahu replacing them as the dominant tribe on the northern east coast of the South Island. Over the next century this process continued down the island. Ngai Tahu married Ngati Mamoe but the rivalries continued. By the time Europeans arrived Ngai Tahu had clearly established their dominance on the east coast while at the same time being heavily interlinked with Ngati Mamoe by whakapapa. In the far south of the island there were still those who regarded themselves as Ngati Mamoe

first and as the tribunal moved around the island it was clear that southern Maori still think of themselves as Ngai Tahu-Ngati Mamoe, a synthesis of the two tribal groups.

## Waitaha

3.1.3 Older iwi still occupied the island before the southern migrations of Ngai Tahu and Ngati Mamoe. These people are collectively known to Ngai Tahu as Waitaha. Like Ngati Mamoe, their whakapapa and their traditions are linked with the history of Ngai Tahu. Waitaha were both a people and a collection of peoples. The name refers to all those who were there prior to the Ngati Mamoe and Ngai Tahu migrations. These peoples recorded their long and eventful occupation of the island in its most ancient names, names which were readily inherited by Ngai Tahu. Known by European scholars as Mōa Hunters, the culture associated with the hunting of the moa had already gone with the passing of these flightless birds when Ngai Tahu first crossed Cook Strait. Although the collective name for a group of people, Waitaha also describes a people who traced their history back to Rakaihautu and his son Rokohuia who first landed the Uruao waka on the island many centuries ago. In Ngai Tau tradition it was Rakaihautu who travelled down the island beating the land with his ko and leaving the inland lakes. Ngai Tahu also have their own creation stories about the formation of the island looking to the Southern Alps as Te Waka a Aoraki, the canoe of Aoraki, with its paddlers making up the main peaks of the Southern Alps.

3.1.4 Mr Tipene O'Regan has outlined something of this history in Waitangi: Maori and Pakeha Perspectives of the Treaty of Waitangi from which the following excerpt is taken:

It is hard to put a date on the Waitaha arrivals. The whakapapa (genealogy) takes root from the voyaging ancestor Rakaihautu, his son Rokohuia, and their canoe Uruao. Rakaihautu is present in traditions of Taitokerau (northern North Island of New Zealand), and in those of Rarotonga in Eastern Polynesia. The name of his canoe is also that of a star constellation and one of the ancient 'star pathways' of Polynesian navigation. The names and the whakapapa are treasures of our antiquity to be lovingly recalled in debate and speculated on and intermeshed with archaeology and anthropology when it suits. What is important to our people is that Waitaha are the first people in our island and that, in his travels, Rakaihautu and his tribe named the land and the coast which borders it. These are the names we associate with the earliest archaeological evidence.

While these ancient Waitaha tribes were establishing their southern world, other tribes were building similar worlds in the north. There it was warmer and they were more numerous. Their kumara, yam, and taro were sustained with less difficulty and they could grow hue (gourds) for containers. While their numbers were increasing and they were beginning to contest the most favoured areas amongst themselves, the southerners were still expanding into more open and less contested land and resources. On the eastern North Island coasts, a tribal group grew up around the ancestor Whatua Mamoe and established substantial fortified pa in the region of the modern city of Napier. Just to the north, in what is now the Gisborne area, other groups formed which shared descent from the Cook Island ancestor Paikea and his brother Irakaiputahi. Roughly half-way between Gisborne and Napier lies the Mahia Peninsula; here a third group associated with the Kurahaupo canoe was forming. By

the early sixteenth century elements of these tribes were establishing themselves down the eastern North Island coast, to the edges of Raukawamoana (Cook Strait).

The descendants of Whatua Mamoe from the Heretaunga (Napier) region became known as Ngati Mamoe. In the mid-sixteenth century a small section of them settled on the Cook Strait coast near Wellington and shortly afterwards crossed the strait and imposed themselves on the Waitaha communities living in the Wairau district near modern Blenheim. According to our traditions, the Ngati Mamoe were drawn south by the abundant bird, eel, and fish resources of the Wairau estuaries and lagoons. Over time they came to dominate Waitaha, more by strategic marriages than by war, and the old southern tribal communities began to be known by their name, Ngati Mamoe, over the length of Te Waipounamu.

Meanwhile, back in the eastern North Island another more substantial tide of tribal movement was building. The mosaic of tribes was shifting southwards after a round of retributive fighting, sparked by the murder of a child. The movement had far more general causes than the historic incident which sparked it, and there began a steady migration of groups from within the eastern North Island tribes that was to continue into the seventeenth century.

Several of those groups migrated, over a span of about two generations across Cook Strait and into Te Waipounamu. Over time, they formed the principal southern tribe and became known as Ngai Tahu through their linking ancestry to Tahupotiki of the East Coast, North Island, whence their southwards migration had begun. However, they had a rich mixture of North Island tribal descent flowing in them, and the bonding into a reasonably unitary tribe did not take place until they had been in Te Waipounamu for nearly a century. The story of that century is one of conflict, of peacemaking, and intermarriage, both with the Ngati Mamoe and amongst themselves. It was during that time that 'classic' Maori culture was implanted in the South Island, to be modified by the rigours of the colder environment and a very different economy. {FNREF|0-86472-060-2|3.1.4|1}

## Te Heke o Ngati Kuri

3.1.5 Ngai Tahu's moves south brought the tribe progressively into the various areas occupied by them at the time of the Treaty. The first heke, or migration, was that of Ngati Kuri. Kuri lived several generations after Tahupotiki, and it was his grandson and great-grandson, Puraho and Mako, who first took the tribe across Raukawamoana (Cook Strait), following a battle with Ngati Ira at Puharakeke (near Seaview, Lower Hutt). At Kura te Au (Tory Channel) where they settled, they soon came into conflict with Ngai Tara, whom they successfully defeated. In the Wairau they campaigned against Rangitane, and eventually a Ngati Kuri chief, Maru, moved south to Waipapa, on the Kaikoura coast. Mr Wiremu Solomon, a kaumatua from Kaikoura explained the events that then took place:

... Kati Kuri came and lived at Kaikoura and the tribes...living there gave over the Kaikoura lands to Maru... There were many hapu, or clans, living at Kaikoura even Kati Mamoe. These were the ones who wanted to live peacefully, who did not want fighting... Kai Tahu's battles were not murderous ones, they did not just fight for fighting's sake. They did not kill without end. It was not like that. They fought their

battles and when it was over that was the end of it. They did not chase their enemies all over the country nor did they kill treacherously. Kati Kuri was not like that. Now, at the time that Kaikoura was given over to Maru a poha (food storage container) named 'Tohu Raumati' was given also. This poha was fashioned with a bird in front and a human figure on top and the food in it was never eaten by man... although food was preserved in it each year. The first foods of the year were preserved in that poha. It was a sacred poha imbued with the sacred rituals and mana of the Maori. The giving of that poha was symbolic of the giving of the land. (H7:22)

Ngati Mamoe then settled at Pariwhakatau (Conway River) from which they were eventually expelled as far as Murihiku.

Mr O'Regan identified the Irakehu people as the next major heke south, bringing Ngai Tahu to Horomaka (Banks Peninsula) (A27:9).

Te Heke o Tuhaitara

3.1.6 Another great migration which led to Ngai Tahu occupation of most of what is now Canterbury is identified as Te Heke o Tuhaitara (J10:7). The heke is associated with Moki and Turakautahi. According to Mr O'Regan, Tuahuriri came into conflict with his brother-in-law Tutekawa who killed two of Tuahuriri's wives before fleeing to Wairewa (Lake Forsyth). Tuahuriri drowned and it was his two sons, Moki and Turakautahi, who travelled south to Wairewa, where Tutekawa was killed. Moki was himself killed by maketu at Wairewa soon after. From the members of this heke come the major hapu of Canterbury and Banks Peninsula. Mr O'Regan commented that:

The heke divided the new areas between them with Turakautahi coming here to Kaiapohia, Mako to Wairewa, Te Ruahikihiki to Taumutu and Te Rakiwhakaputa to Rapaki and so on. (A27:11)

3.1.7 Mr Rakihia Tau's account stressed not utu but the value of trade and the richness of the resources of the new territory.

Having mingled with their kinsmen Ngati Kuri, Waitai and some of his kinsmen left their kaianga nohonga near the Wairau River called o Te Kauae. This was on account of Maru their kinsman showing clemency to certain Ngati Mamoe people. These people were also closely related. Waitai and his forces travelled southwards as far as Murihiku or Southland. In time Moki's brothers-in-law who were with Waitai's forces desired to return to the Wairau, hence Kaiapu and Te Makino journeyed overland and returned to the Wairau. On their return they reported to Moki and the various chiefs their discoveries, the abundance of mahinga kai within this Island. This was the reason for the building of Kaiapohai [sic] Pa. The importance of the site came from the fact that it was the base for a NETWORK OF KAIANGA NOHONGA throughout the South Island. (J10:8) (emphasis in original)

Further disputes continued with Ngati Mamoe throughout the southern parts of Te Wai Pounamu until a final peace was agreed to at Poupoutunoa (near Clinton). The peace was arranged by Te Hautapuniotu of Ngai Tahu and Te Rakihia of Ngati Mamoe. Although at times precarious, Mr O'Regan stated that the "union of the two tribes...has held from that time". (A27:12)

3.1.8 The last of these Waitaha peoples to be incorporated into Ngai Tahu were Ngati Wairangi. Ngati Wairangi held control of the west coast including the valuable pounamu of Arahura. They are presumed to have been a pre-Aotea people who originally came from the Taranaki area. Like the other tribes of the South Island they were already connected by marriage to Ngai Tahu prior to their eventual defeat in the late eighteenth century by Tuhuru at the battle of Lake Mahinapua, south of Hokitika.

Ngai Tahu's relationship with other tribes by 1840

3.1.9 We have explained that at the first hearing of the claim certain northern South Island tribes from the Nelson and Marlborough district appeared before the tribunal and claimed interest in the proceedings (1.6.12). The claim lodged by these tribes raised a dispute as to the tribal boundaries of the various iwi which led to a formal hearing before the Maori Appellate Court. The court gave its decision on 15 November 1990. The full text of that decision is appended to this report (appendix 4). Generally the dispute concerned the position of the north eastern and north western boundaries of Ngai Tahu.

Ngai Tahu claimed rights on the east coast up to the respective rohe shown in the Kaikoura and Arahura purchase deeds being respectively Parinui o Whiti on the east coast and Kahurangi on the west coast. These rights were challenged by three parties in the Maori Appellate Court representing ten northern tribes. On the eastern boundary Ngati Toa and Rangitane opposed Ngai Tahu's claim up to Parinui o Whiti and on the west coast Ngai Tahu rights were disputed by Ngati Toa, Ngati Rarua, Ngati Tama, Rangitane, Te Atiawa, and to a certain extent by Ngati Apa.

We do not propose to review the court's decision which examined the customary take such as ancestry (take tupuna), conquest (take raupatu), gift (take tuku) and the important question of actual occupation (ahi kaa) which must accompany a take.

On the eastern coast the court rejected claims by Rangitane that prior to the Ngati Toa incursion led by Te Rauparaha in 1828, Rangitane had occupied and held title to the land north of the Waiau Toa (Clarence River)

The court also found that although it was clear Ngati Toa had effectively conquered the east coast as far as Kaiapoi and possibly Akaroa, they did not follow up this military success by exercising ahi kaa over any territory south of Parinui o Whiti. The court decided that Ngai Tahu, in 1840 and in 1859 when the Kaikoura deed was signed, exercised rangatiratanga over the eastern coast up to Parinui o Whiti.

The court in looking at the various claims to the west coast came to the conclusion that Ngai Tahu held customary title to Tai Poutini lands for a considerable time before 1827 when Ngati Tama and Ngati Rarua arrived with their chiefs Niho and Takerei respectively. However the Maori Appellate Court also found that any rights these two tribes had were extinguished with the defeat of Te Puoho at Tutarau and the retirement of Niho and Takerei north of Kahurangi Point just prior to the Treaty. Claims made by Ngati Toa, Rangitane, Te Atiawa and Ngati Apa were also examined by the court and rejected. The Maori Appellate Court found that rights of ownership of the land comprised in the Arahura deed were vested in Ngai Tahu.

A little later in this chapter we again look at the invasion of Ngai Tahu territory by the northern tribes and its effect on the tribe.

The iwi

3.1.10 By the time of the Treaty then, Ngai Tahu were in control of a vast territory, but like all iwi they existed in hapu and whanau communities, with different genealogies, often reflecting the mixed origins of the tribe. Mr O'Regan described this in the case of Arowhenua.

Perhaps our Kati Huirapa people centred on Arowhenua best typify the three primary streams of whakapapa that go to make us-they are the centre of our Waitaha tradition, they have significant Mamoe descent and they carry the name of Huirapa, one of our most important founding tupuna from the southeastern North Island roots of Kai Tahu. Our tupuna tied us together in a kupeka, or net, of whakapapa... (A27:12)

Professor Atholl Anderson, himself of Ngai Tahu descent, presented the relationship between the different parts of the tribe to us in scholarly terms:

If I have understood this matter correctly then it can be inferred that the land and its resources was perceived in three ways: as a tribal territory, that is, the area for which the tribe would fight; as land in common ownership excepting those tenured pieces, or rights of access to resources, which were inherited through hapu and could be located at any point in the tribal territory; and as a series of annual ranges (weakly combined into districts), which were the areas customarily ranged over by the members of the residential communities in the course of their yearly economic activities.

This amounts, in turn, to an economic system in which common ownership was not congruent with management. The tribe owned the land in common but did not manage it economically. Hapu owned property or access rights but did not manage them at hapu level. Communities owned neither land nor resources but, were, nevertheless, the operationally-effective economic managers through their organisation of activity schedules and labour. (H1:73)

Professor Ward also commented on the way Ngai Tahu may have perceived their rights in line with his experience of other Polynesian cultures.

The question of just which sections of Ngai Tahu owned or controlled what rights is a matter of some complexity-a complexity that had grown up over many generations of travel and dispersal over and through Te Wai Pounamu. It is clear that some rights, like mutton-birding in the Titi Islands, were exercised far from the group's residential bases, and that mobility between residences (e.g. Taumutu, Otakou, Ruapuke) gave access to rights in various hinterlands and waters to people who resided from time to time in those settlements. (T1:9)

The Crown's witness, Mr Bathgate, further developed the same theme, and like Professor Ward, based much of his argument on the work of Professor Crocombe of the University of the South Pacific.

While the Ngai Tahu tribe was an entity in itself, it was comprised of many hapu which were the major units of social organisation above the whanau or family at the local level. The tribe as a corporate unit was more evident in relation to warfare, when the resources of the various [sic] hapu in the South Island under the control of chiefs of differing rank might be combined to take collective action against others, such as Te Rauparaha and his invaders in the 19th Century. (S2:236)

3.1.11 We have not lingered on the stories associated with the wars and migrations that peopled this island. Each of these stories has many versions and to try and isolate which events occurred where and in what order has the danger of turning the rich and varied traditions of the tribe into a fixed and sterile narrative. The tribunal's task is not to unravel these complicated traditions. To attempt to produce a standard or authorised edition would only undermine the very complexity on which traditional history was based. Our task is to examine Ngai Tahu's claim in connection with the Crown's obligations under the Treaty. It is clear to us that Ngai Tahu existed in 1840. It is just as clear that in 1990 Ngai Tahu continue to exist. As Mr O'Regan suggested:

Despite a little regional turbulence within us from time to time Kai Tahu Whanau [sic] are one people and it is as one people that we stand before the Tribunal today. (A27:12)

That the tribe has survived through adversity will be made clear by the story of the events which follows. That they have survived at all is a tribute to their identity as an iwi.

We now turn to examine Ngai Tahu's relationship with its lands and other resources in the period prior to the Treaty being brought to Te Wai Pounamu by Major Bunbury in 1840.

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*Waitangi Tribunal, Department of Justice, Wellington.*

# Ngai Tahu Land Report

## 03 Ngai Tahu before the Treaty

### 3.2 The Tribe and its Resources

#### 3.2. The Tribe and its Resources

How large was the tribe?

3.2.1 Professor Atholl Anderson, associate professor of anthropology at the University of Otago, provided extensive information on the size and location of the Ngai Tahu population in his evidence on mahinga kai (H1-3). The Crown too submitted considerable evidence about the Ngai Tahu population at the time of the land sales. In a comprehensive report produced by Mr Tony Walzl and audited by Professor Ian Pool of the University of Waikato, nineteenth-century censuses of population were tabulated and aggregated for the whole of the tribal area (O14-O16, O43). Although this evidence only covers from the mid-1840s onwards, the conclusions about the Maori population at the time of the Treaty were consistent with those of Professor Anderson. Both Claimant and Crown witnesses based their evidence on similar records. Although the study they provided was a valuable insight into Ngai Tahu demography from mid-century, estimates of how many Ngai Tahu there may have been at the time of initial contact with Europeans are much harder to evaluate because of the very limited source material.

Professor Anderson, Professor Pool and Mr Walzl make it clear that the accuracy of the various censuses that were taken of Ngai Tahu in the mid-nineteenth century is questionable. Reasons for this include the tendency of some enumerators to count only those who had no European ancestry while others include those of mixed parentage. As early as the 1840s there were Ngai Tahu who would have been regarded as quarter caste Maori or even possibly eighth caste Maori (H1:15). Ngai Tahu's continual movement about the island meant that the size of individual communities could rise and fall rapidly, depending on what time of year the population was recorded. Despite these reservations, the wide variety of observations and their relative consistency mean that it is still possible to come to a conclusion about the size of the Ngai Tahu population and its distribution at the time of the Treaty.

3.2.2 Professor Anderson suggested that the South Island had never supported a Ngai Tahu population much over 3000. He based his figures on a large number of different recorded observations of the populations of specific Maori communities. These figures were mostly taken during the middle decades of the nineteenth century, but some extend back as far as the 1810s. The evidence was divided into different regions. For the Foveaux Strait area he concluded that the Maori population was increasing during the period 1810-1828 to around 1000, with new settlements at Ruapuke and Centre Island. This increase was probably due to the new found ability to grow potatoes and to the economic potential created by European visitors.

The sealing industry collapsed in the 1820s, leading to declining European interest in the area until the establishment of shore whaling ventures in the late 1830s. Professor Anderson maintained that there was a uniform decline in the population from 1000 in 1828 to 400 in 1868, making the population at 1840 around 700. He attributed this decline largely to epidemic diseases. The situation in other areas was similar. The estimated population for East Otago was given as 700 in 1820, declining by about half two decades later (H3: fig 13). For North Otago the population was estimated at no more than 200 in 1840, and for mid-Canterbury about 500. The Kaikoura and Arahura populations were given as unlikely to have exceeded 100 each. In total, these figures would mean an 1840 population of between two and three thousand.

Seasonal migration, a confusion over whether or not to count Maori with European ancestry and migratory changes for defensive and economic reasons were acknowledged by some in the nineteenth century as throwing doubt on official figures. Alexander Mackay suggested that as many as 843 people may have been missed by Mantell in his 1848 census of the population within the area of the Kemp purchase (A9:11). {FNREF|0-86472-060-2|3.2.2|2} Although there is no other evidence to support so large an error in Mantell's figures, some Ngai Tahu were certainly missed because they were not present in the communities at the time the land commissioner visited them (O15:18).

3.2.3 The size of the population at the time of first European contact is open to even greater speculation. Mr Tipene O'Regan argued that at the end of the eighteenth century the tribe was considerably larger than the few thousand suggested by Professor Anderson. He attributed the rapid decline of the population on the wars with the northern tribes and on measles epidemics in the 1830s. Professor Anderson's evidence shows that Ngai Tahu numbers as recorded in the 1820s were only moderately higher than those of the 1840s, and were certainly not in the order of tens of thousands. If the population had declined from this high figure, then this must have occurred at least before 1820, and probably a good deal earlier. This would rule out the Kaihuanga feud, the northern invasions and recorded epidemics as the main reasons for population decline. All of these befell the tribe after the mid-1820s. So dramatic a decline in numbers could have occurred in the later decades of the eighteenth century, but there was no traditional, archaeological or historical evidence before the tribunal to support that contention. On this matter we would prefer to accept the conclusions of Professor Anderson. However, in doing so, we must acknowledge that we may not have heard the last word on the size of the Ngai Tahu population.

How did the tribe occupy its territory?

3.2.4 The question was often asked, how was it that so small a group of people were able to occupy so large a territory, with its mountainous ranges, turbulent rivers, dense forests and cold winter climate? Europeans in the nineteenth century often dismissed Ngai Tahu's claims to ownership of this vast region of apparent wilderness as being without any foundation. In fact, the tribunal was given substantial evidence that Ngai Tahu were familiar not only with the coast line of the island, where most of the permanent settlements were based, but also with the inland plains, mountains and lakes. The interior and mountain passes were crossed by a network of trails. Inland resources were an integral part of the tribe's subsistence and of their trade both

internally and with other tribes. This evidence was presented by members of the tribe themselves as well as by expert historical and archaeological witnesses for the claimants, the Crown and the tribunal.

#### Archaeological remains

3.2.5 One of Professor Anderson's most striking exhibits was a map of the South Island made up entirely of the locations of 3919 known archaeological sites (H1 fig 1). This map is reproduced below. Almost the complete coast line can be seen, with locations densely clustered around Kaikoura, Canterbury and Banks Peninsula, the Otago peninsula and Foveaux Strait. The inland regions of Canterbury, Otago and even Fiordland are included: regions where the lack of agricultural activity has made the discovery of such sites less likely. Many of these sites pre-date Ngai Tahu's arrival in the South Island. But, as Mr O'Regan explained (A27), in absorbing the Waitaha and Ngati Mamoe iwi who preceded them, Ngai Tahu inherited many of their traditions. These included, in some measure, earlier names for the features and resources of the island, as well as the economic activities, traditions and whakapapa associated with them.

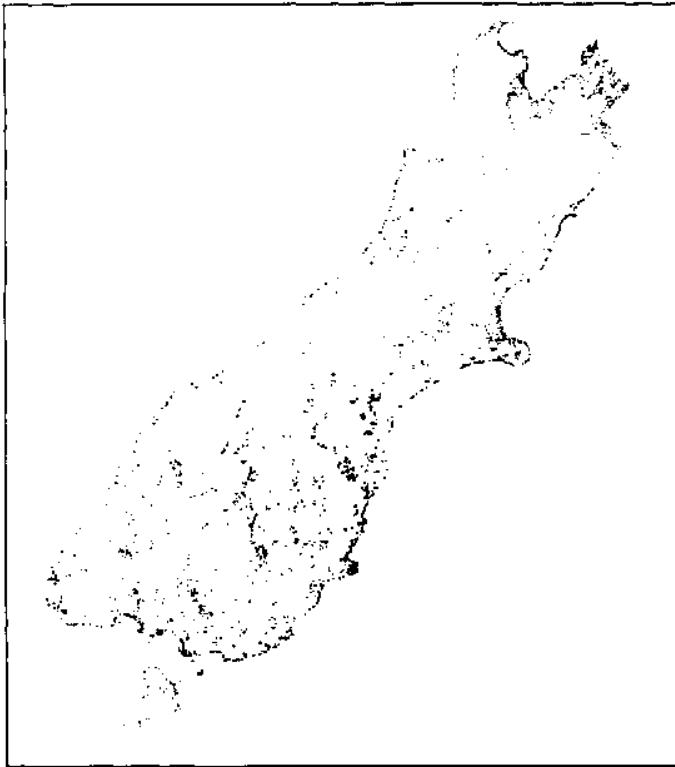


Figure 3.1: The distribution of 3919 known archaeological sites in the South Island, Department of Conservation.

Many of the interior sites recorded the hunting of the moa, a resource which had been exterminated prior to the Ngai Tahu migration. These sites are generally between 400 and 800 years old. But the archaeological record shows other uses of the interior continuing into European times. In addition to the quarrying of pounamu, South Island Maori had developed considerable expertise in fashioning a wide range of tools from other minerals. These included silcrete, a form of bonded quartz sandstone and porcellanite, a mudstone. During its visit to the Canterbury Museum the tribunal was shown the museum's extensive collection of South Island stone tools. Working these

materials into tools that could be of a considerable size required substantial skill and organisation.

Pounamu (nephrite or greenstone) was prized above all minerals for its durability, its strength and its beauty. Nephrite is found in a number of different forms from Nelson in the north, down the west coast to Wakatipu and Milford Sound. The pounamu from the Milford region, known as tangiwai, is bowenite rather than nephrite. The working of the stone could take place far away from its source. Kaiapoi pa became a renowned trading centre for the stone, where it was fashioned into articles ranging from intricate jewellery to robust mere pounamu.

Umu-ti, oven sites for the cooking of the roots of the ti, are also common in many parts of the South Island. Ti was also known as kauru. Remains of these ovens are liberally distributed throughout the South Canterbury and Otago area. On the downs between the Waitaki and Opihi valleys as many as 88 probable umu-ti sites have been recorded (H1:4). The cooking of kauru remained an essential part of the Ngai Tahu economy at least until the 1840s.

Rock drawings were also an indicator of Maori use of the interior. There are about 400 such sites in the South Island. About half of these are in Canterbury and the rest in North Canterbury and North Otago. Carbon dating of the debris found with these suggest their origin in the moa hunting period, 450-850 years ago. However the art did not die out with the passing of the moa. Maori continued to produce such art into the European era, with some paintings depicting sailing ships and other items of European material culture.

The land is named

3.2.6 Maori traditional knowledge, some of it from Waitaha and some of more recent origin, included names of all the most prominent features of the island, mountains, lakes, and rivers. All these features were known and their names often represented the deeds of the first explorers of this land. European names, which have in many cases displaced the Maori in official usage, celebrate the deeds of nineteenth-century explorers, Heaphy, Brunner, von Haast and others who traversed the island. These later adventurers were not the first, neither were the paths they took untrodden. Maori guides often accompanied such men, using trails with landmarks long familiar to them

and places named after their ancestors.

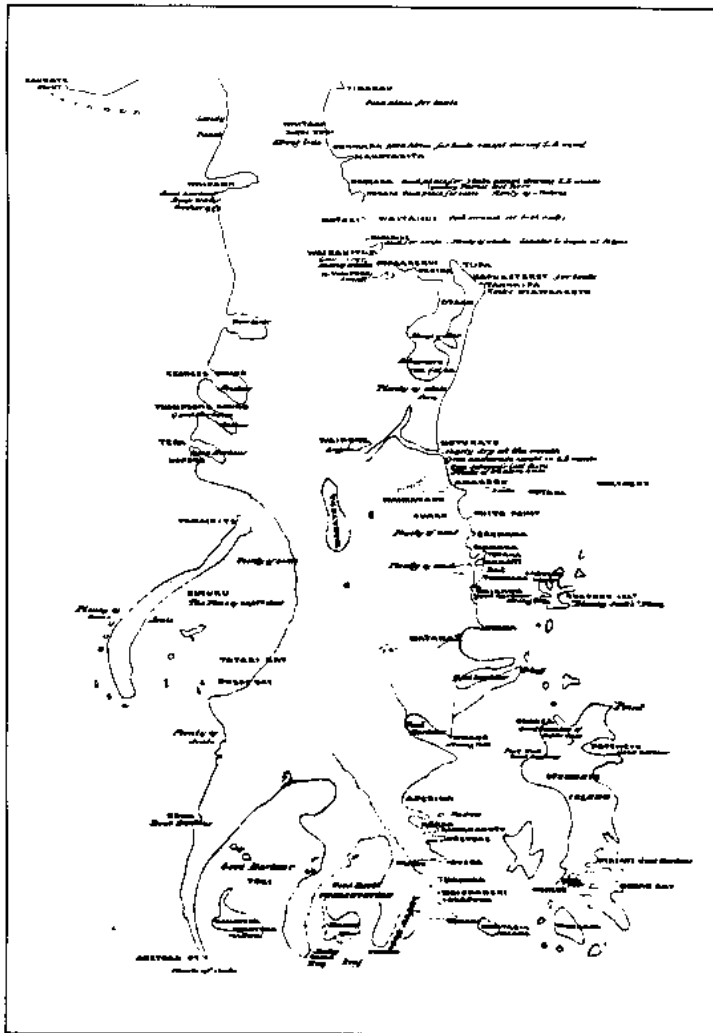


Figure 3.2: Southern portion of a Maori map of the South Island made for Edward Halswell in the early 1840s, courtesy of the Alexander Turnbull Library, Wellington, New Zealand.

Walter Mantell, whose role in purchasing land from Ngai Tahu will later be discussed in great detail, was given a long list of the important places up the Waitaki river from his guide Te Wharekorari. This memory map gives the names in sequence of the tributaries, camping places and ancient settlements from the sea to Lakes Tekapo, Pukaki and Ohau (H3:fig 26). {FNREF|0-86472-060-2|3.2.6|3} The detailed names including the places where different foods could be obtained were held in memory, like whakapapa, where the sequence and significance of every name had its own place.

A survey of the journals of many of these early European explorers clearly shows how their knowledge of the landscape was provided by Ngai Tahu informants. Maps made during these encounters gave Europeans sufficient information to recognise major features of the interior long before seeing them for themselves. A good deal of this evidence was presented to the tribunal by Professor Anderson and Mr Barry Brailsford for the claimants, but such accounts were scattered throughout much of the evidence. Edward Halswell, a protector of aborigines, produced a map in the early 1840s drawn up from information given him by Maori. It clearly depicts the coastline

from Timaru down past Otago on through Foveaux Strait and around to Dusky Sound and the west coast (J18:145). The map is a dramatic illustration of how Ngai Tahu saw their island landscape. Although the entire island is easily recognised, the size of areas most used by Ngai Tahu are shown as considerably larger than the remainder. During Edward Shortland's 1844 travels around the island, he was given several maps from the Ngai Tahu chiefs, Huruhuru and Tuhawaiki. The map he produced of the east coast and the interior clearly identifies Lakes Hawea, Wanaka, Wakatipu and Te Anau {FNREF|0-86472-060-2|3.2.6|4}

While many of these names have been lost in the century and a half since the Treaty, many are still known and remembered. The tribunal was given a map of the Kaikoura coast from Parinui o Whiti (White Bluffs) to just south of Kaikoura. On it were over 200 Maori names of places along the coast (H28).

### South Island trails

3.2.7 Barry Brailsford gave evidence on the elaborate system of trails in the South Island. These linked the various Ngai Tahu settlements into the social and economic life of the tribe and tied them into networks of trade which extended well beyond the South Island. As a result of this, some knowledge of the geography of Te Wai Pounamu can be found in distant North Island locations. In 1793 Tuki, a resident of Oruru in Doubtless Bay in the far north, produced a map of both islands for Governor King in Norfolk Island. A river on the west coast of the South Island is clearly marked as a source of pounamu. A lake (probably Wakatipu) is also shown as the place where pounamu was taken for making axes. Tuki had never ventured there himself. {FNREF|0-86472-060-2|3.2.7|5}

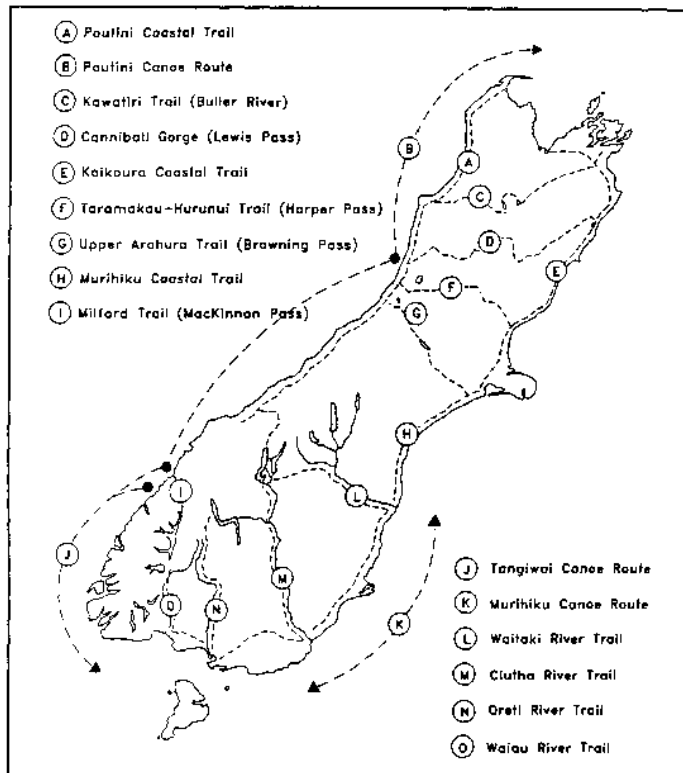


Figure 3.3: Major South Island trails as identified by Barry Brailsford *Greenstone Trails: The Maori Search for Pounamu* (Reed, Wellington, 1984) (J18)

We have reproduced one of Mr Brailsford's maps showing a complex network of trails across and up and down the island. The title of his book, *Greenstone Trails*, highlights the use of these trails in the trade in precious pounamu. But the trails had a wider significance. They were routes into the various resources of the interior. In another map of the Canterbury plains area (J17), we were shown the way Ngai Tahu travelled inland in search of weka and to lakes such as Coleridge, Pearson, Lyndon and Howden for eeling. Trails also connected the various Ngai Tahu communities, acting as a social and cultural link between hapu. Long distance travel allowed Ngai Tahu to trade amongst themselves and to keep their rights to distant resources alive. These trails were not just easy routes across a harsh terrain: they had to follow food resources. While a war party could cover these large distances in very short periods of time, the usual pace was more leisurely. Preserved food, such as dried fish, could sustain travellers in a hurry, but families travelled at a slower pace, stopping for different periods of time at places where eels were plentiful, weka easily caught, or some other food obtainable. Knowledge of the route included knowledge of where all these foods could be taken.

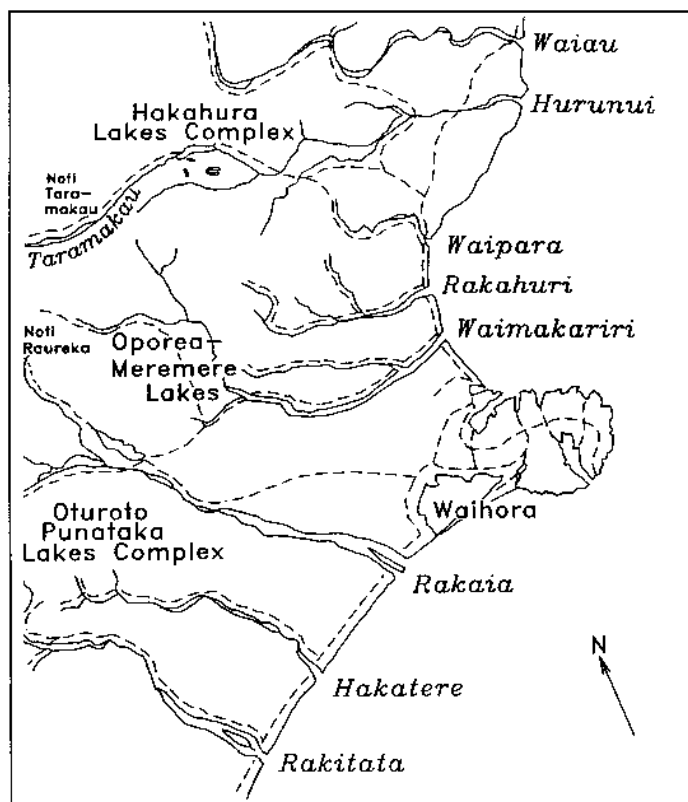


Figure 3.4: Canterbury trails between the coast and inland lakes as identified by Barry Brailsford *Greenstone Trails: The Maori Search for Pounamu* (Reed, Wellington, 1984) (J17)

Not all the trails were necessarily known by everyone, but neither were they used only occasionally. The historical record for the 1840s and 1850s shows just how far and how frequently Ngai Tahu travelled, sometimes across the land and at other times by sea. By the 1840s many Ngai Tahu rangatira had extended their experience of travel to the wider world, with many of them having been to New South Wales, and a number having travelled to the northern hemisphere on whale ships or with other traders.

3.2.8 Travel in and around the island was tied to the tribe's seasonal existence. Although Ngai Tahu were located largely along the sea coast in permanent settlements, Professor Anderson has shown that they ranged inland on a regular seasonal basis. Sometimes inland kainga could be occupied for several years at a stretch. Lakes such as Hawea and Wanaka show evidence of both longer term occupancy and of summer use. It was at Hawea that the Ngati Tama raider, Te Puoho, encountered Ngai Tahu whanau on his way south in 1836 (H1:32,58). {FNREF|0-86472-060-2|3.2.8|6}

The most persistent and obvious form of seasonal travel was the annual heke to the Titi Islands to take titi. This heke was highly structured. Ngai Tahu came south from as far north as Kaikoura and the birds were taken as nestlings from late summer to winter.

The location of settlements also varied with economic needs. According to Professor Anderson, prior to European contact, settlements were mainly located at the mouths of the large rivers. The rivers provided access to the foods of the interior as well as those of the sea. With the advent of sealers and whalers harbour locations became favoured. New sealing and whaling boats made sea travel more attractive and harbours offered the opportunities of extensive trade with Europeans. Settlements coalesced around new whaling stations at Moeraki, the Otakou Heads, the various harbours of Banks Peninsula and Foveaux Strait. Island locations such as Ruapuke and Raratoka, in Foveaux Strait, also became favoured, especially when the threat of invasion from the north became pronounced in the 1830s. The Kaihuanga feud of 1826 also led to some redistribution of population and the destruction of some settlements (H1:33). Matiaha Tiramorehu explained how the war had led Ngai Tahu to abandon temporarily some of their kaika around Moeraki (Z10:33). {FNREF|0-86472-060-2|3.2.8|7}

What resources did the tribe use and how?

3.2.9 Only Europeans who had extensive relations with Ngai Tahu were able to appreciate in any depth the extent to which Ngai Tahu interacted with the resources of the island as a whole. For new arrivals, familiar with a countryside transformed and tamed by centuries of intensive agriculture, the landscape was an empty, untouched wilderness. Ngai Tahu's place in this environment was judged entirely on the slight modifications which could be readily noticed by European eyes. These consisted of little more than villages and potato patches. To most Europeans this landscape was unused in terms of European notions. It was easy for them to conclude that the land was not owned in any sense that they would recognise.

In the period before the Treaty, those Europeans who came into Ngai Tahu's territory learnt very quickly that such assumptions were far from the truth. Early whalers and sealers soon found that the apparently unnamed landscape was known in detail, and that the tribe used different resources over the territory as a whole. They were also to discover and generally accept that Ngai Tahu's claims to rights over the island were extensive and were based not just on historic association or knowledge but on the use of the island's resources throughout the tribe's territory (5.3.5).

Evidence of the Ngai Tahu economy and resources

3.2.10 The tribunal received considerable evidence on the Ngai Tahu economy and its resources from tangata whenua and from the expert witnesses commissioned by the claimants, the Crown, the NZFIA and the NZFIB and by the tribunal itself. It was our impression that there was an overwhelming consistency in the evidence, and that despite the occasional clash between the experts, the vast bulk of the evidence presented to the tribunal showed a remarkable degree of consensus. Differences, when they did occur, sometimes appeared to us to be the result of professional rivalries between the experts.

An archaeologist may have found fault with the evidence of a historian or a fisheries scientist may have questioned an archaeologist's understanding of the ecology of a certain fish species. The tribes of modern experts defended their professional territories with a zeal Ngai Tahu would appreciate. Where these conflicts are relevant to the discussion of Ngai Tahu's mahinga kai rights under the Treaty we have discussed them.

We will not be concerned here with the evidence of sea fishing, the area where more substantial differences emerged between the parties. We are very conscious of the problems of dividing the sea fisheries from the land and fresh water based resources of the tribe. Ngai Tahu did not make such arbitrary distinctions between the land and the sea as those forced on us by the size of this inquiry.

We proceed to examine some of this evidence, although it was not contentious, because it portrays the Ngai Tahu economy in a way that should dispel the myth that Ngai Tahu were but a scattered group of hunters and gatherers who eked out a limited existence on a vast island scavenging foods as they found them. As the evidence suggests the truth was very different.

#### The archaeological record

3.2.11 We have already discussed the use of some resources, including the cooking of ti, and various stone for manufacturing tools. Professor Anderson, Dr Bathgate, Professor Leach and Mr Hooker presented considerable archaeological evidence based on a wide range of professional studies of midden remains. These studies are ongoing and have been carried out at various levels since the nineteenth century. However much of the midden evidence concerns Ngai Tahu's use of sea resources and so will be discussed in our later report on these matters.

Factors leading to deficiencies in aspects of the archaeological evidence were often pointed out. Professor Anderson, the claimants' archaeologist, and Dr Bathgate, the Crown's archaeological witness, both stressed the simple fact that some kinds of evidence survive better than others. This qualifies the accuracy of the information presented. For example, the absence of remains of fish structure made of cartilage rather than bone may not in fact indicate that such fish were not used. Because cartilage does not survive as long in the ground as bone, it will either be under represented or not represented at all in midden remains. Cultural practices, such as beheading the fish elsewhere than on site, or preserving fish and taking it away, may also influence what is found archaeologically. Dr Habib, too, was critical of a dependence on the archaeological record (T4). However, this does not imply that archaeological evidence has not been helpful or indicative of the lifestyle of those

who lived in the times before written records. It merely means that just as there are missing pieces in the early historical jigsaw, so too are pieces of the archaeological puzzle missing.

Differing opinions were expressed as to the relative reliability of either contemporary European recorders or the "archaeological record"-the bones, artifacts, structures, and any other remains associated with human activity that occurred more than one hundred years ago. One witness suggested that the archaeological record showed the true economic pattern of the tribe, unbiased by factors such as social significance of the resource or lack of accurate identification of resources by the recorder (S2:155-6). However while this is a debatable point, witnesses agreed that the various components of the archaeological record (the bones, artifacts, structures etc) should never be looked at in isolation from each other, nor should they be isolated from historically recorded events, or from traditional accounts. No one type of evidence should be taken as being solely definitive.

A regionally based economy

3.2.12 Archaeologists presenting evidence to the tribunal looked at the archaeological record of the South Island in total, from the time of the first recorded settlement to the nineteenth century. This enabled us to see the sequence of resource use as it unravelled over time. Temporal change was not the only variation which was evident. The main archaeological-early historical evidence presented for the claimants by Professor Anderson, and for the Crown by Dr Bathgate, showed that past Ngai Tahu use of resources was very much on a regional basis. It was apparent that each particular community had its own special areas for collecting different foods throughout their region in various seasons. The foods available in each region differed in abundance and ease of acquisition. Regions had their specialties.

For example, in communities around the Otago harbour, it is evident in both the archaeological and historical record that maka (barracouta) was an important resource. Ngai Tahu fished for maka by lure. The maka lure was comprised of a wooden shank with a bone point or seal tooth inserted in it (S2:48). These were trolled through the water, mimicking the small fish which darted to and fro trying to escape as maka drove them into schools to feed on them. Even when the lure was modified, the expertise in catching barracouta in this region was frequently noted by early observers (S2:52). {FNREF|0-86472-060-2|3.2.12|8} In the early 1800s Maori were supplying European ships with fish, potatoes, pigs and flax. By the mid-1830s Maori potato cultivation was clearly extensive. Taiaroa and Karetai, who owned whaleboats, would bring potatoes from Maori settlements as far afield as Taieri and Moeraki to be sold at Otakou (H1:21-22). Potatoes were exported from Otakou to Sydney in the 1830s by the Weller brothers, as was pork, mutton bird and dried and salted fish. Maori involvement in the whaling industry was particularly notable around Otakou in

the thirties.

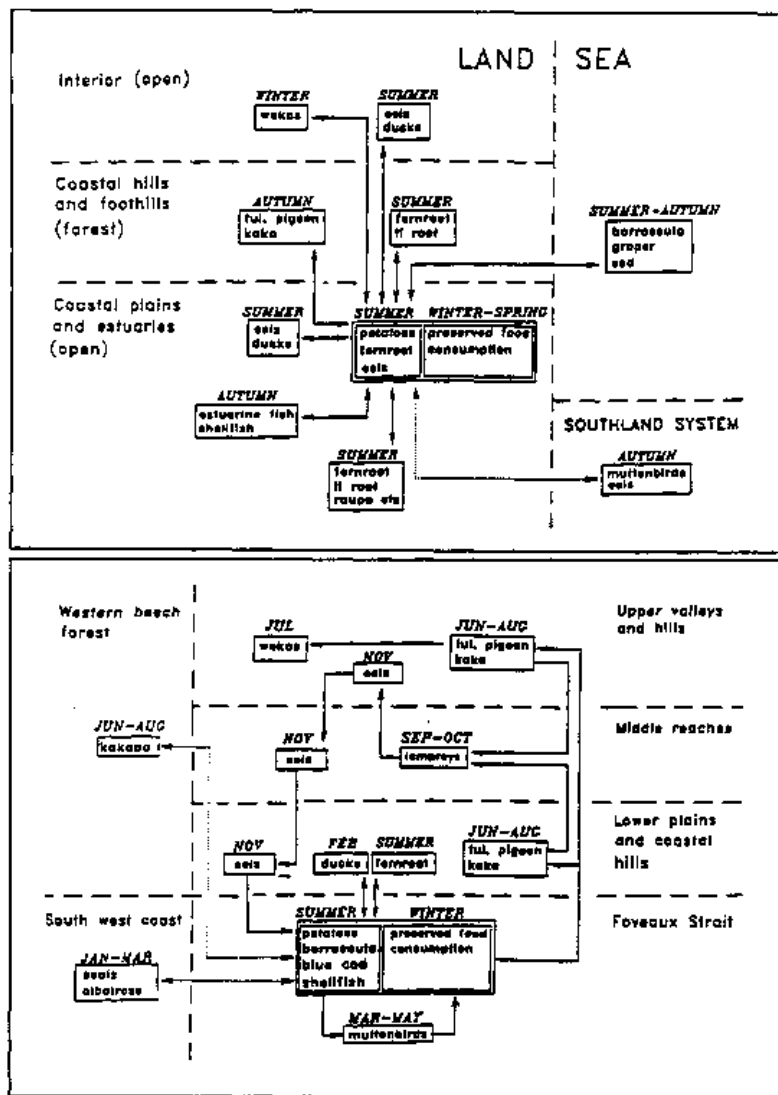


Figure 3.5: Professor Anderson provided these diagrams showing how the resource use of two Ngai Tahu communities, Waikouaiti (top) and Ruapuke (bottom), was governed by seasonal foraging across an extensive terrain (H3:figure 33)

Foveaux Strait, on the other hand, was renowned for the abundance of titi. These were caught from autumn to winter and many accounts were given of the importance of this resource to Ngai Tahu as a whole. Professor Anderson referred in one instance to an account of "stacks of preserved birds" lying beside the houses in Ruapuke in the winter of 1823, most of the people still absent muttonbirding on Stewart and the Titi Islands (H1:9). Ngai Tahu even came from as far as Kaikoura for titi. However, while this appears to have been the region's autumn and winter activity, those who lived around the Foveaux Strait in the early 1800s lived on a selection of foods, including potatoes, cabbage and other vegetables, fernroot, albatross and other wildfowl, seals, rats, eels, fish, shellfish and tutu juice year round (H1:9-11). Professor Anderson referred to an account that Maori of the Foveaux Strait "sometimes make excursions to the Snowy mountains and catch 300 woodhens per night" (H1:12). {FNREF|0-86472-060-2|3.2.12|9} In North Otago and South Canterbury there are records of eeling, digging fernroot, gathering raupo and eating tutu berries and tutu juice

(H1:29). The route from the coast up the Waitaki river to the central lakes brought Huruhuru and his people access to weka grounds and eels. There was even time for the preparation of luxuries. Scent made from taramea was highly prized and used for barter and as koha between rangatira. Cooking kauru or ti was also a regular occurrence in this area. At Wainono lagoon wild ducks and eels were obtained by locals and by travellers alike. Berries could be collected from inland forests.

At Taumutu on the shores of Waihora (Lake Ellesmere) kumara could be grown. From the lake came a whole variety of foods: eels, patiki, several varieties of ducks. Fernroot, here as elsewhere, was one of the staples of the Maori diet before the coming of European foods. Although it is recorded in accounts up to the 1840s, its use was clearly declining by that time. The quantities of eels and flounder which could be taken were enormous. Mantell recorded seeing the trenches which were dug to obtain the eels as they migrated across Kaitorete spit from lake to sea, commenting that one trench could provide "some hundreds of eels...in a day" (H1:37){FNREF|0-86472-060-2|3.2.12|10}. Flounder were available in the same bounty.

Even up to 1855, the Maoris of Taumutu, who only used flax nets, could manage a take of one cwt. of patiki at each haul. The flounders came in from the sea when the lake was opened, spread themselves over it, and ascended the several streams debouching into the lake. (S2:166){FNREF|0-86472-060-2|3.2.12|11}

Dried fish, particularly shark, was noted in the early historic accounts of mid Canterbury as a valued resource of the region. Kumara, potatoes, pigs, flax, ti, fernroot, maize and karaka berries were noted resources. Pounamu was traded with Ngai Tahu of the Poutini coast, who in the 1840s were recorded as living on eels, whitebait, grayling, dogfish, mussels, weka, kakapo, potatoes, fernroot, mamaku, tutu berries and ti (H1:41-47).

If the lake and the swamps which surrounded it provided prized fresh water fish and other resources, Ngai Tuahuriri looked to the hills beyond the plains for their kai manu and kiore, their birds and their rats.

The contrast between the resources of the mountains and those of the sea is aptly expressed in a waiata given to us by Mr Rawiri Te Maire Tau, who gave evidence of Ngai Tuahuriri's use of mahinga kai.

Ka huri mai to hau, ko te hau tena  
Ki tua koroko e keo nei ana nga manu  
ko te tau o te ora haere, kia kite nei  
Te kaha o te uri o Tane  
Te kaha o te uri o Tangaroa  
Ka ki nga kete o te iwi e...  
Ko te matahi o te tau e...  
Te putanga o te hinu e tama

The wind changes direction towards me  
It is the wind that blows from the back of Mount Koroko  
I can hear the birds calling in the wind  
It is the year of the journey

To see and harvest the multitude of the children of Tane  
And the children of Tangaroa  
That the kits of my people be filled-in the high summer  
When everything is fat, filled with oil.(H6:12-13)

Mr Tau gave evidence of the use and importance of birding and the trapping of native rats to Ngai Tuahuriri. Both these activities were carried out in the mountains that overlooked Kaiapoi and in the ranges beyond them. Between April & July rats could be taken around Te Kuratawhiti (Mount Torlesse), Te Rakau (Birch Hill), Tatawahia, Ko Mamaha, Te Ara Tire, Takapu o Hinehou, Tawera (Mount Oxford) and O Kiore (Lower Loburn). A similar range of mountainous and inland locations was given for the taking of weka in the months between March and August. Kakapo were caught with weka on Mount Torlesse and Mount Otarama; Kereru at Tawera (Oxford) and Okuku (H6:38-39).

Seasons were extremely important: both birds and rats were harvested when they were fattest from gorging themselves on the berries on which they lived. Rats were plumpest and sweetest from April to July when they had overfed on the tawai berry. The native rat was the kiore, a short rat, coloured brown on the back and greyish white on the underside. It lived on berries and tree fruits and was particularly plentiful in the beech forests of the South Island, until the introduction of European rats led to its near extinction. Of all foods, the rat was the most prized. Rat runs were strictly divided into wakawaka among different whanau and hapu and their ownership was fiercely defended against poaching. The activity of rat catching was tapu and overseen by a tohunga. The demise of the kiore was possibly one of the first traditional and highly valued foods to become a casualty of introduced species of plants and animals.

Inhabiting a narrow strip of land between the mountains and the sea, Ngati Kuri of Kaikoura were clearly very dependent on the sea. They had on their doorstep koura, paua, hapuku and a wealth of other seafoods. Despite this, the evidence given on their behalf by Mr Wiremu Solomon showed just how important other resources were to the tribe (H7). These resources are still valued by Ngati Kuri and in giving evidence, they wished to keep the locations confidential. On a map depicting kai roto, or inland foods and resources, there are listed various plants used by the tribe. These included harakeke, raupo, taramea, kiekie, pingao, tikumu, as well as tree fruits such as karaka, manuka, ngaio, koromiko, raureka, ake ake, kowhai, karamu, hinau and mahoe (J11). Their fresh water fish included tuna, inanga, pakihi, kokopu and koura (H32). Kai manu included a very wide range of birds: kereru, titi, weka, kuku, kaka, kiwi, tui, koko, tarapunga, torea, takapu, kawau, pateke, korimako, karoro, toroa, parera, putakitaki and tata.

On the west coast, Poutini Ngai Tahu took fish, processed fernroot and caught eels and weka. Brunner recorded that on his visit to Okarito in 1847:

these places abound with eels I had full proof during my visit here the diet being nothing else, and was served out in liberal quantities, to dogs as well as Christians, three times a day (H1:43-44). {FNREF|0-86472-060-2|3.2.12|12}

Mahinga kai lists

3.2.13 Many of the above accounts can be attributed to European observers, but Ngai Tahu themselves collected and recorded information about their use of natural resources at a time when the informants could still remember back to the period before 1840.

In 1879 and 1880, Ngai Tahu kaumatua set about trying to record the names of the places where they had taken various natural resources. These are collectively known as the "mahinga kai lists", and were discussed by Professor Anderson and Dr Habib (H1, T4(b)). As part of the project, a large map of the South Island was marked with the names of hundreds of these places, generally within the boundaries of the Kemp deed map, and excluding the Arahura purchase (H2 fig 27). At the time, the Smith-Nairn commission was hearing evidence from Ngai Tahu about the early Crown purchases, and Ngai Tahu were preparing evidence for their claim that their mahinga kai, or as they defined it, the places where they obtained their natural food resources, had been reserved to them as part of the Kemp purchase agreement. We will be discussing this claim later in the report.

The lists were prepared to record both place names and the foods associated with them, although they were never completed and some lists gave less detail about resources than others. Professor Anderson commented that it is impossible to know if the information in these lists came from the direct knowledge of the informants or had been passed down from earlier generations (H1:63). The range of foods discussed goes beyond those usually observed by Europeans. Professor Anderson noted 62 resources, 57 of them foods:

Mahinga Kai for eels, fernroot and ti are most frequently listed but there is also a strong emphasis on a group of riverine or estuarine fish (waharoa, pipiki, patete, paraki, panako, grayling, smelt, whitebait and minnows) together with native trout (kokopu and koukoupara which Beattie calls "mountain trout"). Tutu, raupo root and flax honey were important plant foods, and weka, tui and rat are also quite prominent. (H1:63)

The foods included varieties introduced since European contact such as potato, showing how Ngai Tahu had adopted new crops but also adapted them to their traditional seasonal food gathering.

Dr Habib, who made a special study of the lists, was particularly impressed with the wide variety of Maori names and the ways these linked into the economic layout of the Ngai Tahu landscape. Although there were over a thousand names in the lists, many of these referred to places where a variety of different foods could be harvested.

For example, Kaitorohu was a food production site on the southern banks of the Waimakariri River in the Canterbury Province. It yielded tuna (eel), mata ( a species of herring), inaka (whitebait), paraki (smelt), kokopu, patiki (flounder), parera (grey duck), putakitaki (paradise duck), raepo (species of duck), tataa (species of plant), potato, turnip, kumara and rushes (reeds) (R30:40). (T4(b):10)

In Dr Habib's opinion these lists represented only a sampling of the full lists of places with which Ngai Tahu identified, and to which they turned to provide themselves with food (T4(b) 12). Professor Anderson had a similar view. By comparing the density of

these wahi mahinga kai from areas where lists were supplied, to the rest of the South Island he argued that a full 1880 list could have contained as many as 3000 places.

3.2.14 There is further evidence to support this contention. From the later part of the nineteenth century a number of writers collected Ngai Tahu's traditions and place names. The most prominent of these was Herries Beattie, who published a number of books and pamphlets on Ngai Tahu in the mid 1800s. His collection of manuscript material survives in the Hocken Library in Dunedin and runs to over a thousand pages. Beattie's informants were made up of elderly Maori, largely from Otakou and South Canterbury, who were recording personal information from memories extending back into the period of the land sales themselves. A number of Beattie's books simply record the Maori place names of different parts of the island, running into thousands of different names. His notes record much information about resources and the techniques used for taking them.

Elsdon Best, too, used Ngai Tahu material in his surveys of different aspects of the Maori economy, such as in *Fishing methods and devices of the Maori* (1929) and *Forest Lore of the Maori* (1942). These included discussion of the harvesting and preparation of kauru, tutu hoki, of tuna caught in drains and traps, netting patiki in Waihora, catching inanga in channels, and hapuku. Birds like paradise duck, grey duck, brown duck, grey teal, blue duck and scaup were caught from canoes while they were moulting. Weka were taken in January. Pigeon, kaka, tui and bellbird were taken in snares. Rat runs were particularly prized possessions.

The range of resource

3.2.15 Overall, it is clear that Ngai Tahu's exploitation of the South Island was extensive, and that it included the use of a wide range of land and marine environments. The resources noted above are only some of those recorded in early written sources. Others noted to have been sought by Ngai Tahu at the time of European contact included:

aruhe (fernroot), ti (cabbage tree), mamaku, katote, kiekie, raupo root, korau (wild turnip) leaves, arore (fungus), sea anemone, seaweed, harakeke (flax) honey, and berries of the tutu, karaka, konini and makomako. Other plant resources included flax and ti leaves (for paraerae), birch and totara bark (roofing and patua), kelp (for poha) and taramea (a scent). Fish resources included kanakana, eels, crayfish, native trout and grayling, sprats, sole and other small estuarine and riverine species, whitebait, dogfish, red cod, blue cod, wrasses, barracouta, ling and hapuku. Mussels, paua, cockles, pipi, limpets, and seals were taken on the shore. And rats, titi, weka, albatross, ducks, penguins, kiwis, kakapo and kokako, pigeon, tui, bellbird and gull eggs from the land, were caught for consumption. Dogs were husbanded and eaten also. (T1:35){FNREF|0-86472-060-2|3.2.15|13}

We will probably never know from the archaeological, written or traditional sources all of the varied resources used by Maori during the long period of occupancy of Te Wai Pounamu.

Food preservation

3.2.16 Perhaps the most striking aspect of the preparation of the varied and rich Ngai Tahu foods were the methods of preservation of the season's surplus food supplies. This was an essential part of Ngai Tahu existence. Poha, which are bags made of kelp and sealed with fat, were frequently used to preserve foods at the times of the year they were most abundant. Titi, bush birds and fish were preserved in this manner during autumn, winter and summer respectively. Seals were smoked whole before the flesh was preserved in poha (S2:188). Fish were dried on mats, or else split and dried and either hung on strings of flax or placed on racks in the sun. Sometimes they were cooked in an umu prior to drying. These resources were used for exchange and gifts, in feasts catering for guests, to feed dogs, for eating on journeys and in times of less abundance.

#### Economic change

3.2.17 Ngai Tahu adapted their economy to the resources available to them. Maori life in Te Wai Pounamu was never static, and was always subject to the ebb and flow of the seasons, to changes in climate and the availability of resources. Like all living cultures the society adapted to meet new needs. It found new resources when old ones were depleted and shifted from one location to another through necessity or desire. Mr Richard Noel Holdaway presented evidence to the tribunal on behalf of the NZFIB and the NZFIA. He argued that Maori, like all Polynesian peoples, had "no more or no less claim to have lived in harmony with their environment or conservation awareness, than do the Europeans who followed them" (S17:2). Mr Holdaway pointed to recent archaeological investigations which indicated that Maori had overexploited resources such as seals, marine crayfish and birds of several varieties. Moa in particular were exploited to extinction in the South Island. Deforestation was also pointed to as an indication that environmental concern had its limits in pre-European Maori society. While accepting that species were depleted by overuse or by accident in the period before the arrival of the European, the scale of this was still minor compared with the extensive environmental damage which has occurred since 1840. We shall be discussing these issues further in chapter 17 on the mahinga kai claim.

As a result of species depletion, the declining ability to hunt large birds and sea mammals, the Maori diet was changing over time. From the fifteenth century there was a diversification of fish species caught and an increase in the use of shellfish. This was associated with the disappearance or decrease in use of former protein sources, the moa and the fur seal, and a general climatic deterioration.

# Ngai Tahu Land Report

## 03 Ngai Tahu before the Treaty

### 3.3 The Consequences of European Contact

#### 3.3. The Consequences of European Contact

A tradition of interaction

3.3.1 Whatever the extent of change in the Ngai Tahu world from the time of their arrival in Te Wai Pounamu to the middle of the eighteenth century, it was overshadowed by changes which ensued from the arrival of Europeans.

European impact on Ngai Tahu life occurred early compared with most other tribes and led to a relationship that was several generations old before Major Bunbury brought the Treaty south in the autumn of 1840. Unlike European contact with Maori in the far north, there was little or no missionary presence. As a consequence, there are no missionary records to draw on to explore this period in the tribe's history. Europeans came to Te Wai Pounamu not to save souls but to exploit the natural resources of the southern islands. They provided an exotic market for Ngai Tahu's traditional resources and gave a new value to resources which Ngai Tahu used more rarely or not at all. Ngai Tahu had always used whales and seals for a variety of purposes (S2:73). From the late eighteenth century, seals were taken in large numbers by European sealing gangs in Foveaux Strait, from off-shore islands and elsewhere in Ngai Tahu territory (H1:8-12; S6(a):3-8 and U2(a)). Mr McAloon described some of the difficulties which occurred when these gangs came into conflict with Ngai Tahu (J39), and these incidents were also discussed by Mr Molloy for the fishing industry (U2(a)).

It would appear that few of these sealers established permanent homes ashore, but through intermarriage many Ngai Tahu must be descended from these first visitors. Sealers brought the first trade goods, iron tools, blankets and new technology such as sealing boats with oars and European rigging. They also brought new crops which were rapidly taken up by Ngai Tahu who saw the opportunity of providing potatoes and onions and other vegetables to shore parties and to ships' crews wanting provisions (T1:45). {FNREF|0-86472-060-2|3.3.1|14} Ngai Tahu themselves acquired a taste for these new foods. Potatoes greatly extended the geographical limits of Ngai Tahu's agriculture, previously confined to the more temperate areas around and north of Taumutu.

3.3.2 The visitors' vessels carried an invisible and more sinister cargo, European diseases. Ngai Tahu, for so many centuries isolated from the rest of the world, were confronted with illnesses previously unheard of. Without the natural resistance which came from an inherited experience of quite common illnesses, the mildest infection could prove fatal to large numbers of Maori (T1:48-50). We cannot be sure how many Ngai Tahu died in the period from 1769 to 1840 but the numbers were clearly considerable. We have isolated accounts of actual epidemics and their effect on the

tribe. Around 1836, for instance, there was an epidemic of measles which killed many (T1:49). {FNREF|0-86472-060-2|3.3.2|15} But epidemics were only part of the story. Chronic diseases such as tuberculosis become major killers of Maori. By 1840 it was generally accepted that Maori numbers were declining, and that the prognosis for Ngai Tahu was far from good. European fears that Maori would die out had been at the heart of the humanitarian belief that colonisation should not take place. It would not be until the 1890s that there was a general recognition that Maori could survive at all. However, by this time Ngai Tahu had not only survived, they were beginning to significantly increase in numbers. The Crown's witnesses, Professor Pool and Mr Walzl, demonstrated that Ngai Tahu numbers were beginning to improve as early as the 1860s (O16-O18). If this was so, Ngai Tahu may have been one of the first tribes to turn the demographic corner.

3.3.3 The sealers began to decline in numbers shortly after the first decade of the nineteenth century. They had ravaged the resource, returns were declining and changes in European fashion had reduced the demand for seal skins. Shore whalers then came and set themselves up on Ngai Tahu's coastlines. Whale ships which pursued whales at sea and processed them on board ship did not need shore stations; they entered Ngai Tahu's ports only when they required provisions. Shore whaling was cheaper allowing whales to be caught from small boats and not requiring investment in large factory ships and their crews (U2(b)).

3.3.4 Contact with the European world also brought social change to the tribe. Professor Anderson has shown how Ngai Tahu migrated to new localities to indulge in new trading opportunities, to have access to the new agriculture and to participate in new industries, such as whaling (H1). Perhaps the most visible "tool" adopted from the beginning by Ngai Tahu was the whaleboat. In 1844 it was noted that:

whaling and sealing boats have superceded canoes, in the management of which they show great skill and boldness; they have become expert whalers, and obtain employment at the fisheries often on the same terms as Europeans (T1:45). {FNREF|0-86472-060-2|3.3.4|16}

In 1842 pigs were purchased from Ngai Tahu in exchange for a boat and in 1843 a sealboat cost 41 pigs and 700 baskets of potatoes (T1:46). {FNREF|0-86472-060-2|3.3.4|17} Some of the boats were used to freight goods and transport passengers for profit.

3.3.5 Initially Europeans and Ngai Tahu made oral agreements over the use of resources, formalised in the Maori way without any written deed or agreement. However, as the prospect of colonisation came closer and it became likely that New Zealand could come under the British Crown, more and more Europeans came with deeds supposedly to purchase land. Some of these Europeans were known to the tribe, involved in trade, settled in Maori communities and married to Maori women. Others were simply speculators who arrived on the beach with a blank form, printed in Sydney. They offered trade goods, blankets, guns, powder, alcohol, agricultural implements and even boats, in return for Maori signatures(T1:54-58).

The question of the status of these pre-1840 purchases was raised primarily in relation to the question of fishing rights. Evidence was presented by Mr McAloon on behalf of

the claimants which suggested that Ngai Tahu exercised control over the whale and seal fisheries by granting Europeans limited leases to fish for these mammals (J39). Mr Kevin Molloy, who presented evidence for the NZFIA and the NZFIB, maintained that Ngai Tahu had actually alienated rights to the fishery prior to the signing of the Treaty (U2(b)). These arguments will be dealt with in a subsequent report on sea fisheries aspects of the claims.

The newcomers came to understand that in order to use the resources of the island they needed to negotiate with those that had rights to the lands concerned. While new immigrants were forced to come to grips with these rights and to negotiate with Maori in order to use these resources, there was the opportunity for Ngai Tahu to assert control in a traditional Maori way. Europeans wanting to lease land or use resources had to accept Maori concepts of ownership and control. European perceptions about property rights were of necessity modified to accommodate Maori concerns. However, once the tide of settlers became a flood, overwhelming the tribe in the two decades of land purchasing that followed the Otakou purchase in 1844, Europeans no longer had to modify their views. Whether Ngai Tahu had rights to anything at all ceased to be a question settlers had to face. Yet it is clear from the evidence presented to this tribunal that Ngai Tahu's economy involved a use of the island that was extensive, rather than intensive, and that it involved sophisticated use of a wide range of resources in an integrated economy. This economy rested on an equally elaborate system of ownership, based on complexities of whakapapa, seasonal migrations and trade.

#### Civil war and invasion from the north

3.3.6 Between the late eighteenth century and the time of the Treaty, Ngai Tahu became embroiled in a series of conflicts. Accounts of these conflicts vary and we have distilled a narrative of these events from the claimants' evidence, in particular that of Mr O'Regan and Mr Tau, and from a number of other well known written accounts. These sources include, Professor Anderson's Te Puoho's Last Raid, {FNREF|0-86472-060-2|3.3.6|18} and James Stack's Kaiapohia, The Story of a Seige. {FNREF|0-86472-060-2|3.3.6|19} Various discussions of this part of the tribe's history appeared in the evidence of Dr Loveridge for the Crown (N2) and in the Ward report (T1).

To some extent these conflicts were part of the traditional competition between tribes over the mana whenua of Te Wai Pounamu. Ngai Tahu continued to extend their dominion over the island through battles with Ngati Wairangi at the end of the eighteenth century. Tuhuru led a party of Tuahuriri which defeated Ngati Wairangi at the battle of Mahinapua, and consequently extended Ngai Tahu control over much of the west coast during the early decades of the nineteenth century. The Kaihuanga feud split the tribe asunder in the late 1820s. Major battles were fought around the southern reaches of Banks Peninsula between southern and northern Ngai Tahu hapu. The feud led to many deaths and greatly weakened the tribe's ability to deal with later external threats. Mr Tau said of this low period in the tribe's history:

all those dark and negative forces [which] lay within Ngai Tahu and all mankind [were] released. The utter stupidity and the pure petty jealousy by the local feuding Hapu paved the way for Te Rauparaha to raze [Kaiapoï] Pa site to the ground. (A17:2)

Like the conquest of the west coast, the explanation for this conflict appears traditional. The warfare was the consequence of a breach of tapu, involving a cloak belonging to Te Maiharanui, the senior rangatira of the day.

3.3.7 However, a more serious threat to the future of Ngai Tahu followed very soon after. From the north came a calamity which came near to destroying Ngai Tahu's control over much of their territory. Te Rauparaha and his Taranaki and Ngati Raukawa allies had shifted south to the Cook Strait region in the early 1820s. Their migration was a direct consequence of the social and military dislocation which European technology brought to the Maori world. Muskets and potato and the trade in flax and other commodities made subtle changes in the balance of power between tribes. Te Rauparaha and his allies were able to exploit the new situation. Taking advantage of the new techniques in warfare, they achieved control of much of the southern North Island and a good deal of the northern South Island. By the end of the 1820s their attention was turning toward Ngai Tahu.

Te Rauparaha and Te Pehi took utu against Ngati Kuri of Kaikoura for an insult carelessly made. At Omihi, Ngati Kuri were expecting visitors and mistook Te Rauparaha's taua for their relations. The pa fell easily to the northerners' muskets. The taua moved on to Kaiapoi where Ngai Tuahuriri were unaware of the destruction of Omihi. The visitors were warily welcomed inside the pa, but their intentions were not too difficult to determine. Ngai Tahu chose to make the first move, and Te Pehi was killed inside the pa, along with a number of other northern chiefs. The raiders retreated to Kapiti, but their vengeance was not long in coming. The next year, Te Rauparaha engaged a European trader, Captain Stewart, to carry a troop of fighters to Akaroa, hidden beneath the decks. Once Te Maiharanui had been lured aboard, the trap was set and he was taken prisoner and returned to Kapiti. There he was killed by Te Pehi's grieving widow.

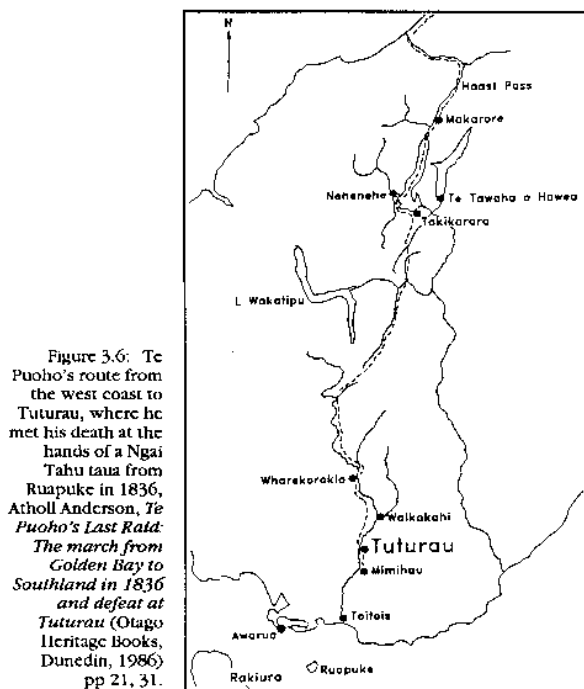
The unscrupulous behaviour of Captain Stewart brought considerable discredit to the English in New Zealand and contributed to a belief in Britain and the Australian colonies that British law should protect Maori from the worst elements of British society. For Ngai Tahu of Banks Peninsula, the event provided a reason to welcome Britain's traditional enemy, the French, into their world as prospective colonists. Stewart's conduct was so deeply associated with his English origins that some on the peninsula continued to believe that Stewart's brig, the Elizabeth, was in fact a British frigate. This was not the case.

Te Rauparaha then laid seige to Kaiapoi itself. The pa was solidly built and surrounded by swamp. Its defenders did not give way easily. The invaders built up brush around the palisades intending to fire the pa. With the wind blowing away from the walls, the defenders set fire to the brush themselves. All went well for a time, but then the wind changed and the palisades caught alight, allowing the pa to be taken. Taiaroa escaped as did a number of others, but many were killed, and the pa was destroyed. The invaders then attacked Onawe, a strong pa in Akaroa Harbour. This too fell. Many of the defenders were killed and eaten and many others taken prisoner to Kapiti.

3.3.8 Ngai Tahu's control over the Te Tai Poutini in the west of the island was also threatened. Te Niho of Ngati Tama swept down the coast as far as Okarito, capturing

Huruhuru and holding him prisoner. Te Niho married Huruhuru's daughter and settled at Hokitika. The pounamu coast had fallen.

The sacking of Onawe and the taking of Okarito marked the southern limits of the northerners' success. In 1836 Te Puoho led a Ngati Tama raiding party south down the west coast towards the remaining Ngai Tahu strongholds in Foveaux Strait. He boasted that he was going to skin the eel from head to tail. Travelling inland, he encountered some Ngai Tahu at Lake Hawea and elsewhere on his way through to the Matura. Some escaped and were able to warn Ngai Tahu at Ruapuke. A defensive party swept north to Tukurau, Te Puoho was killed and his party taken prisoner. Fearing further vengeance from Ngai Tahu, Te Niho withdrew from Hokitika to Whanganui, and Poutini Ngai Tahu were able to reassert their rangatiratanga over their territory on the west coast.



3.3.9 Secure on their island fortress of Ruapuke, Ngai Tahu's leading chiefs were able to plan the reassertion of their mana over the areas abandoned after Te Rauparaha's triumphs at Omihi, Kaiapoi and Onawe. Well armed and travelling by canoe and sealing and whaleboats, the Ngai Tahu taua was able to make its way north and surprise Te Rauparaha, while he was taking ducks at Te Kapara Te Hau (Lake Grassmere). Te Rauparaha was lucky to escape, and the story goes that Tuhawaiki had him by the cloak before he struggled free. A further raiding party the following year failed to locate the Kapiti chief or his troops.

Eventually an uneasy peace was achieved and the Ngai Tahu prisoners returned to their homes. Despite the truce, the memory of the bloodshed wreaked upon the tribe would overshadow many of the events which occurred in the 1840s and 1850s. While the peace was maintained, Ngai Tahu would remain defensively grouped at Ruapuke and at Port Levy for most of the 1840s, never entirely sure that their northern boundaries were safe from further incursion.

Many of the tribe's leaders appeared to be well aware of the power of the British and the French and they were concerned to ally themselves with these powers. Hence they sought various treaties with the French and with the British. In early 1840, while northern chiefs were at the Bay of Islands considering the Treaty offered by Captain Hobson, Ngai Tahu rangatira were off to Port Jackson, New South Wales, where they considered the terms of another Treaty with Governor Gipps.

Ngai Tahu's ability to control and contain all that the European world would bring to their islands should not be over estimated. Although the tribe was more or less at peace with itself and with its northern neighbours by the end of the 1830s, the decade of war had greatly weakened them. Many rangatira had been killed and the threat of further violence had not been completely eliminated. Ngai Tahu were still a small iwi, lacking the numbers of many North Island tribes, and widely distributed over their vast territory. They had managed to contain the small numbers of Europeans who had ventured amongst them, but this was but a small test for what was to come. After the Treaty, planned colonisation would bring settlers by their thousands. For protection in this new environment, Ngai Tahu would have to rely more on the Crown than on their own resources.

#### Abandonment of resources

3.3.10 Mrs Kenderdine, in her final submissions for the Crown, made a number of points on mahinga kai that concern the period before the Treaty. While the Crown acknowledged that the Treaty guaranteed Ngai Tahu "the full exclusive and undisturbed possession" of their resources, she argued that the phrase following was also important: "so long as it is their wish and desire to retain the same in their possession".

The term 'resources' must be seen in relative terms. What was important for Ngai Tahu for their subsistence had already changed and would continue to do so. Some European foodstuffs had been adopted and some traditional foodstuffs had been or were being abandoned. It is this point which the claimants have neglected to consider. The only resources which the Crown had an obligation to preserve and protect for Ngai Tahu were those that they had used in the years immediately prior to the purchases AND WHICH THEY WISHED TO CONTINUE USING; ie those which they did not wish to abandon and which they would use in the future. (X3:43) (emphasis in original)

She argued that Ngai Tahu could not contend that if any resources were used at some time by the tribe, then the Crown had a duty to preserve and protect them. Such an approach would deny "the dynamics of history and the subtleties of human interaction" (X3:44). Each party to the later purchases would have made decisions based on the reality of their comparative situations at the time.

Using Professor Anderson's evidence, counsel for the Crown submitted that the observations made by Europeans of the Ngai Tahu economy in the 1840s were insufficient to argue that there was a "huge wide-ranging traditional economy" (X3:47). In her submission, these accounts demonstrated the extent to which the traditional economy had been eroded and abandoned through European contact. She maintained that Ngai Tahu were no longer making seasonal visits to the interior to

take foods: and instead were involved in whaling and new agricultural pursuits, raising pigs and growing newly introduced crops. Only on the west coast and in the North Otago-South Canterbury region did she see the pre-European economy remaining relatively intact.

Mrs Kenderdine was also critical of Professor Ward's report for not developing these issues and not dealing with the relative use of resources. To merely list the resources used, or claimed to have been used by the tribe, tended, she submitted, to give a picture that exaggerated Ngai Tahu's relationship with a number of food resources.

3.3.11 Had Ngai Tahu, then, abandoned a large part of their traditional economy by 1840? It is very clear, as Mrs Kenderdine pointed out, that Ngai Tahu's use of its pre-European range of foodstuffs must have declined towards the 1840s. Professor Anderson's evidence shows how extensively and successfully Ngai Tahu engaged in agricultural and whaling activities. In Foveaux Strait, for instance, there are numerous accounts of both activities. Gardening and the raising of pigs were both non-traditional pursuits in the area, it being impossible to grow kumara or other pre-contact crops there. Population decline must also have lessened the amount of traditional food gathering, while war and pestilence interrupted the seasonal foraging.

However does all this add up to an abandonment of the pre-contact economy? Europeans observed the adoption of introduced foods and industries based on new trading opportunities. But they also saw much evidence that Ngai Tahu continued to gather foods in the traditional manner.

To answer this question it is necessary to consider the extent of use of many of the resources identified by the claimants and by Professor Anderson as playing a part in the overall economy of the tribe. While it is possible to list a wide range of individual resources, the taking of some particular foods stand out as being of major significance to the tribe as well as being communal activities easily observed by Europeans.

- The annual harvest of titi involved large numbers of Ngai Tahu and a set annual routine, for both taking the birds and preserving them for trade.

- Eels were among the most cherished resources of almost all sections of the tribe. Their taking was often recorded, and the use of drains owned by hapu and whanau in lagoons and lakes such as Waihora and Wairewa made the fishery a large scale community activity. Almost all Europeans visiting Ngai Tahu's territory before the purchases noted the importance of eeling.

- The taking of barracouta was also a significant and easily observable activity in the Otakou area, which like eeling and the titi harvest, continued up to and beyond the time of the Otakou purchase.

- Kauru, for which there is evidence going back many hundreds of years, was also harvested and cooked well into the 1840s.

- Weka was hunted for food throughout the period of early contact and land purchase.

These were all specialised aspects of the Ngai Tahu economy, many of which involved large numbers of Ngai Tahu exploiting the resource as whanau or even as hapu. These were the activities which were most readily observed by even the least inquiring of European visitors. In all cases, though the scale may have diminished, the activity continued, despite the fact that a number of these resources were only harvested with great effort and even at some risk. These resources were also carefully preserved for later use and for trade. It would have been much easier to abandon them completely and take up a diet of pork and potato, without venturing beyond the immediate environs of the kaika. However, these activities were continued because they were an essential part of the social life of the tribe and participation in them allowed rights to be kept active and traditional tribal politics to continue.

3.3.12 Alongside these major endeavours was the utilization of a large number of other resources. These activities included birding, the extraction of tutu juice, berry picking, rapping, taking shellfish and other sea fisheries, as well as the use of various timbers and flaxes. All these were less likely to be noticed by Europeans, but noticed they were, and in the very period when Ngai Tahu were adjusting to the newly introduced foods and technologies.

Ngai Tahu's use of fernroot, aruhe, is particularly interesting. Fernroot was one of the staples of the pre-contact Maori diet. It was also one of the first foods to be substantially displaced by new agricultural crops. However accounts of Ngai Tahu's use of fernroot continue in the evidence, even up to the 1840s. Shortland recorded:

The natives consider that there is no better food than this for the traveller, as it both appeased the cravings of hunger for a longer period than other ordinary food, and renders the body less sensible to the fatigue of the long march. (H6:16){FNREF|0-86472-060-2|3.3.12|20}

Mr Te Maire Tau provided the following waiata, also recorded by Shortland, on the pleasures of eating aruhe.

He aha, he aha,  
He Kai ma tau  
He pipi-he aruhe -  
Ko te aka o Tuwhenua  
Ko te kai e ora ai, te tangata  
Matoetoe ana te arero  
I te mitikanga,  
Me he arero kuri anu.

So what of it, Why?  
It can be food for us  
Pipi and fernroot  
It is the vine of Tu Whenua  
It is the food to sustain the people  
The mouth waters from eating  
like that of the salivating dog (H6:15)

Although fernroot could well have been abandoned completely by 1844 in preference to newer foods, it continued to be processed and eaten, if in reduced quantities. Von Haast described how even at end of the 1840s, Poutini Ngai Tahu killed their newly acquired pigs because they were threatening their fernroot (H1:43).

3.3.13 Ngai Tahu had to make choices in adopting new activities and using their resources in ways impossible prior to contact with the European world. That their pre-contact economy was greatly modified is clear. However it is altogether another thing to say that these long tested and much treasured foods and the time honoured methods of procuring them were abandoned. It would be more accurate to say that the new commodities were simply incorporated into the traditional economy, as the 1880 mahinga kai lists suggest. Mahinga kai came to include places where potato and onions were grown as well as where fernroot and ti could be harvested (T4(b):10).

To argue that a decline in the use of pre-contact foods continued uniformly from the 1830s until the time of the purchases may also be simplistic. Some portions of the tribe were still living in pre-European style, little affected by the technological change which had found its way to Foveaux Strait and Otakou. Those who did participate in the new trading economy were subject to the boom and bust cycles which were an inescapable part of dependency on overseas markets. Whaling activity slumped in the 1840s and with its decline the opportunities for trade fell accordingly. One of the Crown's historical witnesses, Professor Gordon Parsonson, examined the impact on Otakou Ngai Tahu of this economic downturn (P4:appendix A:1-5). He argued that the whalers left widespread poverty and hardship in their wake. Such a situation would have strengthened the hunting and gathering economy. The decline in private land purchase following pre-emption and the reduction in trade goods that accompanied this would have had a similar impact. The French colony at Akaroa was not wealthy enough to provide extensive opportunities for trade and it engaged in its own subsistence agriculture. Only with the arrival of the Otago settlers in 1848 were prospects for trade increased. For a brief period between the late 1840s and the mid-1850s, east coast Ngai Tahu did have the chance of returning to the trading and entrepreneurial activities which had emerged in the 1830s. However, these opportunities were shortlived, and they were only there to be exploited by a limited section of the tribe.

As we shall see in our examination of the Kemp purchase in particular, Ngai Tahu did wish to preserve very substantial areas for traditional foods, especially for eeling, for kauru and for weka.

If Ngai Tahu's determination to participate and thrive in the new world was to continue into the period of Crown purchase and substantial settlement, then compromises would have been necessary. Ngai Tahu may well have been prepared to give up the use of particular resources in return for new benefits and a continuing stake in the new economy. This would have been a matter of choice, to be negotiated between the Crown and the tribe as land was made available to the Crown through sale. Whether these compromises were made fairly will be discussed when we move on to consider the actual purchases themselves.

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