

**In the Waitangi Tribunal**

**Wai 207**

**Wai 785**

Under **the Treaty of Waitangi Act 1975**

In the Matter of **the Northern South Island Inquiry (Wai 785)**

And

In the Matter of **a claim to the Waitangi Tribunal by Akuhata Wineera, Pirihira Hammond, Ariana Rene, Ruta Rene, Matuaiwi Solomon, Ramari Wineera, Hautonga te Hiko Love, Wikitoria Whatu, Ringi Horomona, Harata Solomon, Rangi Wereta, Tiratu Williams, Ruihi Horomona and Manu Katene for and on behalf of themselves and all descendants of the iwi and hapu of Ngati Toa Rangatira**

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**BRIEF OF EVIDENCE OF NOHORUA AKUHATA TE KOTUA**

**Dated 9 June 2003**

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**KensingtonSwan**   
TRAVELERS

89 The Terrace PO Box 10246 DX SP26517 Wellington  
Telephone (04) 472 7877 Facsimile (04) 472 2291  
Solicitor Acting: D A Edmunds

Counsel: K Bellingham/K E Mitchell/B E Ross

## BRIEF OF EVIDENCE OF NOHORUA AHUKATA TE KOTUA

### Introduction

- 1 My name is Nohorua Akuhata Te Kotua. I was born in Nelson, on 11 June 1941. I live at 116a Kawai Street Nelson. I have lived in Nelson for most of my life apart from an eight year period serving with the New Zealand Army in New Zealand and overseas on Active Service.
- 2 I am Ngati Toa from my father Nohorua Akuhata Te Kotua and his father Pehiatea Akuhata Te Kotua. Through them I am descended from Nohorua, the Tohunga Rangatira of Ngati Toa and brother of Te Rauparaha.
- 3 I am Ngati Koata from my Mother Wetekia Elva Kawharu. Her father was Te Hahi Ngamuka Kawharu, and his father was Ngamuka Kawharu, his mother was Tiripa Tawhe Te Ruruku Kawharu.
- 4 Today I give evidence on behalf of Ngati Toa.
- 5 My parents were living in Nelson at the time of my birth. We lived in a small Cottage on Russell Street, three adults (my parents and my Grandfather Te Hahi) and four children (myself and my brothers and sister, being Tiripa Theresa, Tony Ngamuka, and Selwyn Warena). We moved from the Cottage on Russell Street to the Maori House, when I was a preschooler, and then to our own home in Tahunanui when I was eight years old. The Maori House was a Maori Hostel built on Maori land and administered by local Department of Health Officials on behalf of the Maori Trustee. Families who had nowhere else to reside were allocated positions in the hostel until alternative accommodation was found. However it was generally used on a casual basis by any Maori person who needed somewhere to stay for the night or on a continuing or continual basis.
- 6 The unsanitary and unhealthy conditions under which we lived at the Maori house are now well known. We occupied the Maori house together with others from 1945 till 1949. It was interesting to note that these same conditions existed in the early 1940's when my Grandfather Pehiatea and his family Atareta and some of my father's younger brothers and sisters, were the occupier's of the house. The procrastination of Government agencies responsible for providing assistance to the Maori people such as ourselves

who found themselves unable to cope, (Maori Trustee, Health Department ) are well documented. Maori received little in the way of assistance despite the fact that the Tenth reserves which were managed by the Maori Trustee were supposed to be used to alleviate such situations. Government departments were quick to condemn but provided little in the way of tangible assistance to remedy some appallingly unhealthy situations.

- 7 At the time of our occupation of the Maori House the other family living there were our relations the Hippolites: Uncle Doughty (Ikaroa), Aunt Louisa and about four of their children at the time. My maternal grandmother, Parehauraki and her family, lived there for a while as well as my paternal grandfather and many other casual occupiers who had need of somewhere to stay.
- 8 Currently, I am a computer systems administrator working at the Nelson/Marlborough Institute of Technology, in a position which requires me to coordinate the activities of diverse groups on campus.
- 9 In my younger days I had a Queen's Commission in the New Zealand Army, reaching the rank of Lieutenant Colonel and serving in Malaysia. As a Senior officer, it was my responsibility to ensure that my men were in good health, with the need to be able to recognise when my soldiers were not performing to certain standards and to identify the reasons for that.

### **Paternal Whakapapa**

- 10 My father, Nohorua Akuhata Te Kotua, was born in Nelson on 14 August 1914. He died on 19 March 1972 and is buried in Nelson.
- 11 My father grew up as a young man in Whangarae. He also lived in Blenheim, Nelson, Porirua and Hongoeka for varying periods. Most of the stories of the early life of my father's family revolved around subsistence living in Whangarae, working on road building, and timber milling, in the Rai Area. They also travelled to Blenheim and Nelson for food supplies and sport, mainly rugby. Dad was a Maori All Black in 1935, 1936, and 1939 and toured to Australia with the New Zealand Maori Team.
- 12 My grandfather was Pehiatea Akuhata Te Kotua. He was born on 15 December 1890, possibly in Porirua. He is buried at Whangarae He lived

in Nelson, Whangarae and Porirua, Hongoeka and Petone. My grandfather was Ngati Toa through both of his parents, Hohaia Te Wera Te Kotua and Te Ua Torikiriki (named after her tupuna Te Ua Torikiriki who was the daughter of the Ngati Toa chief Nohorua). My Grandfather was a frequent visitor to Takapuwahia where some of the social activities with his cousin Joe Rene are still subject of much discussion. Mainly in terms of how they were able to make it back to the Rene home at night.

- 13 My grandmother was Ngahopi Atareta Warena. She was born, I think, in Hongoeka. She is Ngati Toa and Ngati Raukawa. She is buried in Nelson. She lived in Hongoeka, Whangarae, Nelson and Petone at various points of her life. Atareta's whanau live in Hongoeka and both of my Grandparents lived there at one time. Some of my fathers siblings were born at Hongoeka. My Uncle Aratangata, the youngest of my father's siblings was born at Whangarae but was taken to Hongoeka after he was born by Granny Rea Warena, Atareta's Mother, and lived there till he was 11. He returned to, and still lives at Hongoeka. My Grandfather was a shearer for much of his life and in Nelson worked in the Woolstore of Loan and Mecantile for a number of years
- 14 My grandparents travelled frequently across the Cook Strait between their North and South Island relations. This was one of the ways in which they were able to maintain contact with their relatives across the Cook Strait. Most of the Ngati Toa families in Te Tau Ihu particularly looked to Porirua as being home, and the people of Takapuwahia as being family. There was constant travel between the two. I can always remember when I was very young that whenever Toa people came over to the South Island there was always a big party at home.
- 15 My Great Grandfather Hohaia Te Wera Te Kotua and his wife my Great grandmother Te Ua Torikiriki lived at Whangarae and I recall as a child the whanau gathering regularly at Whangarae to be together. My Great Grandfather was Ngati Toa through his tupuna Te Waaka Te Kotua, who was a Ngati Toa warrior. My Great Grandmother eventually came to live in Nelson from Whangarae and we would call in to see her whenever we were passing her home at Port Nelson.

- 16 Granny Kotua lived till she was 98. She was Ngati Toa as she was the daughter of Hori Toms and Riria Paeumu. Hori was the son of Joseph Toms and Te Ua Torikiriki, who was the daughter of Nohorua.
- 17 There were many stories of Granny Kotua. I understand she was born at Lake Ellesmere in 1842. She lived her early life in Titahi Bay with her parents and attended school in Porirua. In her early teens her Father Hori Toms took her to the Chatham Islands, then to Akaroa to live with her Mother. She married but her husband was drowned in a boating accident. Te Ua knowing her husband was already drowned launched a boat and saved a Ngai Tahu Chief Hone Taare Tikaue who was also in danger of drowning. She then returned to Titahi Bay where she met and married Hohaia Te Wera Te Kotua eventually moving to Nelson and Whangarae. She lived out her last days in Whakatu.
- 18 The traditional Urupa for Kotua has for many years been on Whangarae but there was a period where for some reason the individual members of the Whanau were not taken to Whangarae for burial. I'm not sure why that decision was taken but there was just a group of the family who for some reason decided that they did not want to return to Whangarae for burial. However I'm pleased to see that that's changed now Whanau burials again continue at Whangarae. Prior to Whangarae many of my Tupuna are buried in the old Urupa at Takapuwahia.

### **Maternal Whakapapa**

- 19 My mother was Wetekia Elva Kawharu. She was born in Nelson on 11 February 1918. She died in Picton on 2 April 1986 and is buried in Nelson.
- 20 My grandfather was Te Hahi Ngamuka Kawharu. He was born, died and buried on D'Urville Island. He lived mainly on D'Urville Island and Nelson. He served in Gallipoli with the Maori Pioneer Battalion where he was severely wounded.
- 21 My grandmother was Pare Hauraki Pauline Elkington. She is buried in Nelson. She lived mainly on D'urville and Nelson, as well as many places in the North Island. Her second husband was William Herewini of Tu Wharetoa. Pare Hauraki also spent much time with Te Puea Herangi and

developed a very close friendship with her. Much of her time was also spent in Hamilton as a member of the Church of Jesus Christ of Latter Day Saints.

- 22 I have already spoken about my maternal whakapapa and my family's lives on D'Urville Island in some detail in my brief of evidence presented on behalf of Ngati Koata earlier in this Inquiry.

### **Te Kotua Whanau Maintain Ahi kaa for Ngati Toa**

- 23 Perhaps the most well known of my Tupuna was Nohorua, the Tohunga of Ngati Toa. My father was named after him and I too received the same name, one that I carry proudly.

- 24 As a young boy there was a copy of the W. Hawkins lithograph of a GF Angas painting of Nohorua, his wife Te Wainokenoke, and son Tuarau, hanging on the wall of my grandparents lounge, and inside a carved frame. I do not know its provenance, but I always admired the lithograph. I expressed a desire as a young boy to have that photograph and on the death of my grandparents I received it from my Aunt on my return from overseas. I still have it.

- 25 Another of my Tupuna I should mention is Te Waaka Te Kotua, who was a Ngati Toa warrior and chief. Here is my whakapapa showing my direct descent from Te Waaka:

Te Waaka Te Kotua = Tamara  
Hipirini Te Kotua = Heni Paiora  
Hohaia Te Wera Te Kotua = Te Ua Torikiriki  
Pehiatea Akuhata Te Kotua = Ngahopi Atareta Warena  
Nohorua Akuhata Te Kotua = Wetekia Elva Kawharu  
Nohorua Akuhata Te Kotua = Lesley Jean Batchelor

- 26 Te Waaka Te Kotua is on the Maihi Tataramoa of Te Heke-Mai-Raro at Hongoeka Marae.

- 27 It was Te Waaka who brought to the family our Patu "Te Ariki". In the words of my Grandmother:

*"Te Waaka Kotua was one of Te Rauparaha's fighting men that went with his raiding warriors to Kaiapoi. Te Waaka Kotua's main encounter was with the owner of your Patu "Te Ariki" who was a Ngai Tahu Chief. The Ngai Tahu chief realising his situation (i.e. that they had been defeated*

*in battle) handed the Patu to his enemy, all the time saying he preferred that he was killed with his own Patu and not the inferior one his enemy would own”.*

- 28 The Ngai Tahu chief was killed with Te Ariki and it was then given to Te Waaka Te Kotua. I don't know who gave it to Te Waaka Te Kotua but I know Te Rauparaha is mentioned in some stories I have heard. Others in the family who have held 'Te Ariki' include Granny Mata (Kotua) Rei. It was then brought to Nelson where, Granny Te Ua Torikiriki (Toms) Te Kotua held it, Uncle Len Pirihana Te Kotua, Nohorua Akuhata Te Kotua, then myself.
- 29 The Te Kotua Whanau are Kaitiaki of "Te Ariki" and have kept it safe to this day. We have kept our Patu with us in Whanagarae and Whakatu. It is the symbol of the Mana of my family and therefore Ngati Toa: for it is the Te Kotua Whanau that have maintained Ahi Kaa for Ngati Toa in Te Tau Ihu. "Te Ariki" is here today as proof of the truth of what I say.
- 30 I do not know exactly when Te Kotua arrived in Whakatu. There are stories of Nohorua visiting the area and I understand that Te Waaka was here as part of Te Rauparaha's forces. Hipirini, Hohaia Te Wera, Pehiatea, all maintained a presence in Te Tau Ihu, as well as in Porirua, Hongoeaka and other Ngati Toa Iwi locations.
- 31 Te Waaka Te Kotua was also one of 26 Ngati Toa chiefs who was promised an individual grant of 200 acres by Governor Grey from land within the boundaries of the 1853 Te Waipounamu purchase. (Refer Boast, Richard "Ngati Tao and the Upper South Island" Wai 785 HA56, pages 278 – 281.) However nothing was done to implement the agreement until 1878 when the chiefs of Ngati Toa wrote two letters from Porirua to the government complaining about the delay in awarding the grants and requesting monetary payment in lieu of the land. By this time Te Waaka Te Kotua had already died without ever having received his grant of land or financial compensation.
- 32 The Government responded by establishing an Inquiry in 1880 and as result the Commissioners came up with a list of beneficial owners who should have been entitled to the individual 200 acre grants. On the 1880 list compiled by Commissioner Alexander MacKay Waka Te Kotua is described as deceased,

with his descendant being Renata Te Kotua. The Minister of Native Affairs at the time, Sheehan Mackay concluded that it was in Ngati Toa's best interests if the capital was paid to the Public Trustee and the various individuals paid interest on an annual basis.

- 33 Ngati Toa responded by petitioning the Governor General to have the compensation paid to them in cash, but this was never done. I am not aware of whether or not the interest that was supposed to be paid out by the Public Trustee was ever paid to my family, but as far as I am aware neither my family nor Ngati Toa has ever benefited from the promised grants in any real terms.

### **Te Kotua Whanau Identify as Ngati Toa**

- 34 The Te Kotua Whanau have always identified themselves as Ngati Toa. For example, the Whangarae Native School register of 1910 shows that the two Kotua children listed, Marara Kotua and Rene Kotua, are identified as being of Ngati Toa descent. These were the children of Hohaia Te Wera and Te Ua Torikiriki. Marara Te Kotua (born on 1 June 1899) and Renata Te Kotua or Rene (born on 6 November 1900) were both sisters my grandfather, Pehiatea.
- 35 The Te Kotua Whanau have looked to Takapuwahia as their spiritual Home, their Marae, and have maintained continuous links to our Whanau Whanui in Porirua, Titahi Bay and particularly strong links to Hongoeka where our Grandmother, Ngahopi Atareta Warena, originated from.
- 36 The bonds have always been strong and there has been considerable interaction between our whanau on both sides of Raukawa over the years. Family gatherings were reasonably frequent and tangis were always great iwi gatherings from both sides of Raukawa irrespective of which side of the strait the tangi was held. Many of my Whanau have lived for varying periods at Porirua and Hongoeka, but the Te Kotua Whanau have always maintained a strong presence in Te Tau Ihu and do so to this day.
- 37 The Kotua Whanau continue to reside in Whakatu. We only have to look at the descendants of my Grandparents Pehiatea Akuhata Te Kotua and Atareta Ngahopi Warena to see this:



- Josephine – Many of her Whanau are still here
- Matene Tauwhare – Although they moved to Timaru early, most have returned to their roots in Nelson.
- Hohipera - spends much of her time in Nelson, although her whanau are in Auckland.
- Hipirini – Most of this whanau are still in Nelson
- Aratangata – and his Whanau live in Hongoeka.
- Of Pirihana Te Kotua – Brother to Pehiatea, has many of his whanau are still in Whakatu.
- Of Harata (Te Kotua) Waaka – sister to Pehiatea and Pirihana, many of the descendants of Harata reside in Marlborough and Whakatu.

38     Myself and my four siblings and our families continue to reside in Whakatu.

39     Te Kotua whanau therefore continues today and will continue in the future to maintain ahi kaa on behalf of Ngati Toa in Te Tau Ihu.