

In the Waitangi Tribunal

Wai 207

Wai 785

Under **The Treaty of Waitangi Act 1975**

In the Matter of **The Te Tau Ihu Inquiry (Wai 785)**

And

In the Matter of **The 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**

BRIEF OF EVIDENCE OF RICHARD PETER BOAST

Part One: Aspects of Traditional History

Dated 9 June 2003

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LA WYERS

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BRIEF OF EVIDENCE OF RICHARD PETER BOAST

1 Introduction

- 1.1 **Preface and Qualifications:** My full name is Richard Peter Boast, I reside at 19 Muri Road, Pukerua Bay, Porirua, and I am an Associate Professor of Law at Victoria University, a consulting historian and a practising barrister. I have a Master's Degree in Law from Victoria University and an MA in History with First-Class Honours from the University of Waikato. I have published numerous articles and books in the general areas of New Zealand legal history, natural resources law, Maori land law and the law relating to the Treaty of Waitangi, and have given numerous conference presentations on these and related subjects both in New Zealand and internationally. I have actively participated in the Waitangi Tribunal process since 1989 when I acted as co-counsel for the claimants in the Pouakani claim. Since then I have appeared on numerous occasions in the Tribunal both as counsel and as an expert witness. Part Two of this evidence deals in particular with legal-historical issues and this part of my evidence draws on my expertise in the disciplines of both law and history. The rest of the evidence is of a more purely historical nature. To assist the Tribunal references have been added to the Waitangi Tribunal's *Wellington District Report*¹ although as this report is a legal document rather than a historical source I will not be commenting on it in detail.
- 1.2 **Experience with Ngati Toa history:** I have worked with Ngati Toa since 1990, when I became involved as an expert witness on behalf of the iwi in a case heard by the Maori Appellate Court sitting at Christchurch dealing with customary boundaries in the northern South Island. I also gave evidence for the Ngati Toa runanga during a hearing by the Maori Land Court under s 30 of Te Ture Whenua Maori. I have written three full reports for Ngati Toa for the Waitangi Tribunal, two of which were presented in the course of the Tribunal's Wellington Tenth's enquiry², and one for the Northern South

¹ *Te Whanganui a Tara me ona Takiwa/Report on the Wellington District*, Wai 145, Legislation Direct 2000 (cited as Waitangi Tribunal, *Te Whanganui a Tara*).

² R P Boast, *Ngati Toa in the Wellington Region*, Wai 145 Doc # H8; *Ngati Toa and the Colonial State: A Report to the Waitangi Tribunal*, Wai 145 Doc# K2 (June 1998); *Ngati*

Island (Te Tau Ihu) Regional Inquiry. As one of the historians involved in this enquiry I also gave evidence on so-called 'generic' issues during the Tribunal hearings heard at Nelson in 2002. I will endeavour as best I can to not revisit this material in this current statement of evidence, which is of course designed to focus very specifically on Ngati Toa's relationships with, and grievances against, the Crown.

- 1.3 **Aspects of this evidence:** This evidence is principally based on primary sources which I have reviewed myself, although admittedly some of this material was seen some years ago. Discussion of secondary sources is kept to a bare minimum, although I have raised key historiographical issues where that has seemed relevant and refer to secondary sources in that context. I have tried to refrain from commenting at unnecessary length on evidence the Tribunal has already heard. My evidence makes little effort to differentiate between Ngati Toa affairs on either side of Cook Strait, and I make no apology for this: it is quite deliberate. I am, of course, aware that this Tribunal is enquiring into South Island grievances. Ngati Toa history is not, however, tidily divisible into North Island and South Island issues. As at 1840 Ngati Toa were based on both sides of Cook Strait, which united rather than divided the iwi. Events in the North reacted on events in the South, and vice versa. The Porirua and Wairau purchases of 1847 took place at more or less the same time and arose out of the same set of circumstances and only make sense if both are considered together. The Wellington and Nelson Tenth's cases of 1888 and 1892 were similar procedurally, dealt with similar issues and were both heard by Judge Mackay. I have tried to analyse Ngati Toa considered as a whole, while giving due prominence to South Island events and problems.
- 1.4 **Ngati Toa and the experience of Crown coercion:** With respect to the northern South Island Ngati Toa share a similar history to the other claimant groups about which this Tribunal has heard so much already: the invasions of the 1820s, the New Zealand Company transactions, the Spain Commission and the associated Crown grants, and the experience of Crown purchasing, the Native Land Court, and the various vicissitudes of the South Island reserves. But there are also some key differences. One is the central

Toa and the Northern South Island, 2 vols, Wai 785 Doc#A56 (September 1999/March 2000).

place occupied by Ngati Toa in the most important Pakeha-Maori collision in the Northern South Island, the battle of the Wairau in 1843 – about which the Tribunal has heard strangely little so far. The second is that alone of the iwi represented in this claim Ngati Toa was singled out by the Crown for active military attack and coercion. Ngati Toa was engaged in military conflict with the Crown in the Hutt Valley in 1846. Their leading chief, Te Rauparaha, was illegally kidnapped by the colonial governor. Their other principal chief, Te Rangihaeata, was pursued by units of the British army and Maori allies from his home base and driven into exile, and it was in these circumstances that Grey forced the remnants of the Ngati Toa leadership to cede their prized lands at Porirua and the Wairau to the Crown in early 1847. Nothing remotely comparable happened to any of the other iwi at that time, although in the case of Te Ati Awa of course war and confiscation awaited them in Taranaki in the 1860s. Thus there is much more to Ngati Toa history than the New Zealand Company deeds, Commissioner Spain, Crown purchasing and reserves. There was large-scale war and coercion as well. The political consequences were significant. To James Belich, “in a sense, British power on the shores of Cook Strait was inherited from Ngati Toa through the conquest of the conqueror”.³

2 Source Materials

2.1 **Native Land Court Minutes:** This Tribunal has already heard at some length about the various Northern South Island Land Court cases, of which the most important is the Nelson Tenth investigation of title heard by Judge Mackay in 1892. Ngati Toa did not themselves give evidence in any of these cases, although they were a party to the 1892 investigation. The material in the South Island Minute Books is disappointing as source material both because there is so little of it – a handful of cases – and because it is so late.⁴ However this material is only a tiny fraction of the available Native Land Court material dealing with the traditional history of Ngati Toa and the tribes of the coalition.

³ James Belich, *Making Peoples: A History of the New Zealanders from Polynesian Settlement to the End of the Nineteenth Century*, Allen Lane/Penguin Press, Auckland and London, 1996, 206.

⁴ The first case in the Nelson MBs is the Rangitoto case, decided in 1883: see (1883) 1 Nelson MB 1.

2.2 **Otaki MBs:** The richest source by far are actually the Otaki Minute Books, which have neither of the disadvantages of the South Island series, as they are both abundant and begin at a comparatively early date (1868). The Otaki Minute books are a better and richer source for these reasons, and have the added advantage that many of those who gave evidence, such as the great Ngati Toa and Ngati Raukawa rangatira Matene Te Whiwhi were actually eyewitnesses of the events they describe. Unlike any of the witnesses in the South Island cases, some of them had actually participated in the hekes of the 1820s themselves. Nopera Te Ngiha (Ngati Toa), for example told the Native Land Court that “I came with Rauparaha from Kawhia in the second ‘heke’” and that he personally had accompanied Te Rauparaha when the latter visited Ngati Raukawa in his search for allies.⁵ The evidence in the Otaki MBs, moreover, is often substantial. In 1872 Matene Te Whiwhi gave evidence describing Ngati Toa’s travels from Kawhia and the history of the iwi’s settlement in the Cook Strait region, and spoke as well of Ngati Toa’s relations with Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu, Ngati Awa, Ngati Tama and Ngati Raukawa. Matene spoke for three days and his evidence covers many pages of the Court minutes.⁶ There is far too much material in the Otaki Minute Books for me to have analysed it all. Evidence given in the Otaki sequence is not, of course, confined to Ngati Toa, but is also given by witnesses with other iwi affiliations, notably Te Ati Awa and Ngati Raukawa, which I have not covered. It is my view that it would be very unsafe for this Tribunal to make definitive pronouncements on traditional history of the Cook Strait region without taking fully into account all relevant Minute Book evidence, which means in particular the Otaki Minute Books.

2.3 **Other areas:** This report draws also on evidence from other sequences of minute books, including the Waikato (Puahue and Maungatautari cases), Otorohanga (Rohe Potae case), Chatham Islands and Wellington Minute Books. The Puahue and Maungatautari cases provide useful details on the critically important relationship between Ngati Toa and Ngati Raukawa; the Rohe Potae case contains a wealth of information – from the Ngati Mahuta perspective, admittedly – on the departure of Ngati Toa, Ngati Koata and Ngati Rarua from Kawhia, and the Chatham Islands Minute books have

⁵ Evidence of Nopera Te Ngiha, Himatangi case, (1868) 1 C Otaki MB 392.

⁶ Kukutauaki case, (1872) 1 Otaki MB 135 et seq.

some details on the role played by Ngati Mutunga in the conquest of Te Tau Ihu.

2.4 **Reliability of Land Court material:** The Native Land Court, established by the Native Lands Acts 1862-65⁷, had the primary function of investigating and enquiring into customary titles as the first part of a two-stage process by which traditional or customary tenures were converted to Crown-granted freeholds. The process resulted in the generation of vast quantities of evidence, but there are certainly issues as to how this material ought to be interpreted and how reliable it actually is. Scholars who have grappled with this question have dealt with this problem in a variety of ways. One writer, Brent Layton, went so far as to argue that the Land Court Minute Books are “useless” for “establishing traditional Maori alienation rights”.⁸ This is probably to go too far, but in my view Layton is certainly right to warn against uncritical reliance on the Minute Books as evidence of Maori customary practice. Angela Ballara, on the other hand, has used Land Court records fairly extensively in order to reconstruct Maori history and social structure, although she has been careful to emphasise the practical and interpretive difficulties involved.⁹ Ann Parsonson believes that historical evidence given in the Land Court has a certain mechanical or formulaic quality caused by witnesses tailoring their evidence to what they thought, or had been briefed, that the Court wanted to hear, and has described the “narrow scope and rigid format” of Land Court evidence; presentation of such evidence, she believes, came with a loss of “emotional intensity”.¹⁰ A particularly interesting discussion is that by Roger Neich, an art historian, who has focused on the effects of the Land Court process on the Maori world view, creating a kind of lineal historical consciousness which was not there before. Thanks to the Court process, Maori moved from experiencing history

⁷ All earlier accounts of the evolution of the Native Lands Acts have in my opinion now been superseded by D M Loveridge, *The Origins of the Native Lands Acts and Native Land Court in New Zealand*, (October 2000). This report was prepared as part of the Crown evidence in the Hauraki claim and is an eminently fair-minded and thorough discussion of the political background to and evolution of the legislation from 1856-65. Loveridge sites the process of debate firmly in its context of the broader struggle between colonial governors and local politicians over the control of Native affairs.

⁸ B Layton, “Alienation Rights in Traditional Maori Society: A Reconsideration”, *Journal of the Polynesian Society*, 1984, vol 94, 423.

⁹ See the discussion in Ballara, *Iwi*, Victoria University Press, Wellington, 1998, 43-4.

¹⁰ Ann Parsonson, “Stories for land: oral narratives in the Maori Land Court”, in Bain Attwood and Fiona Magowan (eds), *Telling Stories: Indigenous History and Memory in Australia and New Zealand*, Bridget Williams Books, Wellington, 2001, 21, at 40 and 39.

as “repeating archetypal situations” to a “new history as text [which] became an objective entity external to the participants and accessible to alternative interpretations”.¹¹ This in turn had consequences in the area of Maori representational art.

2.5 **Criteria:** The views just cited make it plain that leading scholars regard Land Court material as a troublesome and certainly to some extent a risky source. Given this, a few basic cautions seem in order. Earlier material should in my view be preferred to later, and very little weight can be placed on isolated statements in the Court. The safest practice is to immerse oneself in as much of the relevant material as possible drawn from as many cases as possible. These are commonsense guidelines in any case, equally true of any historical enquiry: interpretations based on as wide a range as possible of the earliest material possible are to be preferred to interpretations based on later and restricted materials. The South Island Minute Books, as I have already indicated, are in my view both late and restricted.

2.6 **Manuscript Sources:** A number of key MS sources have been drawn on. The earliest and most interesting of these are the two Ngati Toa letters to Grey written in December 1851 and September 1852. These letters were signed by all the leading chiefs, including Te Whatarauhi Nohorua, Rawiri Puaha, Matene Te Whiwhi, Hohepa Tamaihengia, Nopera Te Ngiha and Ropata Hurumutu. These documents, which appear to be connected with the Pakawau transaction, are an important early source and have been published with detailed notes and commentary by Bruce Biggs in the *Journal of the Polynesian Society*.¹² Another important MS is the Te Kanae MS, so-called, written in 1888 for Hane Te Rau (a daughter of Te Rau o Te Rangi and Sir Maui Pomare’s aunt) by Wiremu Neera Te Kanae of Ngati Toa. A typescript translation of this document made in 1948 by George Graham is held in the Auckland Museum Library. This MS mainly focuses on Ngati Toa relations with Ngai Tahu. Tamihana Te Rauparaha wrote a biography of his famous father, and an illustrated but incomplete edition of this was published by Alister Taylor in 1975.

¹¹ Roger Neich, *Painted Histories: Early Maori Figurative Painting*, Auckland University Press, Auckland, 1993, 157.

¹² See Biggs, “Two letters from Ngaati-Toa to Sir George Grey”, *Journal of the Polynesian Society*, vol 68, 1959, 262-76.

- 2.7 **Contemporary Books:** There is no shortage of books written in the 1830s and 1840s which describe the Cook Strait district. Many of these are politicised in some respects. Some of these books, such as Fox's *Six Colonies of New Zealand* or Edward Jerningham Wakefield's *Adventure in New Zealand* are written from a radical Liberal standpoint and go out of their way to pillory the colonial government in general and the governors in particular, Hobson, Fitzroy (especially) and Grey. Other books are written by army and navy officers, which tend to be somewhat more pro-government and more critical of the New Zealand Company and the Wakefields.
- 2.8 **Nineteenth-Century Ethnographic Sources:** While the MB evidence has its interpretive difficulties, even more problematic is the material collected together by nineteenth-century Pakeha amateur ethnographers such as Alexander Shand, Edward Tregear, John White, S Percy Smith and Elsdon Best. M P K Sorrenson has described White's *Ancient History of the Maori* as a "scissors and paste compilation from note books that White paid literate Maoris to fill up with traditions gathered from elders".¹³ Percy Smith wrote a very detailed account of the history of the migrations of Ngati Toa and the other groups, but it turns out that this was almost entirely based on notes taken by John Ormsby from the evidence of Major Te Wheoro and Hone Kaora of Ngati Mahuta during the Rohe Potae case in 1886 – evidence which was designed to demonstrate a claim to Kawhia by Ngati Mahuta on the basis of take raupatu, a claim which the Land Court rejected.¹⁴

3 Who are 'Ngati Toa'?

- 3.1 **Avoiding iwi essentialism:** Iwi and hapu identities are, and were, multiple. Descent lines cross and commingle. A simple example is Waitaoro of Ngati Tama, whose mother was Rongorongono of Ngati Toa and her father Raniera of Ngati Tama; she grew up in the Chatham Islands with Ngati Mutunga and is regarded today as an elder of Ngati Tama, Ngati Mutunga, Ngati Toa and

¹³ Sorrenson, *Maori Origins and Migrations*, Auckland University Press/Oxford University Press, 1979, 43. Sorrenson says that White's volumes were in turn "mined" by Percy Smith for his *Peopling of the North* and *History and Traditions of the Taranaki Coast*.

¹⁴ See S P Smith, "History and Traditions of the Taranaki Coast", *Journal of the Polynesian Society*, vol 18, 1909, 50; Judge Mair, Rohe Potae judgment, (1886) 2 Otorohanga MB 55, at 66 ("we are of opinion that there was no conquest of Kawhia according to the strict meaning of the term, but that Te Rauparaha and his people went away quietly at a time when there was no fighting").

Ngati Maniapoto.¹⁵ The famous Ngati Toa rangatira Matene Te Whiwhi was not only Ngati Toa. In the Kukutauaki case (1872) in the Native Land Court he said that “I belong to the Ngati Toa, Ngati Awa and Ngati Raukawa”.¹⁶ Tamihana Te Rauparaha told the Native Land Court that he was “partly Ngati Raukawa and partly Ngati Toa”.¹⁷ In the Himatangi case (1868) Henere Te Herekau said that “I am a Ngati Raukawa and Ngati Toa and Ngati Awa and live at Manawatu”.¹⁸ These examples can be readily multiplied. Or, one can pay a visit to the cemetery at St Luke’s Anglican church at Waikanae and simply read the headstones. Wi Parata Te Kakakura Waipunaahu is “Ngatitoa me Ngatiawa”; Onau Te Kakakura, “he wahine rangatira” of “Ngati Toa, Ngati Raukawa me Ngati Awa”. Te Rauparaha is quintessentially Ngati Toa, but some regarded him as primarily Ngati Raukawa;¹⁹ and of course his mother, Parekohatu, was Ngati Raukawa. The linkages were overlapping and complex. A process such as this inquiry with different iwi all asserting their own claims can have the unfortunate effect of driving these interconnections into the background.

3.2 **Ngati Toa connections: Ngati Mutunga and Ngati Raukawa:** Two descent groups who are particularly closely associated with Ngati Toa are Ngati Mutunga (of North Taranaki and the Chatham Islands) and Ngati Raukawa. Wi Naera Pomare, leading chief of Ngati Mutunga, was a son of Te Rongo – of Ngati Toa - by her first marriage to a whaler named Blenkinsopp; her second marriage was, of course, to Te Rangihaeata: she was killed by a stray bullet at the Wairau and for her sake Te Rangihaeata exacted utu on the New Zealand Company captives. Wi Naera was married to Mere Rangiaanu of Ngati Toa. Mere’s mother was Te Rau-o-te-Rangi of Ngati Toa (she too was both Ngati Mutunga and Ngati Toa). Te Rau-o-Te Rangi married “Scotch Jock” Nicholls and for many years the couple ran the tavern at Paekakariki. Another of her daughters, Hane Te Rau (Jane Brown), was adopted by Apitea, a prominent Ngati Mutunga landowner in the Chathams, and is also said to have been a mistress of Sir George Grey, no less. Grey took another of the sisters, Margaret, with him to South Africa when he became Governor of the Cape Colony, and where she died. Wi

¹⁵ On Waitaoro see Angela Ballara, “Waitaoro”, *Dictionary of New Zealand Biography*, vol 2, 261.

¹⁶ Kukutauaki case, (1872) 1 Otaki MB 1, 135.

¹⁷ Otaki Townships case, (1866) 1 Otaki MB 24.

¹⁸ Himatangi case, (1868) 1 C Otaki MB 54.

Naera's and Mere's son Maui was one of the few casualties of the Parihaka affair – one of the horses ridden by Bryce's troop stood on his foot – and later of course obtained a medical degree in the USA and became Minister of Health in the Reform government which took office in 1912. Both Ngati Toa and Ngati Mutunga also have close kin linkages with Ngati Tama. The connections with Ngati Raukawa were also close and long-standing. As Hohepa Tamaihengia (Ngati Toa) put it:²⁰

Ngati Toa and Ngati Raukawa were connected from time immemorial.

Te Rauparaha, Te Rangihaeata and Matene Te Whiwhi of Ngati Toa were also all Ngati Raukawa chiefs. Their hapu within Ngati Toa was Ngati Kimihia; within Ngati Raukawa it was Ngati Huia, whose marae today is near Otaki.

- 3.3 **Te Rauparaha:** Te Rauparaha was clearly someone quite exceptional. When Octavius Hadfield met him for the first time he thought Te Rauparaha “certainly looked more like a chief than any man I have yet seen”.²¹ His name was known throughout the country. Even after his return from captivity in Auckland William Fox thought that Te Rauparaha's name “was a tocsin, to the sound of which, in the case of disturbances elsewhere, the natives might yet have responded”.²² (Fox, it should be added, painted extremely hostile portraits of both Te Rauparaha and Te Rangihaeata.²³) Te Rauparaha's fame and mana was the very reason the government kidnapped him: as one contemporary - and not very sympathetic - army officer (W T Power) put it, “[t]he capture of Rauperaha [sic], and the suddenness and energy with which it was done, paralysed the efforts of our enemies in the south, who all feared some similar surprise for themselves...With such a hostage in our hands, we could command the *neutrality*, at any rate, of many of the tribes...”²⁴ After the Wairau many people of the northern South Island retreated to the north, after first taking shelter in Queen Charlotte Sound, and there they told the Reverend Samuel Ironside that “they are fully determined

¹⁹ Rawiri Te Whanui (Ngati Raukawa), Himatangi case, (1868) 1 C Otaki MB 231.

²⁰ Evidence of Hohepa Tamaihengia, Himatangi case, (1868) 1 C Otaki MB 401.

²¹ Hadfield diary, reprinted in Macmorran, *Octavius Hadfield*, 158.

²² Fox, *The Six Colonies of New Zealand*, 74. In fact his book, published in 1851, is a mine of New Zealand Company prejudices.

²³ Fox, *Six Colonies*, 74-75.

²⁴ W T Power, *Sketches in New Zealand*, 50.

to defend their chief [Te Rauparaha] even to the death”.²⁵ At a meeting held at Waikanae (the main Ngati Awa base in the Cook Strait region) held in 1843, just after the Wairau, Rere Tawhangawhanga and the other Ngati Awa chiefs told Clarke and Shortland that “if measures were taken against [Te Rauparaha] they would no longer place confidence in the justice of the English, and would die with the father and leader of their tribes”.²⁶ Te Rauparaha was very confident and assured of his pre-eminence and position and would assert it publicly when he felt it necessary. At a meeting with Ngati Raukawa in 1843 Te Ahu Karamu publicly reminded Te Rauparaha of the many and varied actions he carried out to aid the coalition. Te Rauparaha in reply agreed that Te Ahu had performed many valuable actions “but reminded him that he was only one of his, Rauparaha’s, generals that he, Rauparaha was their chief, their general, their king, that they could not act independently of him”. “A great deal” was said on both sides but “[i]t ended in Rauparaha’s having his way”.²⁷ When Te Rauparaha was brought back to Porirua in 1848 he was taken home by three of the leading rangatira of the country, Te Wherowhero (later King Potatau), Taraia, the great chief of Hauraki, and Te Horeta, leading chief of the East Coast. He was brought to Otaki. According to Matene Te Whiwhi “all the tribes were gathered together to mihi over Potatau and Te Rauparaha being returned”.²⁸ All of the “southern tribes were gathered together: Ngati Raukawa, Ngati Toa and Ngati Awa”.²⁹

4 The importance of Ngati Raukawa

4.1 **Introduction:** It has to be recognised that Ngati Toa did not carry out its conquests on its own, but did so with the aid and alliance of other groups. Some of the groups who formed part of the invading coalition are not, as it happens, claimants in the Te Tau Ihu hearings. It should not be thought, in other words, that the invading coalition was made up solely of Ngati Toa and the groups who happen to be claimants in these hearings (Ngati Awa, Ngati

²⁵ Ironside Journal, MS 3817/2, Alexander Turnbull Library, entry for 8 July 1843.

²⁶ Official report of George Clarke jr., 16 August 1843, *Appendix to Report of 1844 Select Committee on New Zealand*, BPP (NZ), Irish University Press ed., vol 2, 337.

²⁷ Highlights in the life of William B White, typescript, MS 4524, Alexander Turnbull Library, 15.

²⁸ Evidence of Matene Te Whiwhi, Puahue case, (1868) 2 Waikato MB 78.

²⁹ Ibid. It was on this occasion that Te Wherowhero invited Ngati Awa to return home to Taranaki, which they mostly did.

Tama, Ngati Koata, Ngati Rarua). Others were involved as well, including Ngati Mutunga and Tuhourangi.³⁰ Much more significant was the role of Ngati Raukawa.

- 4.2 **Ngati Raukawa participation in the conquests of Te Tau Ihu:** As already noted Ngati Raukawa migrated south en masse in the late 1820s. They played an important role in the conquests. Tamihana Te Rauparaha says that the force which attacked Kaiapoi was made up of “100 of Te Rauparaha’s Ngati Toa (including myself), 200 Ngati Awa, 100 Ngati Raukawa and 100 Ngati Toa from Taitapu”.³¹

5 **Reconstructing the Conquests**

- 5.1 **Introduction:** In the 1820s there was a massive displacement of the peoples of the Waikato coast and North Taranaki: of Ngati Toa, Ngati Koata, Ngati Rarua, Ngati Tama, and Ngati Awa, and a little later of Ngati Raukawa of the Maungatautari region of the Waikato. These cycles of movement and displacement reached their farthest extent with Ngati Mutunga and Ngati Tama’s invasion and settlement of the Chatham Islands in 1835 and Te Puoho of Ngati Tama’s bold and reckless attempt to attack Ngai Tahu in Southland where they least expected it in 1837.³² By the time the migrations were over with, not only were Ngati Mutunga (and sections of Ngati Tama and Ngati Haumia) established on the Chatham Islands, but Ngati Toa, formerly of Kapiti, were at Porirua, Kapiti, Pelorus Sound and the Wairau Valley, Ngati Koata at Rangitoto, Ngati Rarua in various parts of the northern South Island, Ngati Awa at Waikanae, Arapawa, parts of the Sounds, Wellington and other parts of the Northern South Island, and Ngati Tama in many places as well (Port Nicholson, the Chathams, Nelson, Golden Bay). This expansion, or displacement, came at the expense of the existing populations of the Cook Strait region and the Chathams, some of whom, however – such as Rangitane – had previously themselves migrated to the

³⁰ Tuhourangi are one of the three tribes listed in the letter to Grey of 11 December 1851 who aided Ngati Toa to conquer Kaikoura, the others being Ngati Awa and Ngati Rarua.

³¹ Tamihana Te Rauparaha, *Life and Times of Te Rauparaha*, 44.

³² Te Puoho was of course defeated and killed by Ngai Tahu at Tuturau in Southland, probably in January 1837, although the actual date of this engagement is unclear: see Atholl Anderson, *Te Puoho’s Last Raid*, Otago Heritage Books, Dunedin, 1986. 74-6. Te Puoho was shot dead by Topi Patuki of Ngai Tahu, after which the rest of the taua surrendered and were kept prisoner on Ruapuke. The highest ranked prisoner, Te Kiore, was returned to Otaki with his Ngai Tahu wife in about 1843.

area and overthrown earlier groups, as did the earlier Ngai Tahu conquest of Ngati Mamoe.

5.2 **The first foray, 1819-20:** Ngati Toa sources pay very close attention to the first preliminary reconnaissance to the south made in 1819. The expedition was made by Te Rauparaha and Te Rangihaeata and a substantial contingent of Ngapuhi from the Bay of Islands led by the great chiefs Nene (Tamati Waka Nene), Patuone and Taoho. This expedition is richly documented in both in manuscript and Minute Book sources.³³ All the accounts mention how the invading force sighted a European ship passing through Cook Strait, and how they lit fires to attract the ship – which were ignored. Bigg’s guess is that the ship was in fact Russian, part of Bellinghausen’s fleet which is known to have sailed through Cook Strait on 9 June 1820. None of this wealth of material gives any indication that any groups apart from Ngati Toa and Ngapuhi played any role in this first expedition.

5.3 **Ngati Toa rangatira at Kawhia:** Ngati Toa is of course part of Tainui. Ngati Toa sources state that the iwi was a complex grouping made up of three sub-tribes:³⁴

Listen to the names of our sub-tribes: Ngaati-Toa is the first, Ngaati-Koata is the second, Ngaati-Rarua is the third. In all they form Ngaati-Toa, whose motto is “Mangoo of the sharp ears”.

In his claim in the Rohe Potae case to Kawhia, Major Te Wheoro of Ngati Mahuta gave the following names for the tribes of the Kawhia region:³⁵

I claim this land by right of conquest over the former people of Kawhia, viz. over Ngatitoa and Ngatikoata and Ngatiariari and Ngatihuangaparoa. These latter are subdivisions of Ngatikoata.

And Pei Te Hurunui gives four hapu as belonging to Ngati Toa: Ngati Koata, Ngati Toa, Ngati Akamapuhia and Ngati Rarua. They occupied a narrow

³³ B Biggs (ed), “Two Letters from Ngaati-Toa to Sir George Grey”, *Journal of the Polynesian Society*, vol 68, 262, at 268, citing evidence of 11 December 1851; evidence of Matene Te Whiwhi, Himatangi case. (1868) 1 C Otaki MB 195-6; evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 135; evidence of Tamihana Te Rauparaha, Himatangi case, (1868) 1 C Otaki MB 372-3; evidence of Wi Parata, Ngarara rehearing case, (1890) 10 Otaki MB 144-55. See also Waitangi Tribunal, *Te Whanganui a Tara*, 19.

³⁴ Bruce Biggs (ed), “Two letters from Ngaati-Toa to Sir George Grey”, *Journal of the Polynesian Society*, vol 68, 262, 276, citing letter of 11 December 1851.

³⁵ (1886) 1 Otorohanga MB 191.

strip of coast stretching from Aotea to Huikomako, about 80 miles south of Kawhia. According to him, the north side of Kawhia, site of the present town, was occupied by Ngati Koata; Ngati Toa were based on the south side, and Ngati Akamapuhia and Ngati Rarua further south.³⁶

5.4 **Nga heke:** After a futile search for allies against Ngati Toa's Waikato enemies, when he visited Taupo, Rotorua and Tauranga as well as his mother's people of Ngati Raukawa,³⁷ Te Rauparaha and the Ngati Toa leadership led their people from the Kawhia region to North Taranaki. This first stage of the migration is referred to as 'Te Heke Tahutahuahi' or the 'fire lighting' expedition. Ngati Toa's departure was a mixture of both push and pull factors – a combination of the pressure the Kawhia descent groups were under from their Waikato neighbours and the attractions of the Cook Strait area as a place to settle and trade with the Pakeha. Ngati Toa Minute Book sources indicate that this was a timed and strategic withdrawal rather than a flight in the midst of a battle. Tamihana Te Rauparaha, who presumably would have learned of the details from his father, says in fact Te Rauparaha "bade farewell to [the Waikato chiefs]" and then left, "about 340 men, besides women":

They left Kawhia – burnt homes – wept, reached Taranaki, Ngati Awa country.

In Taranaki Ngati Toa were joined by sections of Ngati Awa who then accompanied them on the journey south.³⁸ As this second heke, known as 'Tataramoa', or bramble bush, moved southward from Wanganui they met with a friendly reception from Ngati Apa – Te Rangihaeata's wife, Pikinga

³⁶ See Pei Te Hurinui's maps in *King Potatau*, Polynesian Society, Wellington, 1959, pp 69-70.

³⁷ Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 135; Nopera Te Ngiha, Himatangi case, (1868) 1 C Otaki MB 392; Pateriki Rei, Ngati Toa s. 30 case, 20 Nelson MB 168; Tataniko Whautapiko, Ngakororo 3B case, (1891) 16 Otaki MB 346-7.

³⁸ Eyewitnesses vary in their estimates of the number involved. Tamihana Te Rauparaha, as noted, said that 340 men "besides women" left Kawhia. Matene Te Whiwhi, however, in the Himatangi case, said that "then came one hundred Ngati Toa – unaccompanied by Ngapuhi – on reaching Taranaki they were joined by Ngati Awa – making up number to 500 or 600 – came to Waitotara": (1868) 1 C Otaki MB 192. The discrepancy may be explained by the fact that according to some sources Te Rauparaha himself left the main heke and went to call on Ngati Raukawa before rejoining the main party at Wanganui: see Nopera Te Ngiha's evidence, Himatangi case, (1868) 1 C Otaki MB 392.

(or Pekenga) was herself Ngati Apa. According to Hohepa Tamaihengia “we came to Rangitikei and lived with Ngati Apa as friends [for] two months.”³⁹

5.5 **Arrival in the Cook Strait region:** After this things became a lot more difficult. There was a long and grim struggle with Muaupoko of the Horowhenua area. At Waikanae the Ngati Toa chief Te Pehi’s children were killed in a night attack by Ngati Kahungunu. Te Pehi then, evidently to ensure that the military balance would swing decisively in Ngati Toa’s favour, got aboard a whaling ship in Cook Strait and travelled to England to acquire guns. Nopera Te Ngiha says that at the fight with Ngati Kahungunu Te Rauparaha’s own gun was taken, and that Te Pehi “followed a vessel and overtook it – Pehi jumped on board and held on to the bulwarks – was taken away and was away four years”.⁴⁰ He did not come back home until after Waiorua.⁴¹ This seems to indicate that until this time the invaders had few guns, and thus no particular technological advantage over the local people. Anderson and Pickens say in their *Wellington District* Rangahaua Whanui report that at this time “matters appear to have been fairly evenly balanced” and that “small victories were scored by either side”, and my impression is that this is correct.⁴² According to Ngati Toa sources Ngati Awa mostly returned to Taranaki at this time, i.e. before the battle of Waiorua. According to Matene Te Whiwhi:

This was the beginning of the fighting – fighting for three years ‘pa horo’ Muaupoko at Horowhenua. Went to Kapiti – Ngati Awa returned leaving ten.

5.6 **Waiorua:** The key event marking the definitive establishment of Ngati Toa in the Cook Strait area was the battle of Waiorua. Most writers emphasise the importance of this engagement as establishing Ngati Toa hegemony.⁴³ The extent to which groups other than Ngati Toa were instrumental in

³⁹ Himatangi case, (1868) 1 C Otaki MB 399. See also Waitangi Tribunal, *Te Whanganui a Tara*, 20.

⁴⁰ (1868) 1 C Otaki MB 393.

⁴¹ Both Nopera Te Ngiha, who was at the battle himself, and Wi Parata state specifically that Te Pehi was away in England and missed the battle: (1868) 1 C Otaki MB 394; (1890) 10 Otaki MB 158.

⁴² See Anderson and Pickens, *Wellington District*, Rangahaua Whanui District 12, 1996, 10.

⁴³ For example Jane Luiten, *Whanganui ki Porirua*, Wai 52 Doc# A1, 1992, p. 5; McEwen, *Rangitane*, 97; Carkeek, *Kapiti Coast*, 23; Burns, *Te Rauparaha*, 36. The Waitangi Tribunal has accepted that ‘Waiorua broke the strength of the Whatonga-descent groups’ although it ‘did not finish this resistance’: Waitangi Tribunal, *Whanganui a Tara*, 21.

achieving the famous victory has been a matter of debate.⁴⁴ The battle is richly documented in the Otaki Minute Books although the details vary to some extent. Tamihana Te Rauparaha said that “the Whanganui, Ngati Apa, Muaupoko, Rangitane, Ngati Kahungunu and Rangitane from the other [i.e. South] Island joined to attack Rauparaha and Ngati Toa”.⁴⁵ The enemy fleet crossed to Kapiti at night: “at daybreak the attack”:

Have heard that there were not more than eighty. Sixty, I heard. This sixty attacked and routed the two thousand. Ngati Toa chased them. This was the end of the fighting.

Nopera Te Ngiha, who was present at the battle, said that “a large body” of “Nga Rauru, Whanganui, Ngati Kahungunu, Ngati Apa, Rangitane and people from to Waikanae. The details coincide with Tamihana.⁴⁶

About 2 am [they] arrived at Kapiti. About 4 or 5 am, the attack made. We had been aroused by those who had heard the ‘papa’ of the ‘wakas’ – 70 ‘topu’ of us turned upon them. Waiorua was the name of this battle.

And Matene Te Whiwhi:⁴⁷

We remained near Waikanae for a week and then [went?] off to Kapiti, and while we there the people arrived from the Middle Island at Waikanae secretly. They only lit their fires at night. When they had all collected from Whanganui, Wairarapa, Rangitikei, two of Rauparaha’s children were up in a tree and saw the fires at Waikanae. This was the first time we knew of their being there. Rauparaha and Rangihaeata wanted to cross to the mainland in the morning. During the night those thousands of people who were at Waikanae came [] their canoes and came to the East side of the

⁴⁴ This was a matter of considerable debate in the Wellington Tenth hearing. This probably need not be traversed here. Ngati Toa sources tend to stress that Ngati Awa had returned home to Taranaki before the battle. Matene Te Whiwhi said that “we went to Kapiti”, and “Ngati Awa returned [home], leaving ten”: Matene Te Whiwhi, Himatangi case, (1868) 1 C Otaki MB 197. Tamihana Te Rauparaha wrote that once the invaders had settled at Otaki and Waikanae “some of the Ngati Awa then returned to Taranaki”: Tamihana Te Rauparaha, *Life and Times of Te Rauparaha*, 26. His account of the battle in *ibid* sees it as a Toa victory in which Te Rauparaha personally led the defence: of course it may be said that Tamihana Te Rauparaha would naturally seek to magnify his father’s role, which may be true, but which does not of itself mean that his account is untrustworthy. In my view the Wellington Tribunal has too readily accepted Ballara’s views on this and has not paid sufficient attention to Ngati Toa accounts. However the Wellington Tribunal accepts (p 21) that “the victory undoubtedly enhanced the reputation of Te Rauparaha, who was regarded as the heke’s main leader”.

⁴⁵ (1868) 1 C Otaki MB 375.

⁴⁶ Himatangi case, (1868) 1 C Otaki MB 393.

Island, Waiorua. They wanted to attack at night. Kekerengu said, Let us wait till morning. Some of our people heard them disputing and came and reported it at the Pah. At 4am the Pah was attacked. Just after dawn the Pah was taken. The people who attacked were defeated. The canoes were close together and covered the space between Waikanae and Kapiti. Waiorua is the name of the battle. Five of them were spared.

The battle is also described in the first of the two letters to Grey published by Biggs.⁴⁸ This gives the tribal opponents of Ngati Toa as Ngati Apa, Muaupoko, Ngati Kahungunu, Rangitaane, Hamua, Ngati Tumatakokiri (the pre-Rangitane people of Golden Bay), Ngati Kuia, Ngai Te Heiwi, Ngati Whakamana and Ngai Tawake. This source names six individuals who were spared: Te Rimurapa and Te Kiwa of Ngati Kahungunu, and Tutepourangi, Tautioma, Tukihono and Waimea “from Whakatu and Motu-eka”.

- 5.7 **Aftermath:** If there is some variance in the details, there is little doubt that the battle created a tremendous impression and that the mana of Te Rauparaha received a major boost. Following the battle, says Tamihana Te Rauparaha, “Rauparaha’s fame reached the South Island”.⁴⁹ According to Matene Te Whiwhi “the news of this went all over and the people knew that Rauparaha had defeated all these tribes”.⁵⁰ The victory opened a path for other iwi to come south. According to Wi Parata, “when all the tribes had heard of this and that Ngati Toa had not been beaten, the first heke came down because the coast was clear”.⁵¹ Various groups moved south. “In the fourth year”, says Matene Te Whiwhi, “came Ngati Awa and Ngati Tama”.⁵² In his 1872 evidence Matene said that after Waiorua Te Puoho of Ngati Tama “came from the North to see how we were getting on”; about seventy men came south on that occasion, Ngati Tama and Ngati Whakaterere. Te Puoho “saw that we were all right” and went back; the following summer a large group of Ngati Whakaterere [i.e. Ngati Awa?] and Ngati Tama came

⁴⁷ Kukutauaki case, (1872) 1 Otaki MB 140.

⁴⁸ See Biggs, “Two letters from Ngaati-Toa to Sir George Grey”, *Journal of the Polynesian Society*, vol 68, 1959, 262-76 (letter of December 11 1851).

⁴⁹ Himatangi case, (1868) 1 C Otaki MB 372

⁵⁰ Kukutauaki case, (1872) 1 Otaki MB 141.

⁵¹ (1890) 10 Otaki MB 158-9.

⁵² (1868) 1 C Otaki MB 197.

south: “they were now commencing to migrate”. The order of the various heke is confused.⁵³

5.8 **Ngati Raukawa:** The biggest single migration was that of Ngati Raukawa. Ngati Raukawa’s heke and their various adventures beforehand⁵⁴ and on the way south are, as one might expect, fully detailed in the Otaki and Waikato minute books.⁵⁵ Reading these sources together there seem to have been three separate Ngati Raukawa heke. The first group was led by Te Whatanui and Taratoa, who came south to see their kinsman Te Rauparaha and to obtain some guns. The next year a smaller group led by Te Ahu Karamu came south, and while they were at Kapiti Te Rauparaha, with, it seems, the somewhat reluctant consent of other Ngati Toa rangatira, decided to allocate a substantial amount of land to Ngati Raukawa. At that some of Ngati Awa who were living at Otaki were asked, or told, by Te Rauparaha to move south to Waikanae, which they did. The following year the main Ngati Raukawa body came south, led by Te Ahu Karamu. For a time they stayed at Kapiti before moving north to consolidate their position in the Horowhenua. Ngati Raukawa accounts in the Waikato and Otaki minute books basically confirm this picture.⁵⁶ The arrival of Ngati Raukawa gave Ngati Toa an accession of strength, but at a price, in that while Ngati Toa was friendly to both Ngati Raukawa and Ngati Awa/Ngati Mutunga, relationships between

⁵³ For example Wi Parata says that after Waiorua Ngati Mutunga came south first, followed by Ngati Tama: (1890) 10 Otaki MB 158-9.

⁵⁴ In April 1828 Ngati Raukawa assisted Ngati Maru in an attack on Tauranga: see evidence of Houwhenua Te Patu (Whanau a Tauwhao), Motititi Section 7 case, (1884) 2 Tauranga MB 223.

⁵⁵ See eg evidence of Hohepa Tamaihengia, Himatangi case, (1868) 1 C Otaki MB 398; evidence of Matene Te Whiwhi, Himatangi case, (1868) 1 C Otaki MB 376; evidence of Matene Te Whiwhi, Puahue case (Maungatautari), (1868) 2 Waikato MB 76-77. See also Waitangi Tribunal, *Te Whanganui a Tara*, 23.

⁵⁶ For example in Wairongomai case of 1869 Rota Te Tahiwahi of Ngatimaiotaki (a Raukawa group) said that “Te Rauparaha came to this district and acquired the land hereabouts by conquest. He sent Hukiki to Taupo to fetch his people the Ngati Raukawa to occupy the land. We all first went to Kapiti and afterwards came over to the mainland to Kotikoti whenua”: (1869) 1 G Otaki MB 99-100. See also E J Wakefield, *Adventure in New Zealand*, vol 1, 118: “E Ahu Karamu returned to Taupo, and related to the rest of his tribe how fine an opening had been made for them on the sea-coast, dwelling on the advantages to be derived from fishing and trading with the White men. He bore Rauparaha’s [sic] invitation to the other chiefs to lead their men to Cook’s Strait, where he would assign them a part of his conquest to enjoy and maintain, while they assisted him in crushing the remnants of the insurgents about Rangitikei and Manawatu. The conflicting opinions as to the expediency of this course were peremptorily terminated by E Ahu, who ordered his young men to burn the houses at Taupo; and the Ngati Raukawa migrated in successive bodies to the coast. Rauparaha then proceeded with their assistance to crush the remnants of the aboriginal tribes; and only spared the lives of the few Muopoko now existing in that neighbourhood at the urgent entreaty of Watanui, a great chief of Ngati Raukawa, to leave them as slaves for him.”

the latter grouping and Ngati Raukawa were tense. The tension increased with further Ngati Awa migrations later in the decade (the Ngamotu migration). Now, however, Te Rauparaha had the resources and manpower to concentrate on Te Tau Ihu.

5.9 **Nga heke: A summary:** The table below attempts to summarise the various heke from a range of sources, probably an impossible task. There are a number of variant accounts. Tamihana Te Rauparaha, for example, says that the order was:⁵⁷

- a. Ngati Mutunga;
- b. Ngati Tama, led by Te Puoho;
- c. “All of the Ngati Awa”;
- d. Ngati Raukawa, led by Te Ahu Karamu and Te Whatanui.

Name of heke	Date	Sources/Remarks
1. First heke of Nga Puhī and Ngati Toa	Circa 1819.	Biggs, “Two Letters”, 268; Matene Te Whiwhi, (1868) 1 C Otaki MB 195-6; (1872) 1 Otaki MB 135; Tamihana Te Rauparaha, (1868) 1 C Otaki MB 372-3; Travers, 75-79; Wi Parata, (1890) 10 Otaki MB 144-5.
2. Main migration of Ngati Toa. Named Te Heke-mairaro but often referred to in two stages, Te Heke Tauhutuhu Ahi and Te Heke-Tataramoa . Ngati Toa are accompanied south by some of Ngati Tama, some of Ngati Mutunga and some of Ngati Awa.	1821-22	Well documented in MB sources: eg Nopera Te Ngiha, Himatangi case, (1868) 1 C Otaki MB 392; Matene Te Whiwhi, Kukutauaki case (19872) 1 Otaki MB 392. Toa sources tend to emphasise that the majority of Ngati Awa returned home to Taranaki before Waiorua: see Matene Te Whiwhi, Himatangi case, (1868) 1 C Otaki MB 197.

⁵⁷ Tamihana Te Rauparaha, *Life and Times of Te Rauparaha*, 39.

3. After Waiorua there is a migration of North Taranaki people: Ballara gives the name Nihoputa . A Toa source refers to a preliminary visit by Te Puoho of Ngati Tama and then a larger North Taranaki migration.	1824	Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 141; (1868) 1 C Otaki MB 197; Wi Parata, (1890) 10 Otaki MB 158-9.
4. Ballara states that after Nihoputa “another large party of people from the area between Waitara and Puketapu followed”.	1824-25	Ballara, ‘Te Whanganui a Tara’, 30, citing Shand as a source. No MB refs known to me.
5. Ngati Raukawa migrates south in three separate stages.	1829-30	Abundantly documented in Otaki MBs
6. Further migration by North Taranaki descent groups after the Waikato invasions and the battles at Pukerangiora and Ngamotu. These groups are therefore often referred to as Ngamotu and the heke as Tama Te Uaua .	1831	See Ballara, ‘Te Whanganui a Tara’; Anderson and Pickens, <i>Wellington</i> , 16.
7. Ballara refers to a final North Taranaki migration called Te Heke Paukena . This includes Te Awa, Ngati Ruanui and Taranaki groups.	1834?	
8. Battle of Haowhenua (Raukawa versus Ngati Awa)	1834	
9. Ngati Mutunga and some of Ngati Tama move to the Chatham Islands. Ngamotu establish themselves at Port	1835	

Nicholson.		
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5.10 **The invasions of Te Tau Ihu overview:** Before considering the main attacks on the South Island made with the assistance of Ngati Raukawa and other groups it is necessary to backtrack a little. Following Ngati Toa manuscript sources (which Angela Ballara does not consider in her reconstruction of these convoluted events) the conquest of the northern South Island under the leadership of Te Rauparaha and Ngati Toa probably took place in six sequential steps:⁵⁸

- a. A preliminary reconnaissance shortly after the battle of Waiorua;
- b. A revenge attack on Wairau following the patu aruhe curse (probably in 1827);
- c. An attack on Ngai Tahu at Kaikoura following the barracouda's tooth insult in 1829/30 led by Te Rauparaha and made up of Ngati Toa, Ngati Awa, and Tuhourangi (on this expedition Te Pehi of Ngati Toa was killed by Ngai Tahu at Kaiapoi);
- d. A sea-borne attack on Ngai Tahu at Banks' Peninsula in 1830;
- e. Following the actions of a man named Tuhawaiki who made (or who was falsely accused of making) Te Pehi's bones into fish-hooks, a major attack on Te Hoiere, Rangitoto, Whakapuaka and places further to the west took place in 1830;
- f. A further campaign in the summer of 1831-2 which involved a three-pronged attack on Kaiapoi planned by Te Rauparaha, with three separate taua converging on Kaiapoi led by Te Rauparaha, Ropata Hurumutu of Ngati Toa, and Te Whetu of Ngati Koata;
- g. A further expedition by Ngati Rarua which took them to Poutini in the course of which they defeat Ngai Tahu of the West Coast led by

⁵⁸ This narrative is based on the following sources: Biggs, "Two Letters from Ngaati-Toa to Sir George Grey", *Journal of the Polynesian Society*, vol 68, 1959, 262-76; George Graham (trans.), Wiremu Neera Te Kanae, History of the Tribes Ngati Toarangatira, Ngati Awa-o-Runga-te Rangi and Ngati-Raukawa, MS, Auckland Institute and Museum Library.

Tuhuru (that is, the Kaiapoi campaign was in fact two-pronged, involving attacks down the East and West Coasts).

5.11 **Chronological difficulties:** The above chronology is based on Ngati Toa sources, and I admit there are some difficulties with the order of events (in fact one feels that one might as well throw one's hands in the air and give up rather than attempt to consolidate all the various conflicting and often confusing accounts into a single narrative). The key problem appears to be the precise date of the major campaigns in the Marlborough Sounds, Nelson and Golden Bay. According to Peart, for example, there were two separate campaigns in the Sounds and the west. Peart says that the fall of Kaikoura occurred at more or less the same time as a campaign launched mainly against Ngati Kuia. Ihaka Tekateka of Ngati Koata also mentioned in the Native Land Court a wholly separate Ngati Koata campaign to the west which occurred before the main expedition which followed the incident of Te Pehi's bones being made into fish-hooks. So an alternative chronology might be:

- a. A preliminary reconnaissance shortly after the battle of Waiorua;
- b. A revenge attack on Wairau following the patu aruhe curse (probably in 1827);
- c. A two-pronged campaign in 1828 or 1829 which had the following elements:
 - i. An attack on the Marlborough Sounds led by Te Rauparaha and Te Rangihaeata and comprising Ngati Toa, Ngati Rarua, Ngati Koata, Ngati Tama, Puketapu, Ngati Awa and Ngati Raukawa; and shortly afterwards followed by:
 - ii. An attack on Ngai Tahu at Kaikoura following the barracouda's tooth insult led by Te Rauparaha and made up of Ngati Toa, Ngati Awa, and Tuhourangi (on this expedition Te Pehi of Ngati Toa was killed by Ngai Tahu at Kaiapoi); and (possibly)
 - iii. A separate campaign by Ngati Koata to the west.
- d. A sea-borne attack on Ngai Tahu at Banks' Peninsula in 1830;

- e. Then, following the “fish hooks” affair, there is perhaps a *further* attack on the Marlborough Sounds and then (certainly) a major campaign to the west, mainly carried out by (says Peart) by Ngati Awa, Ngati Rarua, Ngati Tama and Ngati Koata and led by Te Puoho, Niho, Takerei, Te Manu Koherua, Te Keta, Te Poa Karoro and Te Whetu but in which (according to Toa sources) Ngati Toa were involved too (1830);
- f. The Kaiapoi campaign (1831-2); and
- g. The simultaneous expedition by Ngati Rarua to Poutini (Arahura) carried out at the same time as the attack on Kaiapoi.

5.12 **Fixed points:** The fixed points in the narrative are, firstly, the Akaroa affair (definitely in 1830) and the fact that the major attack on the northern South Island must have taken place *after* the death of Te Pehi Kupe at Kaiapoi at the hands of Ngai Tahu. As Ballara very truly says, however, “the results of these events were more important than their sequence”.⁵⁹

5.13 **Preliminary reconnaissance after Waiorua:** According to the letter of December 11 1851, following the battle of Waiorua Te Rimurapa was sent back to his people, Ngati Kahungunu, and peace was made with them. At around the same time some kind of reconnaissance expedition went to Wairau and Te Hoiere.⁶⁰

Te Rimu-rapa [of Ngati Kahungunu] was sent with Te Rau-paraha’s message, “Now peace has been made and we will live in friendship.” Te Rimu-rapa returned to us *and then we went to see that other island*.

Perhaps Te Rauparaha wished to secure Ngati Toa’s flank by a formal peacemaking with Ngati Kahungunu before attempting a foray into the

⁵⁹ Ballara, *Overview*, 105.

⁶⁰ Biggs, “Two letters”, 276 (letter of 11 December 1851). The peacemaking with Ngati Kahungunu is confirmed by material in the Minute Books. Matene Te Whiwhi says that he personally was involved in the negotiations: “I was requested by Rauparaha to go to Wairarapa to make peace. After I went Rauparaha called the range Tararua, the backbone of Rangihaeata, to prevent any tribes interfering with the Wairarapa people”: see evidence of Matene Te Whiwhi, Kukutauaki case, (1872) 1 Otaki MB 144; see also evidence of Wi Parata, (1890) 10 Otaki MB 164.

South Island.⁶¹ At any rate the 1851 letter does not suggest that this first expedition was anything more than a reconnaissance:

A great number of us went [to the South Island] and we reached Wai-rau and Te Hoiere [Pelorus Sound]. We did not achieve all we wished before we returned to this side.

5.14 **The attack on Wairau following the tukituki aruhe curse:** The next excursion followed the incident of the tukituki aruhe curse. According to Tamihana Te Rauparaha, speaking in the Native Land Court in the Himatangi case (1868), Te Ruaone, said:

“This man is very brave”. He said, “he would like to crush his skull with a ‘tukituki aruhe’ [a fernroot pounder].”

Te Rauparaha and Te Rangihaeata led a force south. Ngati Toa were victorious at a battle at place called Hui-waka. “Then was avenged our curse of the fern-root pounder. We attacked and Wai-rau was defeated.”⁶² Or, as Tamihana Te Rauparaha put it in the Native Land Court, “Rauparaha heard and took a taua and slated Ruaone and his people”.⁶³ This campaign seems to have been mainly directed at Rangitane.⁶⁴ This campaign did not lead to any permanent settlement. Tamihana says that afterwards “Rauparaha returned to Kapiti”; the 1851 Ngati Toa letter agrees (“We came back to this side”). Anderson states, however, that following the fighting in the Wairau and the return of most of the coalition forces across the strait a separate expedition, mostly of Ngati Rarua and led by the chiefs Niho and Takerei, conducted an expedition down the West Coast of the South Island as far as Hokitika, “taking the main pa of Poutini Ngai Tahu”.⁶⁵

⁶¹ It seems that Maori diplomacy drew a distinction between formal peacemakings, and acts of “kindness”. Matene Te Whiwhi, for example, strongly denied that Ngati Raukawa ever had a “peace making” towards Muaupoko: “I did not know of any peace-making between Whatanui and Muaupoko...It was a much later period than this when I heard of Whatanui’s kindness towards them – not his peace-making. All I know is that it was a kindness of Whatanui, not a peace making”: (1872) 1 Otaki MB 149.

⁶² Biggs, “Two letters”, 272.

⁶³ Himatangi case, (1868) 1 C Otaki MB 197.

⁶⁴ Atholl Anderson, *Welcome of Strangers*, 80: “The first expedition of Ngati Toa and their allies, in 1828, harried the remnants of Rangitane in the Wairau Valley and the surrounding areas, effectively destroying them as a tribe.”

⁶⁵ Anderson, *Welcome of Strangers*, 80. According to Anderson it was at this time that the senior Ngai Tahu chief Tuhuru was captured and was then ransomed for the famous pounamu mere, Kai Kanohi. This expedition may, however, have in fact been later, at the time of the attack on Kaiapoi – at least this appears to be the indication in Ngati Toa sources.

5.15 **The diplomacy of cursing:** What exactly is one to make of the focus in the sources on ritualistic curses and insults: threatening to crush one's head with a fernroot pounder, rip up one's belly with a shark's tooth, or to go fishing with a kinsman's bones? Each was a deadly insult – but were these expeditions, which must have required careful planning and the allocation of considerable resources embarked on merely *because* of such curses? To some extent Te Rauparaha must have had a plan of systematic conquest, but perhaps this proceeded by means of a kind of ritual diplomacy – insult and counter-insult leading to a trial of strength. It seems that to *not* respond to an insult of such a grave kind in the world of Maori politics would be interpreted not as high-mindedness but merely as weakness, and would have entailed the loss of mana and political consequences. Writing of Rerewaka's *nihō manga* insult, Stack writes that “[b]oth Te Rauparaha and his followers were highly exasperated when they heard of this insolent speech” which amounted to a “‘kanga’ or curse, a form of insult which, according to the Maori code of honour, blood alone could atone for”.⁶⁶ One of the best-educated and most thoughtful observers of Maori in the 1840s, Edward Shortland, explained the term “kanga” as amounting to far more than a mere curse: “it is a ‘kanga’ to use any form of words which can establish a relation between a person, or a part of a person, and the verb to cook, or to eat, so that the person spoken of is the object of the action”.⁶⁷ An example of the politics of insult is furnished by the Toa chief Nopera Te Ngaha in the Himatangi case in the Native Land Court. Trying to convey the impression that the relationship between Ngati Apa and Ngati Raukawa was one of equals, he drew attention to the behaviour of the Ngati Raukawa chief Nepia.⁶⁸

I heard that Nepia treated the Ngati Apa as equals, for, when they compared his head to a pumpkin, he did not notice it.

5.16 **The attack on Kaikoura:** This expedition is succinctly summarised in the 1851 letter:⁶⁹

When Ngai-Tahu heard that Wai-rau had been defeated, they cursed [sic] Te Rauparaha like this, saying, “His belly will be split with a barracouta's

⁶⁶ Stack, “Sacking of Kaiapohia”, in Travers, *Stirring Times of Te Rauparaha*, 191.

⁶⁷ Shortland, *Southern Districts of New Zealand*, 27.

⁶⁸ (1872) 1 Otaki MB 141.

⁶⁹ Biggs, “Two letters”, 272-4.

tooth.” We avenged this in the expedition called The Barracouta’s Tooth, when Kai-koura was overcome, with a thousand casualties. On this occasion three other tribes helped us, Tuuhourangi, Ngaati-rarua and Ngaati-Awa. Te Rauparaha was in charge of the expedition. We went on to Kaiapoi where our chiefs Te Pehi, Te Pookai-tara, and Te Ara-tangata were massacred. Then we came back here.

Tamihana Te Rauparaha names the Ngai Tahu chief as Rerewaka (spelled as Rerewhaka by Stack⁷⁰), although it should be noted that according to Atholl Anderson Rerewaka was part Rangitane.⁷¹ Following the victory, he says, Te Rauparaha announced that “These places, Wairau and Kaikoura, are mine”. Rerewaka himself “was taken by Rauparaha, and brought away. Rauparaha returned to Kapiti.”⁷² Quite why Tuhourangi were present is not clear, although Te Rauparaha did have kin connections at Rotorua. This is the only reference to their participation in the conquest of Te Tau Ihu that I am aware of.

5.17 **The Te Kanae MS on Kaikoura and the death of Te Pehi at Kaiapoi:**

Much more detail about this campaign is given in the Te Kanae MS, which focuses very much on Te Pehi and gives much more detail about the background to the attack on Kaikoura.⁷³ Te Pehi, it will be recalled, went to England to get guns. He returned in 1825, when the ship he was travelling on anchored at Akaroa. Here he met Tamaiharanui and other Ngai Tahu chiefs. Relations seem to have been cordial enough, and indeed not long after Taiaroa of Ngai Tahu, after visiting Ngapuhi, called in at Kapiti on the way home and “went ashore to see Ngati Toa”. He was “glad” to meet them, and invited Te Pehi to go to his home to visit them. After this Te Rangiaheata’s wife was accused of having an adulterous relationship with a chief named Kekerengu.⁷⁴ The accusation turned out to be false, but in the meantime Kekerengu “and his people” left for Kaikoura. The people there were the Ngati Tuteahanga, who, says Te Kanae, Ngati Toa did not realise were

⁷⁰ Stack, ‘Sacking of Kaiapohia, in Travers, *Stirring Times of Te Rauparaha*, 191.

⁷¹ Anderson, *The Welcome of Strangers: An ethnohistory of Southern Maori*, 80.

⁷² (1868) 1 C Opotiki MB 372. Stack says that Rerewaka was killed at Kaikoura: “[t]he beach was soon strewn with the dying and the dead, and Rerewhaka [sic] himself was killed before he knew that any enemy was near”.

⁷³ Graham (trans), Te Kanae MS

⁷⁴ According to Atholl Anderson, Kekerengu was Ngati Ira: Anderson, *Welcome of Strangers*, 80. He had been “captured, but kept in aristocratic comfort by Te Rangiaheata” (ibid). Te Rangiaheata’s anger seems understandable enough in the circumstances.

related to Ngai Tahu. The people of Kaikoura then learned that Ngati Toa were on their way south in pursuit of Kekerengu.⁷⁵

Arrived there [Kaikoura], Ngati Tuteahanga heard that Ngati Toa was coming to pursue Kekerengu. Then was made the announcement of a certain chief of that tribe (Rerewaka was the name of that man). “If Te Rauparaha arrives here, his stomach will be rent open with a shark’s tooth (niho mango).”

Ngati Toa attacked and were victorious. Te Pehi did not return, however, but carried on to Kaiapoi where he was killed by Ngai Tahu. “When Te Rauparaha learnt his young men were killed, he returned to Kapiti”. Ngai Tahu have their own explanations of these events of course. In Ngati Toa sources Te Pehi was paying a friendly visit and Ngati Toa were in fact unaware of the kin connections between the people of Kaikoura and those of Kaiapoi: the attack is seen as treacherous and unprovoked. In the Ngai Tahu accounts, as reflected in Stack, Te Rauparaha, encamped nearby, was planning an attack on Ngai Tahu, who launched a pre-emptive strike by killing Te Pehi and the others. Edward Shortland, in his *Southern Districts of New Zealand*, says that Te Pehi was “killed treacherously by some of Tamaiharanui’s tribe, among whom he had trusted himself, in order to barter muskets for Pounamu stone”.⁷⁶ Eight were killed in all: Te Pehi, Te Pokaitara, Te Rangikatuta, Te Ruatahi, Te Hua Piko, Te Aratangata, Te Kohi, and Te Kohua.⁷⁷

- 5.18 **Attack by sea: Banks’ Peninsula, 1830:** The next attack is particularly well-documented as it led to repercussions in New South Wales. At the end of 1830 a brig commanded by one Captain Stewart entered the harbour at Akaroa. The Ngai Tahu chief Tamaiharanui went on board with his wife (Te Whe) and daughter (Nga Roimata) whereupon they were captured by Te Rauparaha and Te Rangihaeata who, along with a substantial Ngati Toa force, were concealed below decks. Others were also captured and then Ngati Toa launched a surprise attack on Tamaiharanui’s fortified pa at Takapuneke. About one hundred of the inhabitants were killed and about fifty others taken to Kapiti. Tamaiharanui was handed over to Te Pehi’s

⁷⁵ Te Kanae MS.

⁷⁶ Shortland, *Southern Districts of New Zealand*, 4.

⁷⁷ Stack, ‘Sacking of Kaiapohia, in Travers, *Stirring Times of Te Rauparaha*, 197.

widow who killed him herself.⁷⁸ This was of course utu for Te Pehi, killed by Tamaiharanui’s people the previous year. Stewart was subsequently arrested for murder at Sydney, but he managed to obtain his release while on bail and then disappeared.⁷⁹ While reporting this affair to London Governor Darling of New South Wales recommended for the first time the appointment of a British Resident to New Zealand.⁸⁰

5.19 **Coalition attack on Te Hoiere, Whakapuaka etc (1830):** The two main Ngati Toa sources appear to suggest that there was one major campaign which was responsible for the subjugation of Marlborough, Waimea and Golden Bay. According to the first of the Toa letters to Grey this took place after the attack on Akaroa. It was the decisive campaign in the Upper South. “We attacked Te Hoiere” (the Pelorus), “then came Rangi-toto” (D’Urville) and then “Kai-aua and Whaka-puaka”. The text is very obscure, however, and it is not clear (at least to me) whether the letter is describing a major engagement of some sort at Whakapuaka where the tangata whenua gathered together to resist the invaders and were defeated, or whether alternatively there were a sequence of battles to the far west, or perhaps both, come to that.⁸¹ The chiefs killed and their places of residence appear to be as follows:

Place	Names of chiefs killed	Source
Te Hoiere	Wharepuni	Letter 11/12/51, TKms

⁷⁸ Ibid, 200-201. Stack comments that “it is impossible to feel much pity for Tamaiharanui. His punishment was hardly more than he deserved. The treatment he received at the hands of the Ngatitooa was little more than a repetition of the cruelties which he had himself inflicted on members of his own tribe” (p 201). William Wakefield, however, says that Tamaiharanui was killed on the ship on the journey back: W Wakefield, Diary, 9 October 1839, qMS 2102, Alexander Turnbull Library.

⁷⁹ See E H McCormick (ed), *New Zealand or Recollections of it*, by Edward Markham, Government Printer, Wellington, 1963, 101-2.

⁸⁰ Darling to Goderich, *Historical Records of Australia*, I, vol xvi., pp 237-41, cited Wards, *Shadow*, 7.

⁸¹ The text says (let everyone make what sense of it they can):

Then we attacked Te Hoiere and its chiefs Whare-puni, Maihi, Paakau-era and Tau-kapu were killed. Then came Rangi-toto and its chief Wai-haere, and then Kai-aua and Whaka-puaka with their chiefs Te Kaha-wai, Pakipaki, Tauti-oma and Tuki-hono. These chiefs were from Whaka-tuu, Wai-mea and Motu-eka. Whakamarama and Tiki-auau were from Ao-rere, Tamatea and Puuponga. The chiefs Kootuku, Hioi, Komako-rau were from Mata-rua, Te Whanga-nui, Patu-rau, Awa-rua and Te Iwi-tuaroa, Weka was from Toro-pihi. And so the descendants of men were destroyed. Tuhuru escaped. And so the expedition returned.

	Maihi Paakauera (Pukanera) Taukapu Rangitane (a person?) Tupou	Letter 11/12/51, TKms Letter 11/12/51. TKms Letter of 11/12/51 TKms TKms
Rangitoto	Waihaere	Letter of 11/12/51
Kaiaua/Whakapuak a/Whakatu/Waimea /Motueka	Te Kahawai Pakipaki Tautioma Tukihono Ihenga Tahukura Tutepourangi Whakatu (a person?)	Letter 11/12/51 TKms Letter 11/12/51 Letter of 11/12/51 Letter of 11/12/51 Letter of 29/9/51 Letter of 29/9/51 Te Kanae MS, Wakapuaka case. ⁸² Te Kanae MS
Aorere/Tamatea/Pu ponga	Whakamarama Tikiauau	Letter of 11/12/51 Letter of 11/12/51
Matarua/Te Whanganui/Paturau /Awarua/ Te Iwituaroa	Kootuku Hioi Komakorau	Both Grey letters, TKms, Taitapu case. ⁸³ Letter of 11/12/51 Both Grey letters
Koropihi/Toropihi? /Karama	Weka	Both Grey letters

⁸² (1883) 1 Nelson MB 14.

⁸³ (1883) 1 Nelson MB 3.

The table shows that the expedition ranged far to the west. Kotuku, who is mentioned in both of the Ngati Toa letters to Grey and in the Te Kanae MS, was a Rangitane chief of the Taitapu/Whanganui area and is mentioned also in the Taitapu case in 1881.⁸⁴ Hoani Mahuika, who was of Rangitane, Ngati Apa and Ngati Kuia descent, told the Native Land Court that “Ngati Rarua, with Ngati Toa came over”, indicating that on this campaign the most westerly parts of Te Tau Ihu were reached by Ngati Toa and Ngati Rarua acting jointly. Hoani named Kotuku and Paihaoa as the two main chiefs of his people killed. But the details of this man’s death are confused. Henare Wiremu of Ngati Rarua says that he spared Kotuku but he got away, but was afterwards killed by Ngati Awa; Wirihana Turangapeke of Ngati Rarua said, however, that Kotuku was given up to Ngati Awa by Ngati Toa. According to Henare Wiremu, Kotuku died “at the third invasion” which fits with the other sources – assuming it is the attacks on the Upper South rather than Ngai Tahu that are meant. Wirihana says further:⁸⁵

The conquest was made by Ngati Toa, Ngati Rarua and others. The canoes all came together but made separate victories. Each party came in their own canoes. Ngati Toa was the chief tribe.

5.20 **Division of the land:** It is presumably this key 1830 campaign which Paka Herewine Ngapiko is referring to in his evidence in the Nelson Tenths case in 1892. He describes a division of the land after the campaign, by which Te Rauparaha allocated the land. This was along the following lines:

- a. A group of North Taranaki hapu were allocated “Arapawa”, which was presumably a much more substantial area than Arapaoa Island solely. These groups were Ngati Awa, Puketapu, Ngati Hinetiu, and [Ngati Rahoi?]. The chief of Ngati Awa was Rere Tawhangawhanga.
- b. Ngati Toa “got the Wairua and the Pelorus District but I cannot describe the boundaries”.

⁸⁴ (1883) 1 Nelson MB 3.

⁸⁵ Note that Peka Herewine Ngapiko in the Nelson Tenths case in 1892 gives the impression – assuming that this is the same campaign, of course – that it was Ngati Rarua alone who went to West Whanganui and Karamea, which is not the stance of the Ngati Rarua witnesses who gave evidence in the Taitapu case.

- c. “Ngati Koata got Rangitoto”.
- d. “Ngati Rarua got the land from Hourirangi to Takaka, including Wakatu, Waimea, Motueka, Riwaka, Kaiteriteri, Marahau, Whenuakura, Potihitanga, Awaroa, Te Matau (Separation Point), Taupo, Tata, and Takaka.
- e. “Taupo and Takapau belonged to Ngati Tama”.
- f. The land west of the Takaka river “belonged to another section of the Ngati Rarua”.

5.21 **The Kaiapoi Campaign, 1831-2:** The conventional source for this campaign is the Rev. J W Stack’s *The Sacking of Kaiapohia*.⁸⁶ Stack presents a colourful narrative full of circumstantial detail, but few sources are given and how reliable the narrative might be is therefore very hard to know.⁸⁷ Stack says that the force which attacked Kaiapoi was a force of six hundred, “selected from Ngatittoa, Ngatiraukawa and Ngatiawa”.⁸⁸ The Te Kanae MS however gives a more complex picture. According to this source Ropata Hurumutu of Ngati Toa returned to Kapiti from New South Wales to learn that his uncle Te Pokaitura and some other relatives of his had been killed at Kaiapoi by Ngai Tahu. He therefore launched a private taua of his own, attacking Kaikoura on his way south. Te Rauparaha, hearing of this, led his own force south, and at the same time (obviously by arrangement) the Ngati Koata chief Te Whetu led his people south by means of an inland route taking with them their Ngati Kuia and Rangitane vassals. The three taua then converged on Kaiapoi. The fall of Kaiapoi is a well-known event which need not be traversed here.

5.22 **The Ngati Rarua expedition to the west, 1831:** Ngati Rarua, however, did not play a role in the attack on Kaiapoi. While the three taua were closing in on Kaiapoi, Ngati Rarua, it seems, went west into Golden Bay and then

⁸⁶ The copy I have is that published in the same volume and as a supplement to W T L Travers, *Stirring Times of Te Rauparaha*, based in turn on papers read to the Wellington Philosophical Society in 1872. It is not clear from this edition, at least, exactly when Stack’s separate narrative was first written and published.

⁸⁷ Stack claims to have based his narrative on eye-witness accounts. At op.cit., p. 169 he notes that “[t]he facts narrated in the following pages were told the writer more than thirty years ago, by persons who had either taken place in the defence of the pa, or had once resided within its walls”.

⁸⁸ Stack, ‘Sacking of Kaiapohia, in Travers, *Stirring Times of Te Rauparaha*, 213..

south down the coast to complete the conquest of Western Te Tau Ihu.⁸⁹ The Te Kanae MS sees Ngati Toa and Ngati Rarua as essentially one and the same. This expedition, according to this source, ranged beyond Golden Bay and Taitapu to Poutini (Arahura/Greymouth) and conquered it.

5.23 **Effects of the conquests:** I am very aware that in the context of this hearing the effects of the conquests are a controversial issue, and that the Kurahaupo tribes (Ngati Apa, Rangitane, and Ngati Kuia) are endeavouring to demonstrate to this Tribunal their own unbroken continuous presence in Te Tau Ihu. This is not, of course, denied. It is not denied, either, that Ngati Toa was part of a coalition and did not conquer Te Tau Ihu on its own – although as it happens not all groups involved in the invading coalition are actually claimants in this inquiry, including one major participant, Ngati Raukawa. However it cannot, in my view, be denied that there certainly *was* a conquest and that Ngati Toa played a dominating role in the coalition. A modern ethnohistorian of impeccable academic credentials – and who cannot be accused of pro Ngati Toa or anti-Ngai Tahu bias, Atholl Anderson, at the end of a very clear and objective discussion of events, has concluded that “Ngai Tahu were devastated by the Ngati Toa raids”.⁹⁰ Arguably his conclusions have implications which go somewhat beyond the issue of the impacts on Ngai Tahu specifically:

The northern half of the tribal territory had been lost, on both sides of the island, the paramount chiefs and others killed, and hundreds of people taken into captivity. The southern settlements had to cope with numerous refugees and nobody knew when Te Rauparaha would return. Had he done so immediately, he might well have taken the entire island.

Anderson is here describing the situation immediately after the invasions. He goes on to note Ngai Tahu recovery during the 1830s. Nevertheless the effect on Ngai Tahu was a “massive disaster”, compounded by their own civil war immediately before the invasions and the effects of epidemics. It

⁸⁹ According to the Te Kanae MS:

In that year in which were thus destroyed the tribes of the Eastern part of the Island of Waipounamu, there went off others of the tribe of Te Rauparaha to Poutini. The name of that tribe was the Ngati Rarua. Poutini was taken by them. The tribes of that district were kept as slaves to grow food for Ngati Toa. The head chief of that district was Tuhuru [of Ngai Tahu]. The extreme limits of the Island of Waipounamu, thus fell to the conquest of Te Rauparaha and his tribes.

⁹⁰ Anderson, *Welcome of Strangers*, 85.

was political developments in the North Island, meanwhile, which complicated matters for the Ngati Toa leadership.

5.24 **Ngamotu, Haowhenua and Kūhītītanga:** The next key step in the history of the Cook Strait region was the sudden arrival of a substantial group of Taranaki refugees, who abandoned their North Taranaki homes after the fall of Pukerangiora to Waikato and the battle of Ngamotu. This grouping, referred to as “Ngamotu” after the battle, were Ngati Ruanui, Taranaki and Ngati Awa and were led by their chiefs Te Puni and Te Wharepouri. This seems to have been a large migration and their arrival led to an immediate collision with Ngati Raukawa.⁹¹ The tensions eventually resulted in a large-scale battle at Haowhenua, conventionally dated to 1834.⁹² This was a major engagement and is the subject of detailed description in the Otaki Minute Books.⁹³ The fighting had the disturbing feature of contributing to escalating conflict, as each side called for aid from allies from far afield, while Ngati Toa themselves were divided. Te Rauparaha naturally took the part of Ngati Raukawa, but other sections of Ngati Toa favoured Ngati Awa: there may have been some within Ngati Toa who were still of the view that Te Rauparaha had been over-generous to his Ngati Raukawa kin. The battle seems to have been a draw, on the whole.⁹⁴ The tension between the Taranaki groups, or some of them, and Ngati Raukawa remained. One further population displacement needs to be noted. In 1835 Ngati Mutunga, who had assisted in the invasions of Te Tau Ihu, but who had been living around Wellington harbour for about a decade, suddenly abandoned it and moved en masse to the Chatham Islands (Rekohu/Wharekauri), accompanied there by other groups: the Kekerewai, many of Ngati Tama, and Ngati Haumia.⁹⁵ The invasion of the Chathams is also richly documented in the

⁹¹ The immediate cause of conflict seems to have been when a Ngati Raukawa chief named Te Whakaheke found a Ngati Awa man named Tawake in his potato pit and killed him: “this”, says Matene Te Whiwhi, “caused a war”.

⁹² Anderson and Pickens, *Wellington District*, Rangahaua Whanui District 12, 1996, 15.

⁹³ Nopera Te Ngiha, Himatangi case, (1868) 1 Otaki MB 395; evidence of Tamihana Te Hoia, (1891) 16 Otaki MB 346.

⁹⁴ Anderson and Pickens state that “the result was inconclusive, but...the greater honours probably lay with Te Ati Awa”: Anderson and Pickens, *Wellington District*, Rangahaua Whanui District 12, 1996, 16. Ian Wards describes Haowhenua as a “draw”, after which “the visiting tribes left, and the Raukawa and Ngatiawa settled down to a form of resentful neutrality”.

⁹⁵ On this see Waitangi Tribunal, *Te Whanganui a Tara*, 27.

Land Court minute books.⁹⁶ The Ngamotu group led by Te Wharepouri and Te Puni moved in turn to Port Nicholson,⁹⁷ which is where they encountered the New Zealand Company officials on the *Tory* in 1839. The main area of Ngati Awa settlement was, however, not at Port Nicholson but at Waikanae. Ngati Raukawa and Ngati Awa fought another bloody battle at Kuhititanga in 1839⁹⁸ at the time of the arrival of the *Tory*, which turned up at Kapiti on the day of the battle. Dieffenbach saw the Ngati Awa wounded and helped to tend them, and afterwards visited the scene of the battle, where the signs of the fighting were all too clear: “trenches were dug in the sand of the beach, the fences of the village had been thrown down, and the houses were devastated”.⁹⁹ The *Tory*, in other words, had sailed straight into a major conflict, a dimension of its visit which is sometimes overlooked.

5.25 **Peacemaking with Ngai Tahu:**¹⁰⁰ Stack refers to an expedition known as Oraumoa-iti at which Te Rauparaha was nearly captured by Ngai Tahu. This was followed by a second Ngai Tahu counter-attack which led to an engagement with Ngati Toa in Queen Charlotte Sound. The accounts given in Stack, however, give no indication of a comprehensive Ngai Tahu reconquest of the South Island Coast. It was, rather, diplomacy which normalised relations. Peacemaking with Ngai Tahu was dictated by the political struggle between Ngati Raukawa and Ngati Awa. According to Stack:¹⁰¹

Rauparaha’s tribe quarrelled with their neighbours and allies, the Ngatiawa and fearing a coalition being formed against him, the wily chief of Ngatitua resolved to make peace with Ngaitahu; and selecting the Chiefs of highest rank from amongst his Kaiapohia prisoners, he sent them home under the charge of an honourable escort, desiring them to use their influence with their friends to accept his friendly overtures.

⁹⁶ See eg evidence of Toenga, Kekerione or Mangatu Karewa case, (1870) 1 Chatham Islands MB 6; evidence of Rakatau, *ibid*, 7.

⁹⁷ See evidence of Mawene Hohua, (1868) 1 C Wellington MB 63; Hemi Parae, (1868) 1 C Wellington MB 75-6; Hori Ngapaka, (1868) 1 C Wellington MB 12; Mohi Ngaponga, (1868) 1 C Wellington MB 7; Evidence of Wi Tako, in *Wi Tako v Manihera Te Tou* [Supreme Court reference to NLC], (1868) 1 C Wellington MB 63.

⁹⁸ Wi Parata gives a detailed account of this battle in his evidence in the Ngarara rehearing case: (1890) 10 Otaki MB 162-3, 164-6.

⁹⁹ Ernst Dieffenbach, *Travels in New Zealand*, 1, 104.

¹⁰⁰ This paragraph follows the discussion in Stack, *Kaiapohia*, pp 90-91.

¹⁰¹ *Ibid*, 91.

Stack does not give a source for this, but it seems very plausible that with the conflicts on the Kapiti coast Te Rauparaha would seek to work out an arrangement with Ngai Tahu. Following the return of the captives the people of Kaiapoi agreed to make peace. However, “though peace was established the bulk of the Kaiapohian prisoners carried to the north were still kept in bondage”.¹⁰² They were released in 1839 as a result of the influence of Christian teaching.

6 **Analysing Ngati Toa’s “rohe”.**

6.1 **The core areas:** There were certainly some core areas of particular importance to Ngati Toa. Some of these were in the North Island, others in the South. Commissioner Spain believed that some parts of the South Island were undoubtedly “in the real and bona fide possession of the Ngati Toa tribe”. These were the Cloudy Bay area “comprising the Wairau” and “a part of Queen Charlotte’s Sound”. In “each and all of these places the tribe has both residences and cultivated lands”.¹⁰³ That the Wairau was pre-eminently Ngati Toa’s is in my view beyond reasonable dispute. It was Ngati Toa under the leadership of Te Rauparaha and Te Rangihaeata and the Ngati Toa Te Tau Ihu rangatira Nohorua and Rawiri Puaha who contested the New Zealand Company’s attempts to survey the Wairau. No other group played a role in these events or in the battle of the Wairau: if other groups were there to support Ngati Toa on that occasion (which is possible) there is certainly no mention of them in the sources. Any attempt to try to interpret the Wairau incident as anything but a clash between the New Zealand Company and Ngati Toa over an area that Ngati Toa regarded as pre-eminently theirs is an unwarranted attempt to rewrite history. There is also abundant evidence of Ngati Toa in the Upper Pelorus Sound.¹⁰⁴ George Clarke, however, thought of as the core Ngati Toa areas in Te Tau Ihu as “the vicinity of Nelson, Queen Charlotte’s Sound, Cloudy Bay”.¹⁰⁵

¹⁰² Ibid.

¹⁰³ Spain’s report to Fitzroy on the New Zealand Company’s Nelson claims, Mackay, vol 1, 54-60, at 59.

¹⁰⁴ Evidence of Paka Herewine Ngapiko, Nelson Tenth case, (1892) 2 Nelson MB 174: “Ngati Toa got the Wairau and the Pelorus district but I cannot describe the boundaries”.

¹⁰⁵ Official report of George Clarke jr., 16 August 1843, *Appendix to the 1844 House of Commons Select Committee Report on New Zealand*, BPP(NZ), Irish University Press edition, vol 2, 337.

6.2 Other areas:

- a. **Ngati Rarua, the West Coast and the 1851 letters to Grey:** The Ngati Toa leadership appears to have considered that beyond the core zones they had a kind of joint authority shared with the resident tribes of the coalition. This is most clearly seen in the case of the two letters sent by the Ngati Toa leadership to Grey in 1851 and 1852.¹⁰⁶ It is clear from the first of these letters that Ngati Toa had become concerned about Ngati Rarua's claim to a vast region from Whakatuu and Waimea and extending down the West Coast of the South Island to Arahura.¹⁰⁷

Oh friend, Governor, know you that the reason for this letter being written to you is our great concern at being encircled by Ngaati-Rarua at Whakatuu, at Wai-mea and all the places on that coast right down to Ara-hura. But we ourselves should have the authority over Ara-hura; if their [Ngati Rarua's] interests *are included with ours, then it will be alright* [emphasis added]. On the other hand you must carefully consider the claims of those from the other side. If you are making a decision about Whakatuu and Waimea, then think of us.

What does this mean? It seems that Ngati Toa could live with a shared interest with Ngati Rarua on the West Coast. It is admittedly not very clear, but possibly the letter indicates that a distinction is being drawn between the West Coast and Whakatuu and Waimea ("think of us", in the case of the latter.)

- b. **The context of the 1851 letters: the Pakawau Transaction:** The immediate context of both letters is the Pakawau transaction (15 May 1852) by which Ngati Rarua sold the Pakawau-Cape Farewell area to the Crown. The letters of 11 December 1851 and 29 September 1852 were both signed by Rawiri Puaha, who was Ngati Toa's leading chief at this time. On 13 May 1852 the Rev. Samuel Ironside drew Richmond's attention to Rawiri's concerns about this transaction, concerns which are very similar to what is written in the

¹⁰⁶ See Biggs, "Two letters from Ngaati-Toa to Sir George Grey", *Journal of the Polynesian Society*, vol 68, 1959, 262-76.

¹⁰⁷ Ibid (letter of 11 December 1851).

letters. As a matter of “chieftainship” Rawiri wanted to have all the money for Pakawau paid over to him which he could then disburse to Ngati Rarua.¹⁰⁸

- c. **Whakatu:** The letter of 11 December 1851 mentions a particular connection between Te Rauparaha and Whakatu (Nelson Haven):

Soon afterwards Te Rauparaha and his children were burned at Whakatu, at Maitahi. The elder brother of Taamihana had all of his head and body burned, as did Aamiria also. Taamihana was burned down one side from his arm to his leg. Now take notice that this is the reason why Whakatu is tapu and not settled by the Maori, but by the Pakeha.

What this means is, presumably, that as a result of the accident this area was declared tapu, something respected by the local people, and Whakatu thus was an uninhabited place when the New Zealand Company’s preliminary expedition came into Nelson Haven in 1842 looking for a suitable place to establish the new colony.

- d. **Ngati Toa who remained in Nelson/Waimea and on the West Coast after the expedition:** The 11 December letter also mentions a number of individuals who remained behind after the bulk of the main (i.e. 1830) expedition returned across the straits. The letter states:¹⁰⁹

Te Whata-rauhi arranged for Piki-whara, Niho, Te Whare-aitu, Te Neko, Te Rakaputa, Te Muangakino, fourteen in all, to remain at Te Whanga-nui, Before long Pikiwhara¹¹⁰, Te Itu, Te Neko and Te Raka-puta came back to Karauripo. After a year there Piki-whara, Te Itu, Hotu, Te Rewa, Manaia, Toto, Puke-koowhatu¹¹¹, Te Ahi-manawa and Te Taua returned to Motu-eka. These are all the people who are settled there now, which place is also settled by Ngaati-Rarua. One of our chiefs, Te Whiro, younger brother of Raawiri Puaha, went and died there.

¹⁰⁸ Ironside (to Richmond?), 13 May 1852, SSD 1/5/108.

¹⁰⁹ Biggs (ed), “Two Letters”, 272-4. The letter appears to be suggesting that these are the names of Ngati Toa individuals who remained behind. I am not sure of the iwi/hapu affiliations of these individuals. Te Whiro must be Ngati Toa.

¹¹⁰ Pikiwhara, known to the Nelson settlers as “Piggy Wallah”, was Ngati Rarua: see evidence of Peka Herewine Ngapiko, (1892) 2 Nelson MB 172.

¹¹¹ Also Ngati Rarua: *ibid*, 173.

Incidentally Tamihana Te Rauparaha also states that “when the war party returned some of the Ngati Toa remained behind, having seen what good places there were to live in”.¹¹²

- e. **McLean’s views:** In a report to Governor Browne of 7 April 1856 McLean wrote that “the Ngati Toa tribe of Porirua...had unquestionably as the earliest invaders a prior right to the disposal of the district”.¹¹³ This “they had never relinquished”, although “after the Conquest their leading Chiefs partitioned out to the subordinate branches of their own tribe as well as to the Ngati Awa”. McLean believed that even groups claiming a power of sale over the lands they actually occupied and cultivated “when closely examined” nevertheless “always acknowledged that the *general rights of alienation* (emph. added) vested in the Ngati Toa Chiefs of the Northern Island”. How should this be interpreted, however? Some might say that McLean did not know what he was talking about, which is in my view unlikely. Another option is that McLean was engaged in some kind of deliberate strategy of maximising Toa interests in order to simplify the task of Crown purchasing, a line of analysis which has attracted some support but which is also open to criticism. Another option was that McLean, simply, did know what he was talking about - and was right, moreover.

¹¹² Tamihana Te Rauparaha, *Life and Times of Te Rauparaha*, 44.

¹¹³ McLean to Gore Browne, 7 April 1856, CO 209/135, Document Bank 1557-85, at 1562.