

Rangahaua Whanui District 8

THE ALIENATION OF MAORI LAND
IN THE ROHE POTAE (AOTEA
BLOCK), 1840–1920

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Working Paper : First Release

WAITANGI TRIBUNAL
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FOREWORD

The research report that follows is one of a series of historical surveys commissioned by the Waitangi Tribunal as part of its Rangahaua Whanui programme. In its present form, it has the status of a working paper: first release. It is published now so that claimants and other interested parties can be aware of its contents and, should they so wish, comment on them and add further information and insights. The publication of the report is also an invitation to claimants and historians to enter into dialogue with the author. The Tribunal knows from experience that such a dialogue will enhance the value of the report when it is published in its final form. The views contained in the report are those of the author and are not those of the Waitangi Tribunal, which will receive the final version as evidence in its hearings of claims.

Other district reports have been, or will be, published in this series, which, when complete, will provide a national theme of loss of land and other resources by Maori since 1840. Each survey has been written in the light of the objectives of the Rangahaua Whanui project, as set out in a practice note by Chief Judge E T J Durie in September 1993 (see app i).

I must emphasise that Rangahaua Whanui district surveys are intended to be one contribution only to the local and national issues, which are invariably complex and capable of being interpreted from more than one point of view. They have been written largely from published and printed sources and from archival materials, which were predominantly written in English by Pakeha. They make no claim to reflect Maori interpretations: that is the prerogative of kaumatua and claimant historians. This survey is to be seen as a first attempt to provide a context within which particular claims may be located and developed.

The Tribunal would welcome responses to this report, and comments should be addressed to:

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Figure 1: Rohe Potae boundaries

LIST OF CONTENTS

Foreword	iii
Introduction	vii
Chapter 1: Alienations before 1860	1
Traditional tenure 1; Early European contact until 1860 3; Old land claims 3; Early Crown purchases 4	
Chapter 2: The Decision to ‘Open Up’ the Rohe Potae	7
The Rohe Potae ‘state’ 7; The decision to ‘open up’ the Rohe Potae 8; The Mokau Mohakatino block – Joshua Jones’s lease 12	
Chapter 3: The Ngati Maniapoto ‘Compact’ with Government, 1882–83	15
The split with Tawhiao 15; The opening of Kawhia harbour 18; The major elements of the ‘compact’ 20; The railway survey and the 1883 petition 20; The agreement to survey the external boundary of Rohe Potae lands 24	
Chapter 4: The Failure of the ‘Compact’ – the Native Land Court and Government Land Purchasing Policy	33
The introduction of Native Land Court operations within the external boundary 33; The adoption of a policy of Government purchasing 48	
Chapter 5: Government Land Purchasing – the Overall Framework	55
The Native Land Court Process 55; The influence of Government officials 60; Overall Government policy and the legislative framework 69	
Chapter 6: The Major Elements of Government Land Purchasing Policy in the Rohe Potae (Aotea Block) in the 1890s	73
Secret purchasing of individual interests in land 73; The selection of land to be purchased 77; Manipulation of the Native Land Court process 78; Encouraging debts and costs to force sales 84; Reserves policy for sellers 87; Establishing a purchase price 90	
Chapter 7: The Implementation of Government Land Purchasing in the Rohe Potae (Aotea Block) in the 1890s	99
The Taorua block purchase 106; The Wharepuhunga block purchase 112; Continued purchasing in the Aotea (Rohe Potae) block in the 1890s 122	
Chapter 8: Alienations of Maori Land in the Rohe Potae (Aotea Block), 1900–20	135
Native townships 135; District Maori land councils and boards 145	

Contents

Appendix I: Practice Note 155
Bibliography 157

LIST OF ILLUSTRATIONS

Fig 1: Rohe Potae boundariesiv
Fig 2: Old land claims around Kawhia harbour 32
Fig 3: Early Crown purchases in the Rohe Potae in the 1850s 71
Fig 4: Kawhia blocks passed through the Native Land Court 131
Fig 5: Hauturu blocks passed through the Native Land Court 132
Fig 6: Land blocks passed through the Native Land Court 133
Fig 7: Native townships in the Rohe Potae 140

INTRODUCTION

Scope of report

This report has been commissioned by the Waitangi Tribunal as part of the Rangahaua Whanui project for the King Country or Rohe Potae district. It is based on an initial seven week research project on Maori land alienations in the district from 1890 to 1920. The focus of that project was Crown purchasing operations of the 1890s. The project was then extended by a further 18-day commission to provide an overview of Maori land alienations from 1840 to 1890.

Given the short time available, this report is only intended as a preliminary overview of the major types of Maori land alienation of the period. It is not intended to be a comprehensive investigation of each individual land alienation in the Rohe Potae (Aotea block). It is recognised that the overall legislative and political framework of the time, including the operations of the Native Land Court, were crucial to Maori land alienations. However it is beyond the scope of this report to investigate these in detail. Instead this report is intended to provide a guide to the major types of land alienation and to what appear to be the major issues arising from these. Where relevant, suggestions are also made where further research is likely to be useful.

The focus of this report is on nineteenth-century alienations of Maori land in the north and western part of the King Country or Rohe Potae, known as the Aotea block. The wider King Country or Rohe Potae is covered in some detail in a number of other reports produced for, or by, the Waitangi Tribunal. The Waitangi Tribunal *Pouakani Report* deals in particular with nineteenth century land alienations in the Taupouiatia block in the eastern part of the Rohe Potae.¹ The Rangahaua Whanui report for the Whanganui district includes an overview of the alienation of upper Whanganui lands in the southern Rohe Potae.² Alan Ward's report, 'Whanganui ki Maniapoto' also provides an overview of the whole region.³ The Evelyn Stokes report for the Ministry of Energy, 'Mokau; Maori Cultural and Historical Perspectives', provides an overview of early alienations in the Mokau region in the south western part of the district.⁴ While the focus of this report is on what became known as the Aotea block, policies and developments in the wider Rohe Potae are also touched on where necessary.

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1. Waitangi Tribunal, *The Pouakani Report 1993*, Wellington, Brookers Ltd, 1983
 2. Suzanne Cross and Brian Bargh, District 9, The Whanganui District, Waitangi Tribunal Rangahaua Whanui Series (working paper: first release), April 1996
 3. Alan Ward, 'Whanganui ki Maniapoto', report commissioned by the Waitangi Tribunal, 1992 (Wai 48, doc A20)
 4. Evelyn Stokes, 'Mokau: Maori Cultural and Historical Perspectives', report commissioned by the Ministry of Energy, 1988

Introduction

Research sources

It has been assumed that claimants will want to produce their own histories and oral evidence for the district. Research for this report has therefore been limited to documentary and published evidence. Given the short time available for research, only the most potentially useful sources have been investigated. The secondary sources and reports already produced for the Tribunal that were found to be most useful are referred to in the text and in the bibliography. Of the primary sources available, research was limited to newspapers, official publications and the archives of a small number of government agencies whose records are now held at National Archives, Wellington. Of the official publications, the *Appendices to the Journals of the House of Representatives*, the *New Zealand Gazette*, and the *New Zealand Parliamentary Debates* were found to be most useful. Newspaper research was limited to the *Waikato Times* and the *New Zealand Herald* for the 1880s.

The most useful official records were found in the archives of the old Native Land Purchase Department, now held with Maori Affairs Department records at National Archives. Some 30 boxes of native land purchase records were searched for the time period 1889 to 1901. Later records for at least the time 1901 to 1920 are also likely to prove useful but lack of time precluded a search of these. Other useful Maori Affairs Department records held at National Archives were the series 13 'special files' and the records of the old Maori Land Administration Department. General departmental subject files created by the departments of Maori Affairs and Lands and Survey, and now held by National Archives, were also found useful. The files used for this report are listed in the bibliography and cited in the text.

It should be noted that there are other potentially valuable archives and manuscripts that it was not possible to research for this report. For example, records relating to the Native Land Court, judges' papers and private papers of individuals involved in land alienations are also likely to produce valuable documentary evidence for more in-depth investigations.

The King Country—Rohe Potae district

The district known as the 'King Country' or Rohe Potae is located in the central North Island. Very roughly, the western boundary is the western coastline from the Kawhia and Aotea harbours in the north, to the Mokau area north of Taranaki in the south. Travelling in an easterly direction from Kawhia and Aotea, the district is bounded in the north by the Puniu and Waikato Rivers. The eastern boundary contains some of the Taupo district and the interior mountains Tongariro, Ngauruhoe, and Ruapehu. In the south the district is bounded by the northern portions of upper Whanganui and Taranaki lands.

The King Country or Rohe Potae was one of a number of semi-autonomous Maori states that survived the New Zealand wars. It was the heartland of various Maori attempts to maintain political autonomy, in particular, through the King movement. The description 'King Country' has persisted as a regional name to this day. The King Country district contained up to one-sixth of the North Island and was the classic great 'interior' land of colonial New Zealand. The King movement

Introduction

effectively closed the district to unauthorised Pakeha entry for almost a decade after the New Zealand wars. Pakeha required visas authorised by the Maori King before entering the district and settler Government authority ended at the borders. However, by the 1880s, both Maori and Pakeha had decided the district had to be ‘opened up’, although for different reasons. Settlers and Government wanted the area open to Pakeha settlement and to Government authority. Maori had decided that a controlled opening was essential if they were to protect their lands from rival claims, participate in new economic opportunities, and to ensure their future prosperity.

Historically the district itself was more important than its precise outer boundaries and these fluctuated according to factors such as support for the King movement. The boundaries were also defined differently by both Maori and officialdom at various times and for various purposes. This can easily lead to confusion, especially when researching statistics such as acreages and land alienated, or even attempting to understand various policies. It is also important to realise that in the time under review, the precise outer boundaries often had little practical importance. Some developments therefore need to be traced regardless of the precise boundaries.

Four main sets of district boundaries appear to be most important for this report. The first boundary is the Rohe Potae described by iwi leaders in an 1883 petition (see figure 1). This petition had the support of five major iwi of the district. It was originally supported by Ngati Maniapoto, Ngati Raukawa, Ngati Tuwharetoa and Whanganui. Within a short time Ngati Hikairo also joined in support. The petition basically covered the large district from Aotea harbour in the north; eastwards towards and including part of Lake Taupo; and south as far as upper Whanganui lands and the Mokau district. A copy of the petition and the description of boundaries within it are included in the *Pouakani Report* as appendix 6, and in *Appendices to the Journals of the House of Representatives* (1883, J-1). This large Rohe Potae area contained about 3,500,000 acres.⁵

There is some evidence that even after the official creation of the smaller Rohe Potae (Aotea block), this larger area was still regarded by many Maori of the area as the Rohe Potae. For example, in 1901 when the new district Maori Land Councils were being formed, a number of Maniapoto writing on behalf of the iwi and hapu of the district wrote to Seddon asking that the Rohe Potae district be treated as a distinct area. They referred to the confederation of five tribes that agreed to the creation of the Rohe Potae in 1883 and wanted to maintain recognition of it as a distinct and separate district.⁶

The second King Country boundary is what was officially termed the Aotea block and then officially designated as the Rohepotae (see figure 1). This block was determined by the Native Land Court in 1886 when Tuwharetoa and Whanganui lands were cut out of the larger 1883 area. However, officials were apparently already using the term ‘Aotea block’ before this, to describe what were regarded as largely Ngati Maniapoto lands in the western part of the larger district. For

5. Stout–Ngata report 1907, AJHR, 1907, G-1b, p 2

6. Letter to Seddon, 18 January 1901, MA-MLP 1901/34, box 1

Introduction

example, an 1884 survey report referred to the ‘Aotea block, comprising the greater part of the so-called King Country’, some two years before it was officially created by the Land Court.⁷ The Native Land Court also apparently preferred to regard this smaller Aotea block area as the actual ‘Rohepotae’ or King Country, while the larger area of the 1883 petition was apparently never officially recognised. The court often replaced the term Aotea block on maps for example, with the term ‘Rohepotae’.⁸ The area of the Rohe Potae (Aotea block) was estimated in 1907 at about 1,844,780 acres.⁹ While land purchasing had begun in the eastern and southern areas of the larger Rohe Potae by the 1870s, purchasing did not formally begin in the Aotea block until late 1889.

The third boundary is also an official creation but ironically was closer to the 1883 boundary as defined by iwi. The Native Land Alienation Restriction Act was passed in late 1884. This prevented private dealing in Maori lands in an area described in the Act’s schedule. This schedule and various amendments included most of the larger Rohe Potae and additional upper Whanganui lands. It was also what became known as the ‘railway area’, because loan money was made available for purchasing Maori land in the schedule through various Railway Acts. This district was estimated at the time as containing some 4.6 million acres, of which some 3.5 million acres were still Maori customary land that had not been investigated by the Native Land Court (see figure 1).¹⁰

The district known to officials and Ministers as the ‘railway area’ became quite important as an official entity during government land purchase operations of the 1890s. The government monopoly on dealing in Maori land and the relatively easy access to purchase money through railway loans meant the ‘railway area’ was treated as one district for the purposes of land purchase policies and tactics. Land purchase officers such as Wilkinson had purchasing responsibilities in the ‘railway area’, a larger district than the actual Aotea block. This meant that in spite of official and legal determinations, in practical terms the ‘railway area’ and the larger ‘rohepotae’ were often regarded as almost interchangeable by officials dealing in land in the 1890s. This has resulted in some confusion evident in official documents of the time, for example, where the Pouakani blocks are dealt with as part of the ‘rohepotae’.

The fourth boundary of interest for this report is the ‘King Country’ regional boundary adopted by the Waitangi Tribunal Rangahaua Whanui project (see figure 1). This boundary is slightly larger than the Aotea block, taking in more Taupo lands to the east, although not as much as the 1883 petition. The Rangahaua Whanui district boundaries were adopted on a purposefully arbitrary basis to simply give a rough idea of a district for the purposes of report writing. This report will therefore focus on the Rohe Potae (Aotea block) rather than the exact Rangahaua Whanui boundary. The additional lands to the Aotea block in the Rangahaua Whanui boundary have also already been covered in other reports. The

7. Report of Assistant Surveyor-General S Percy Smith, 8 August 1884, AJHR, 1884, sess ii, vol 1, C-1, n app 2, p 27

8. See for example, *Pouakani Report*, app 12, p 409

9. Stout–Ngata report, AJHR, 1907, G-1b, p 2

10. NZPD, 1884, vol 50, p 316

Introduction

Pouakani Report covers land to the east of the Aotea block and Evelyn Stokes' 'Mokau' report covers the southern Mokau district.

Terminology

The Rangahaua Whanui project has adopted the name 'King Country' for this district. It seems that in the nineteenth century the term 'Rohe Potae' was used by Maori and officials having close dealings with Maori. The term 'King Country' was used mostly by settlers, the media and by settler politicians in parliament. The term appears to have been used very imprecisely in the nineteenth century. It sometimes meant the larger area of the 1883 petition and then was gradually applied to mean only the Aotea block part of the district. In particular, in the years from the mid-1880s to the early 1890s it is often impossible to know what boundaries the term was being applied to.

To avoid (as far as possible) confusion over boundaries, and where distinctions are necessary and possible, the term 'larger Rohe Potae district' will be used for the district described in the 1883 petition. The term Rohe Potae (Aotea block) will be used for the smaller western area that is the focus of this report. The term 'King Country' as reported from official and media sources of the nineteenth century will be explained as necessary given the context in which it is used.

Nineteenth-century spelling of Maori names is erratic. The spelling also changes over time and is not helped by nineteenth century handwriting. Where possible (except in direct quotations) spellings used will be those commonly accepted today.

LIST OF ABBREVIATIONS

AJHR	<i>Appendices to the Journals of the House of Representatives</i>
app	appendix
ch	chapter
doc	document
encl	enclosure
MA	Maori Affairs
MA-MLP-W	Maori Affairs – Maori Land Purchase Department – Wellington
NA	National Archives
NZPD	<i>New Zealand Parliamentary Debates</i>
p, pp	page, pages
pt	part
s	section (of an Act)
sess	session
vol	volume
Wai	Waitangi Tribunal claim