

CHAPTER 5

THE VÖLKNER AND FULLOON SLAYINGS

Accordingly, to this point there were no grounds for Crown action against Ngati Awa persons. The position changed after the missionary C S Völkner and the Government agent James Fulloon and three others were killed in Opotiki and Whakatohe respectively.

5.1 THE KILLING OF VÖLKNER

As mentioned, Pai Marire prophets had been proselytising in the Ngati Awa area. In March 1865, a Ngati Awa contingent of about 150, including Wepiha Apanui, a young rangatira of senior Ngati Awa and Whanau-a-Apanui lineage, accompanied Kereopa and about 40 Pai Marire to Opotiki, where Kereopa was to address the Whakatohe people. En route, they collected about 10 of Whakatohe at Ohiwa Harbour.¹

On 2 March 1865, during the course of this gathering, the life of Völkner was taken. According to accounts that may not be reliable as to all particulars, Kereopa sentenced Völkner to death in his church. He was escorted outside by a party of about 30, taken to a tree, where he was hanged, and in one account his body was then shot. Afterwards, the body was decapitated and various people drank his blood from a church chalice. Taking the head inside the church, Kereopa gouged out the eyes. Naming one for the Parliament of England and the other for the Queen and English law, he then swallowed them.²

All accounts have treated the matter as a Whakatohe affair. The fact, however, is that a Ngati Awa contingent was present under Wepiha. The essential points are as follows.

Völkner's murder appears to have been instigated by the Pai Marire emissary and apostle Kereopa.³ Kereopa then took shelter in the Opotiki district and, later, in Urewera. It was not until 1871 that he was captured, tried, and hanged.⁴

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1. Evidence of Wepiha Te Pono Apanui and Joseph Jahus, minutes of proceedings and trial of *R v Mokomoko and Others*, JC22-3B AG66/789, NA Wellington
 2. Document 15, pp 23–24; doc c9, pp 25–49
 3. There was confusion from the trial witness evidence as to who instigated the murder and who actually carried it out. The best account of this evidence is provided by Bryan Gilling, who notes that it was Wepiha Te Pono Apanui – himself a suspect – who squarely accused Kereopa: doc c9, pp 54–55. Steven Oliver suggests that it is unclear who instigated the killing: Oliver, 'Kereopa Te Rau', DNZB, vol 1, pp 503–504, 172.
 4. Oliver, pp 503–504

We have found no conclusive evidence that persons of the Ngati Awa contingent were directly involved in the killing. Although the evidence is that a number of persons were in the party that led Völkner to his death, only five were later apprehended and charged, and one of those was acquitted. It appears that all of these five, with the exception of one, were of Whakatohea. There are reports that after Völkner's death a number of persons 'went bush' beyond Opotiki, and from this it appears that others were either not identified or not found.⁵

Those who were arrested and convicted were Hakaraia of Ngati Ira, Whakatohea; Heremita Kahupaea of Upokorehe, Whakatohea; Mokomoko of Upokorehe, Whakatohea; and Penetito Hawea of Ngati Awa. Acquitted was Paora Taia of Whakatohea. The death sentence of Penetito, who was 19, was commuted to life imprisonment, and the others were hanged.⁶

Tiwai was an important leader of Whakatohea and gave character evidence at the trials.⁷ Though it would not have suited his position to have said so, he acknowledged that each of those on trial for the life of Völkner was of Whakatohea, although there are also frequent references to Penetito being from Ngati Awa.⁸ Much later, Mehaka Watene of Whakatohea said the same. In evidence to a judicial inquiry into the Whakatohea confiscations in 1920, he also gave those persons as being of Whakatohea, in some cases adding their particular hapu.⁹

At the time, the general opinion of Maori and Government officials was that Kereopa instigated the Völkner killing and that members of Whakatohea committed the deed.¹⁰ There is, however, some evidence that Wepiha Apanui was involved and had taken a prominent role, repeating Kereopa's commands to his own people. The evidence for this is mainly from the mouths of those charged.

There was no dispute that Wepiha was present. He gave crucial evidence for the Crown against those who were eventually hanged. The accused gave no evidence at all during the trial, but each spoke at his sentencing. It was then that Mokomoko, Heremita, and Hakaraia maintained that it was in fact Wepiha who, along with Kereopa, had given the commands for Völkner's death. There is also the hearsay evidence of a European, Dr Aggassiz, that Wepiha admitted an involvement to Captain Freemantle on the *Eclipse*.¹¹

5. 'Statement made by "Natana", Owner of the Schooner *Janet*', 7 March 1865, AJHR, 1865, E-5, no 3, encl 1, p 6 (cited in doc c9, p 43)

6. Document A18, pp 97-99

7. Character evidence of Tiwai, minutes of proceedings and trial of *R v Mokomoko and Others*, JC22-3B AG66/789, NA Wellington (cited in doc c9, pp 46, 52)

8. Document A18, pp 97-99; cf character evidence of Tiwai, a chief of Whakatohea, minutes of proceedings and trial of *R v Mokomoko and Others*, JC22-3B AG66/789, NA Wellington (doc c10(2))

9. Evidence of Mehaka Watene to the 1920 commission of inquiry into the Whakatohea confiscation, MA83 pt 1, pp 288-290, NA Wellington; Watene's petitions 630/1914, 235/1915, 336/1917, MA83, NA Wellington; AJHR, 1921-22, G-5, pp 24-27; Buddy Mikaere, 'Exploratory Report to the Waitangi Tribunal, Being an Historical Account of the Confiscation of Land in the Opotiki District', report commissioned by the Waitangi Tribunal, September 1991, pp 41-48

10. See doc c9, pp 54-55, 59

11. Statements of Mokomoko, Heremita, and Hakaria, minutes of proceedings and trial of *R v Mokomoko and Others*, JC22-3B AG66/789, NA Wellington (doc c10(2)); 'Memorandum of a Statement Made by Mr A Agassiz, of Opotiki, Respecting Kereopa's Proceedings, and the Murder of Mr James Fulloon, etc', AJHR, 1865, E-5, no 7, encl 2, pp 18-19 (this lurid hearsay account should be treated with caution)

This evidence is not compelling. The statements of the accused were given not during the trial but at the sentencings and they were not cross-examined. They may well have acted in retaliation, since their convictions had depended on Wepiha's evidence, and similarities in the respective statements suggest a common design. During the trial, Wiremu Paki of Whakatohea stated that Wepiha had ordered people to carry out Kereopa's commands, but he also said that he had not witnessed the killing and had left the area even before the meeting in the church.¹² Dr Aggassiz's statement, made after the trial, was at best third hand. He was not present when Wepiha spoke with Captain Freemantle, and in the captain's report of the journey to his superiors there is no mention of such an admission.¹³

Nor did Jahus implicate Wepiha, though Wepiha was known to him as the person in command of the Ngati Awa party. It should be noted that Jahus was married to a Ngati Awa woman, and his evidence was attacked by others, who disputed that he could have seen what he claimed.¹⁴ Further, had Wepiha in fact given orders, then his orders would have been to his own followers, and there were no suggestions that the large Ngati Awa contingent participated in the killing.

In addition, the evidence is that, after the event, those involved hid. Wepiha did not do so. On the contrary, he continued to remain in the open, keeping in contact with European sea captains, visiting European officials, and, through the runanga, engaging in correspondence with the civil commissioner.

We note a suggestion in one report that Wepiha was a convert to Pai Marire.¹⁵ We can find no affirmative evidence to that effect. It is obvious that he received the Pai Marire emissaries and accompanied them to Opotiki, but we can find no evidence that he accepted either the Pai Marire faith or its policies. On the contrary, as we have said, he continued to work as he had previously operated – through the runanga, which was associated with the civil commissioner. Pai Marire adherents in fact eschewed all contact with Government officials except to warn them off.

Whakatohea leaders were adamant that responsibility rested with Kereopa, the Pai Marire group, and some of their own people, whom Kereopa had inflamed. Some claimed to have taken their people away when matters started getting out of hand. They referred to their adherence to the Anglican or Catholic faith and to their horror at what had happened.¹⁶

Ngati Awa leaders did the same, writing on 6 March to Government officials to express their dismay. In doing so, they assumed or implied that the deed was the primary responsibility of Kereopa and the Whakatohea people.¹⁷

12. Evidence of Wiremu Te Paki, minutes of proceedings and trial of *R v Mokomoko and Others*, JC22-3B AG66/789, NA Wellington (doc c10(2))

13. Letter of proceedings, 18 March 1865, *New Zealand Gazette*, 1865, no 13, pp 120–121

14. Document c9, pp 27 (fn 89), 53, 58

15. Mokomoko made the suggestion in his statement: see doc c9, pp 57–58. For his statement, see minutes of proceedings and trial of *R v Mokomoko and Others*, JC22-3B AG66/789, NA Wellington (doc c10(2))

16. 'Statement of Joseph Jeans (?) Jennings, Portuguese, Resident at Opotiki', AJHR, 1865, E-5, no 7, encl 1, pp 16–18 (cited in Paul Clark, *'Hauhau': The Pai Marire Search for Maori Identity*, Auckland, Oxford University Press, 1975, pp 34–35)

17. 'Translation of Letter from Assessor Hohaia Mata Te Hokia, of Whakatane', 6 March 1865, AJHR, 1865, E-5, no 4, encl 1, p 7; for an overview, see doc c9, pp 42–44

The killing of Völkner was selective. It was contended that Völkner had been relaying information to the Governor on the disposition of the local Maori military – information that would assist an invasion of the Opotiki district. Historical records suggest that these rumours were not without foundation. On the occasion of the last of his various trips to Auckland, Völkner had been cautioned by local Maori not to return, but it is not known whether the letter conveying this advice reached him before he left Auckland. His return, with the Reverend Thomas Grace, coincided with the Opotiki gathering, and he was immediately taken prisoner. Grace’s life was spared, and second- or third-hand accounts of a general fanatical euphoria amongst all present appear to have been exaggerated.¹⁸

It was also rumoured that Völkner had fomented trouble between Maori Anglicans and Catholics and was responsible for the recall of the Catholic missionary to England. There was even a rumour that the Catholic missionary had been put to death in England.¹⁹

The killing of Völkner was expressed to be, in major part, an outcome of the war in Waikato, which was still ongoing in Taranaki. On 6 March, an unsigned written statement issued from ‘The Committee of Ngati Awa, Whakatohea, Urewera and Taranaki’ at ‘Opotiki, Place of Canaan’ to ‘The Office of the Government, Auckland’ advising that Völkner ‘has been crucified according to the laws of the New Canaan in the same manner as it has been ordained by the Parliament of England, that the guilty man be crucified’. According to a translation of the document, which is all that survives, three ‘sins’ were then named: the first, ‘the deception practised upon our Island by the Church’; the second, ‘the sin of the Governor at Rangiriri – his cruelty – the women are dead’; and the third, ‘Rangiaohia, the women were shot – that is a sacred law of the Governor’s’. It was added, ‘You crucify the Maories, and I also crucify the Pakehas’.²⁰

The letter, though purporting to come from an intertribal committee, has the hallmarks of other Pai Marire literature and is markedly different from those that issued from the Ngati Awa runanga. The reference to the killing of women and children may have been a matter close to Kereopa, his wife and daughter being amongst those killed at the last engagement referred to.²¹

5.2 THE KILLING OF FULLOON

When Völkner was killed, it ought to have been apparent to Maori that the Governor would seek retribution, as would be normal in Maori law, or the apprehension of the offenders, in terms of English law. From whichever perspective, it could not have been expected that the Governor would sit idly by. Moreover, as a matter of practice, the

18. See Clark, pp 31–38

19. Ibid, pp 33–35

20. Committee of Ngati Awa, Whakatohea, Urewera, and Taranaki to office of Government, Auckland, 6 March 1865, AJHR, 1865, E-5, no 5, encl 2, pp 9–10

21. Clark, pp 35–36

Governor had intervened in the past to arrest and put to trial Maori suspected of murdering Pakeha. He had not intervened, however, where Maori had killed Maori (it may not have been practical to have done so), and he had not acted in certain cases where, in other than the heat of battle, Pakeha had killed Maori.²² The news of these events is likely to have spread widely, and we think it probable that Ngati Awa would have known of them.

It further appears that certain of Te Arawa were keen to see some retribution against their former enemies – far keener than was reasonable for the purposes of maintaining law and order. There was a real prospect that Te Arawa would use the occasion as an excuse for an invasion.²³

In apparent response to this, the Ngati Awa runanga immediately expressed strong regret at, and disapproval of, the murder of Völkner. Then, after a series of runanga, a meeting with some 300 present resolved to place an aukati about their territory. The purpose, as apparent from associated correspondence, was to prevent the war from spreading to Ngati Awa and to keep Te Arawa out.²⁴ The manner in which this news was conveyed to the civil commissioner suggests that the aukati was not of major moment for Ngati Awa at the time. The letter mentioned it somewhat casually after a prior reference to a decision to complete ‘Mr Wallace’s Mill’. The letter was forwarded by Hohaia Mata Te Hokia in his capacity as native assessor.²⁵ The news was expressed in clipped local dialect in the letter of 17 March to the civil commissioner: ‘Kua kati Awa ki tona rohe ake’ (Ngati Awa is restricted within his own boundaries). Wepiha, Te Kepa, and Apanui (presumably, Wepiha’s father) sent the letter on behalf of the runanga. Typically of the aukati law, the declaration was passive.²⁶

In submissions, the claimants presented the aukati as an example of the application of Maori law and as an endeavour to keep peace in the territory.²⁷ In the light of Maori custom, the general opinion that the killing of Völkner was a Whakatohea affair, and

22. Hobson, Shortland, and Fitzroy took the position that it was better not to get involved in intra-Maori affairs, and this attitude only really began to change with Grey’s runanga system: see Richard Hill, *Policing the Colonial Frontier: The Theory and Practice of Coercive Social and Racial Control in New Zealand, 1767–1867*, 2 vols, Wellington, Government Printer, 1986, vol 1, pt 1, pp 216–217, and Alan Ward, *A Show Of Justice: Racial ‘Amalgamation’ in Nineteenth Century New Zealand*, Canberra, Australian National University Press, 1974, chs 4, 5. However, there were exceptions, such an example from 1854 being noted by Ward (p 95). There were certainly instances where Pakeha killed Maori and were not prosecuted (see Hill, vol 1, pt 1, p 169), but again there were exceptions (see Ward, pp 95–96; and sec 3.6 of this report). By contrast, the governors acted fairly swiftly where Maori killed Pakeha within Pakeha settlements: see Hill, vol 1, pt 1, pp 214, 266, and Ian Wards, *The Shadow of the Land: A Study of British Policy and Racial Conflict in New Zealand, 1832–1852*, Wellington, Department of Internal Affairs, 1968, pp 249, 253, 286. Notable exceptions to this were the 1843 Wairau affray, where no Maori was prosecuted, and incidents within the Rohe Potae (King Country) between 1864 and 1883: see Ward, pp 74–75, 125–146, and for an account of the Wairau affray, see A D McIntosh, *Marlborough: A Provincial History*, Christchurch, Capper Press, 1977, pp 76–83.

23. Clarke to Smith, 5 August 1865, ms283, T H Smith papers, ‘Official Letters to T H Smith, 1861–1868’, folders 9–11, vol 1, p 111 (typescript), AIM (cited in doc 15, pp 35–36; doc 15(a), p 43)

24. ‘Translation of Letter from Assessor Hohaia Mata Te Hokia, of Whakatane’, 6 March 1865, AJHR, 1865, E-5, no 4, encl 1, p 7; for an overview, see doc c9, pp 42–44

25. ‘Letter from Assessor Hohaia Mata Te Hokia, of Whakatane, Reporting Result of a Meeting of Ngatiawa’, 18 March 1865, AJHR, 1865, E-5, no 6, encl 6, p 14

26. ‘Letter from Certain Ngatiawa Chiefs Relating to the Opotiki Murder’, 17 March 1865, AJHR, 1865, E-5, no 6, encl 8, pp 15–16 (cited in doc 15, p 25)

27. Document A18, pp 6–7

our conclusion that, on the limited evidence and except for Penetito, Ngati Awa persons were probably not directly involved in inciting or participating in the murder, we agree that the aukati was likely for that purpose and not for the purpose of hindering the Government or harbouring fugitives.

It was stated, amongst other things, that Government and Te Arawa forces seeking to arrest the killers of Völkner should proceed by sea direct to Opotiki and not pass through Ngati Awa territory. There was a call that this law be respected by the Government and Te Arawa. Since a major point of entry to Ngati Awa was also via Ohiwa and Whakatane Harbours, they were also placed out of bounds.²⁸

In assessing the aukati, we add that there is nothing to suggest that the Ngati Awa runanga was an irresponsible body. While it appears to have maintained a sympathy for Maori law and authority throughout the district, as it was entitled to do, it was also clearly concerned with promoting the economic development of the Ngati Awa people by working with the civil commissioner. Moreover, the runanga did not in fact object to Government ships landing at Whakatane for the peaceful purpose of seeking information on the killers of Völkner. The HMS *Eclipse* landed with the Government agent James Te Mautaranui Fulloon. He endeavoured to raise a Ngati Awa force to travel to Opotiki to make arrests, but unsurprisingly, he learnt that Ngati Awa did not wish to be involved. Fulloon and others of the crew were not molested.²⁹

It may well be that Fulloon was aware of some Ngati Awa involvement in the Völkner killing. Fulloon was half-Maori with a distinguished Ngati Awa line, being of the same family as Wepiha Apanui, who was equally well known as Wepiha Te Mautaranui. Fulloon was a fluent Maori speaker and had been brought up locally, although he had been schooled at the Anglican church's Te Ngae Mission Station on the shores of Lake Rotorua. He had chosen to work with the Government and was an interpreter for the military. Fulloon may well have seen the need for Ngati Awa to cooperate more extensively with the Government if they were to be spared a Te Arawa invasion.³⁰

There were good grounds to fear this. In March 1865, soon after Völkner's death, certain leaders of Te Arawa advised officials that they were willing to lead a charge into Ngati Awa territory, which, they said, had been infected by Pai Marire fanaticism.³¹ This view was conveyed several times, and Ngati Awa appear to have been aware of it. In April 1865, the Governor issued a proclamation allowing settlers and 'friendly' Maori to take action against those said to be involved in the movement or holding 'fanatical doctrine'.³² As is noted below, there is no indication that the proclamation was acted upon, but it sowed the seeds for the subsequent Te Arawa invasion of Ngati Awa. H T Clarke, for example, wrote that:

28. 'Letter from Assessor Hohaia Mata Te Hokia, Reporting Result of a Meeting of Ngati Awa', AJHR, 1865, E-5, no 6, encl 6, p 14

29. Freemantle to Grey, 26 May 1865, BPP, vol 14, pp 426-427 (cited in doc 15, p 28)

30. W T Parham, 'James Francis Fulloon', DNZB, vol 1, pp 139-140, F18

31. 'He Taurira enei ki nga roto katoa o te Arawa ka Tukua i te 8 Mehe, 1865', 'Copy of a Letter Sent to the Arawa Living Inland, 8 March 1865', AJHR, 1865, E-5, no 6, encl 3, pp 12-13

32. Proclamation, *New Zealand Gazette*, 1865, no 14, p 129

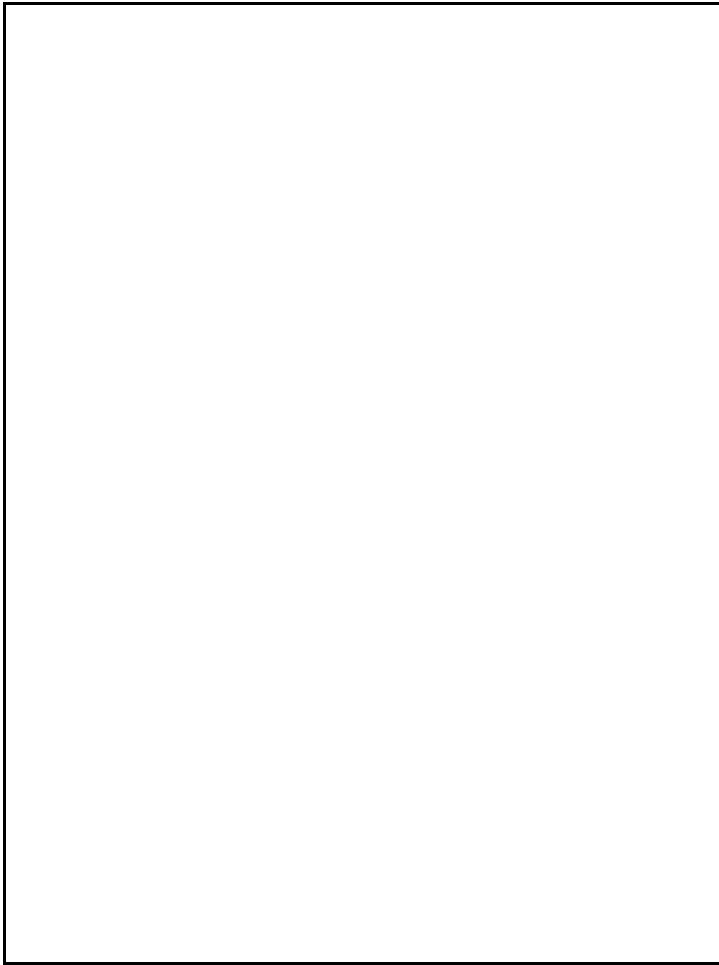


Photo 3: James Fulloon. Photo courtesy Alexander Turnbull Library (½-025260).

The Arawa now have an authority (I will not give an authority as to the legality of the proclamation) for pitching into their troublesome neighbours provided that they can satisfy themselves as to their holding 'fanatical doctrine'.³³

He may not have been referring to their whole territory, however. It is clear that not all followed Pai Marire policy, and amongst those who stood apart was the Ngati Awa runanga operating around Whakatane.³⁴

The trouble began when a second aukati was imposed, and later enforced against Fulloon, by Pai Marire adherents around Matata. The Pai Marire movement had a far more dogmatic approach to such matters and would eschew all contact with the Government except as might be necessary to make clear that the Government and its forces, and also orthodox missionaries, should stay out of Maori territory for all purposes.³⁵

33. Clarke to Smith, 12 May 1865, MS283, T H Smith papers, 'Official Letters to T H Smith, 1861-1868', folders 9-11, vol 2, p 107 (typescript), AIM (doc 15(a), p 40)

34. AJHR, 1865, E-5, no 6, encl 6, p 14

35. T H Smith, 'Memorandum of a Statement Made to Me by Te Puhī and Wi Maruki, on the 30th July, 1865', AJHR, 1866, A-1, pp 37-38 (cited in doc 15, pp 30-34)

Horomona was a Pai Marire emissary of Taranaki preaching doctrine in Ngati Awa territory. He secured this second aukati at Matata in July 1865. It was somewhat fantastic, running from Cape Runaway at the extreme east of the Bay of Plenty all the way to Taranaki, taking in Ngati Awa territory on the way.³⁶ No one tribe could impose an aukati along a line encompassing several distinct groups, and it ought to have been treated with disdain. It could not substitute for that which the Ngati Awa runanga at Whakatane had previously imposed, but it may have provided a further basis for Te Arawa to act, for Horomona could be said to hold fanatical doctrine.

Horomona's following appears to have mainly been in the Matata region. It included the prominent rangatira Te Hura Te Taiwhakaripi of Ngai Te Rangihouhiri and persons of Ngati Hikakino and Te Tawera. However, Te Rangitukehu of Te Pahipoto would have no part of it.³⁷

Shortly afterwards, on 19 July, the Arawa-owned schooner the *Mariner* (also known as the *Maruiwi*), broke the Pai Marire aukati by entering Whakatane Harbour. The local people allowed the boat to enter, and it had been there several days when a party of about 60 arrived from Matata under Horomona and Te Hura. The crew and passengers were taken prisoner and the boat and cargo destroyed. The prisoners passed to the local Maori of Ngati Pukeko, who later allowed them to escape.³⁸ No doubt the destruction of the cargo and boat added to the Arawa list of items to be avenged.

A few days later, on 22 July, the *Kate*, with Fulloon on board, entered the harbour. The *Kate* was owned by a local trader, Bennett White, who was also on board. The passengers and crew were accosted by a party led by Te Hura and the Pai Marire priests Horomona and Paraharaha. Fulloon was killed, along with three of the crew.³⁹

At the time, Fulloon had recently been commissioned as a captain in the militia and his object was to recruit a company of Ngati Awa to counter Pai Marire influence in the Bay of Plenty. Although he was only 25, he had wide experience in assisting the Government on matters relating to land purchases, Maori administration, and the progress of the war in many parts of the North Island. He had worked directly with the Governor and also with officials such as Donald McLean and appears to have been popular and regarded highly by them. His wife was Teni Rangihapainga of Ngati Maniapoto, with whom he had one daughter, Maraea.⁴⁰ For his work and his assistance to the Government during the war, he was known to Pai Marire as 'The Parliament of England'.⁴¹

The evidence as given at a later trial is that between 10 and 15 of those in the shore party boarded the *Kate* and confronted the passengers and crew about the breach of the aukati. Fulloon was reported to have been wearing his army uniform. It was

36. Evidence of Te Rirituku, Judge Arney's notes of proceedings and evidence of *R v Te Hura Te Tai and Others*, JC22-3B AG66/968, NA Wellington (doc 15(c), pp 416-419, 471-477)

37. Ibid

38. Document 15, p 31

39. Ibid, p 31

40. Parham, pp 139-140, F18; W T Parham, *James Francis Fulloon: A Man of Two Cultures*, Whakatane and District Historical Society Monograph Series, no 14, 1985, p 30

41. *Daily Southern Cross*, 12 December 1865

known that Fulloon was concerned with locating Völkner's killers. He is said to have responded by slapping his buttocks, a deadly insult amongst Maori, to show his contempt of the Pai Marire movement. This did not provoke an immediate reaction. The boarding party returned to the shore to discuss matters with Te Hura and the remainder of the party. Amongst them were two Maori from the *Kate*, Matimati and Tira, whose lives were spared.

Onshore, Horomona and Te Hura said that Fulloon must die. Given that it had been declared that anyone who broke the aukati would be killed, it seems reasonable to assume that Fulloon, at least in part, was slain because he came to Whakatane.⁴² A party of 20 was selected for the purpose and met to perform Pai Marire rites and to raise the riki, a Pai Marire flag to indicate that death for a breach of the aukati was proposed. The riki was visible from the *Kate*. One view is that the ship was thus given the opportunity to leave; another is that no wind was blowing to fill the sails.⁴³

As the group of 20 was about to leave from the shore, Horomona gave the final command. He said that all Europeans on board should die except for Bennett White's half-Maori son. This was the lad who had joined the ship only that morning and could not have been there when the aukati was breached. There was an altercation when the *Kate* was boarded, and three of the crew were killed: Captain Pringle, seaman Ned, and first mate Robinson. White, his son, and Alexander Campbell, the Maori cook, were allowed to go free, although White was spared only after a gun belonging to one of the boarding party failed to fire.⁴⁴ The group were rowed to the shore. Later, some of the accused claimed that they joined the group in order to release 'our Pakeha' (White) and that they were responsible for the release of the three.⁴⁵

Then, Fulloon was killed and the *Kate* burned. As with Völkner, the killing of Fulloon was not done in a moment of frenzied, religious fervour but was selective. And despite the alleged order from Horomona, White and his son, along with the cook, were allowed to go free.

Wepiha Apanui heard the news and arrived at the scene a short time after the event (precisely how long after is not known). He arranged for the burial of the remains of his close relative Fulloon, to avoid their desecration and to ensure that he would lie with his ancestors.⁴⁶ Wepiha was informed, he said later in evidence, that Ngai Te Rangihouhiri was responsible.⁴⁷

T H Smith wrote that Wepiha was in fact keen for Te Arawa to attack Te Hura. Fulloon was both his relative and his friend, and Wepiha appears to have been eager that justice should be done.⁴⁸ Later, he gave evidence for the Crown against those accused of the murders of both Völkner and Fulloon.

42. Report of evidence of Tira and Wetini Tainui at depositions, *New Zealand Herald*, 8 February 1866, p 5; 13 February 1866, p 5

43. Document 11, pp 31–40

44. Report of evidence of Wetini Tainui and Hoani Poururu at depositions, *Daily Southern Cross*, 13 February 1866, p 5

45. *R v Kirimangu and Others*, pp 23–24 (cited in doc 11, pp 36–37)

46. Report of evidence of Wepiha Apanui at trials, *New Zealand Herald*, 16 March 1866, p 5

47. Evidence of Wepiha Apanui, Judge Arney's notes of proceedings and evidence of *R v Kirimangu and Others*, JC22-3B AG66/968, pp 35–37, NA Wellington (doc 15(c), pp 404–406)

48. Smith to Mair, 30 July 1865, MS3330, T H Smith papers, ATL (cited in doc 11, p 44)

5.3 CONCLUSIONS

The foregoing accounts appear to us to illustrate aspects of Pai Marire policy. There was no opposition to Europeans as such, but in the Pai Marire view, the Government, the military, and those involved with the Government were to be kept out of areas that the movement claimed to have taken over. For this purpose, aukati were created around supposed Pai Marire territories. Rightly or wrongly, Völkner was seen as a Government spy, and Fulloon was seen as attempting to associate Ngati Awa with the Government and as likely to embroil Ngati Awa in action against Whakatohea. In both cases, Völkner and Fulloon were liable to die in terms of Maori law. In both cases also, the lives of ‘innocent’ Europeans were spared, despite the reports of a murderous and fanatical euphoria.

While there was no war in the district at the time, the Pai Marire prophets had all been involved in the war in Taranaki, which was still ongoing. There was a climate of war in Whakatane and Opotiki in the sense that the Pai Marire emissaries would not have been there but for the earlier war that the Governor had started. One of those later convicted of the murder of Fulloon said at his sentencing that he saw the killing not as murder but as an act of war.⁴⁹

The Pai Marire reputation for fanaticism appears to stem mainly from accounts of the gruesome treatment of the bodies of victims, though the only instances known to us for which there is reliable evidence relate to the decapitation of Captain Lloyd in Taranaki and the mutilation of Völkner in Opotiki. In each case, recourse was had to the Bible for precedent. Other factors relied on concern inflamed speeches (but the evidence for that relates only to Kereopa); the raising of a hand in certain battles in Taranaki, with the alleged belief that this gave protection from bullets; and mystical chanting around poles, especially the masts captured from European vessels. Similar beliefs are not unknown amongst other religions.⁵⁰

In the Ngati Awa case, the implied assertion that the district had gone over to the Pai Marire religion was an exaggerated presumption. The 60 or so persons who were involved when decisions were made as to the fate of those on the *Mariner* or the *Kate* do not compare with the 300 or so who attended at the runanga meeting where the ‘official’ aukati was declared. The runanga operated in close association with the civil commissioner, to whom resolutions were regularly conveyed. The runanga aukati was for the simpler purpose of saying that Ngati Awa wished to keep out of the trouble associated with Völkner’s killing and did not seek to become involved.

The situation, however, was not unlike that when the East Coast contingent camped on Ngati Awa land en route to the west and some of Ngati Awa were brought into the subsequent affray. Once more, individuals of Ngati Awa were involved at the instigation of outside forces. In some respects, their lands were at the crossroads

49. See statement of Kirimangu, *Daily Southern Cross*, 5 April 1866 (cited in doc 11, p 39)

50. See James Cowan, *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period*, 2 vols, Wellington, Government Printer, 1983, vol 2, pp 1–20, and Michael Adas, *Prophets of Rebellion: Millenarian Protest Movements Against the European Colonial Order*, Chapel Hill, University of North Carolina Press, 1979. Adas’s study includes Mataram of Java, the Pai Marire religion in New Zealand, the Mundas in central India, the Maji Maji in Tanzania, and the Saya San rebellion in Burma.

between the east and the west. By the time of the murders, the Governor had either conquered or gained the support of tribes right to the Ngati Awa borders. They were the next domino in line, and the Pai Marire emissaries provided the excuse for the Governor to enter. This may have been the situation that the young Fulloon had sought to avoid for his own people of Ngati Awa, in seeking to have them involved in effecting arrests at Opotiki.

