

## CHAPTER 5

# MANA IN WAR AND PEACE

### 5.1 INTRODUCTION

McLean's transaction did not resolve the question of the ownership of the adjoining river, either on paper or in people's minds. At the time, the question was not in contention; nor was the deed cited as authority for river rights. Its ownership has really been raised only this century – most recently, as a result of this claim. After 1848, life on the river simply carried on and settlers used the lower reaches just as Maori did, neither thinking to question the other's use until some years had passed.

Question of  
authority leads to  
war

Certainly, Maori did not consider that their mana in respect of the lower river had gone. Naturally, they expected that settlers admitted to the coastal area would use the adjoining river, but custom dictated that the mana of the local hapu would be recognised too. Later, they protested against projects undertaken without their advice and consent.

Different Maori and Crown views on authority and relationships applied generally and led to war in the 1860s. In the opinion of the historian James Belich, 'an overarching cause' was that perhaps most British, not just the governors, were by a fatal tendency to believe that the Queen's Government must be demonstrably exercised over all those who, since the Treaty of Waitangi, had been regarded as British subjects. The Governor considered that nothing short of British control must prevail.<sup>1</sup>

This chapter considers the war as it affected Whanganui and its impact upon Maori interests in the river as a whole. At the end of it, Pakeha remained on the coast as before and Maori continued to control the interior. But once peace was secure, the Government was able to implement the policies designed to gain adequate control over the remaining Maori districts in the North Island.

Post-war, Maori  
considered their  
authority remained

Still, Whanganui Maori remained unbeaten and had cause to believe that their own authority would continue to be respected. The river was still their waterway, at least for the greater part, until it gradually passed from their control through Government policies and enactments over time.

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1. The cause of the war has been considered by the Waitangi Tribunal in *The Taranaki Report: Kaupapa Tuatahi*, Wellington, GP Publications, 1996, and by James Belich in *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland, Auckland University Press, 1986, p 78.

## 5.2 THE QUESTION OF AUTHORITY IN WAR

Growth of European settlement	Between 1848 and 1868, the settler population on the coast expanded from about 200 to 2120 in the town and 2000 in the Wanganui electorate, and by 1868 settlers owned or leased 120,000 acres of farm lands running 136,000 sheep, 12,000 cattle, and 3000 horses. <sup>2</sup> The picture painted by historians is one of rapid growth, early prosperity, and relative security. Even in the war years, the local economy was boosted by the presence of a military garrison. The population trebled after General Cameron's troops arrived, and many soldiers took their discharges in the district. <sup>3</sup>
Maori development	Maori developed too. With peace, Christianity, and the introduction of European agriculture and trade, defensive, cliff-top pa were abandoned for kainga on the river plains and valleys, most apparently having shifted by 1852. The large populations of the pa at Pukehika and Operiki dispersed and resettled beside the river at Kauaeroa, Tawhitinui, Kauika, Karatia, Parikino, Tunuhaere, and Koroniti. <sup>4</sup> Major building projects, often involving more than one hapu, provided new homes, meeting houses, and churches. Although the traditional framework for whare and whare runanga was still used, European tools, pit-sawing, shingling, and weatherboarding were increasingly applied. <sup>5</sup>
Joint development	The settlers provided markets for the Maori communities, and new forms of production were introduced. Flax continued to be traded until the 1850s, and wheat growing became popular. There were 1300 acres under cultivation in 1848, and in 1850 Governor Grey financed Maori to build flour mills at Kaiwhaiki, Operiki, Kawana, and on the Kaukore Stream near Pipiriki. <sup>6</sup> 'The beach' on the river at the Wanganui town, Pakaitore to Maori and Taupo Quay to Europeans, became the canoe landing site and marketplace for Maori and settler trade. <sup>7</sup> A bond between Maori and Pakeha seemed feasible.
Detrimental aspects	Contact with Europeans had adverse effects on Maori health and mortality, however. Epidemics of influenza, whooping cough, mumps, and measles swept through the river kainga, and the Reverend Richard Taylor noted that 'many of them were cut off'. <sup>8</sup> Early population counts or estimates are unreliable, but the trends are more certain. From about 1840, the Whanganui Maori population declined and had very poor fertility and replacement ratios. <sup>9</sup>

2. James Belich, *I Shall Not Die: Titokowaru's War: New Zealand, 1868–1869*, Wellington, Allen and Unwin, 1989, pp 23, 31–32

3. Ibid, pp 25–26

4. Richard Taylor to Church Missionary Society, 5 August 1852, QMS 1984–1999, ATL, Wellington (cited in doc A47, pp 24–25)

5. Janet Murray, 'A Missionary in Action: The Reverend Richard Taylor Among the Wanganui Maoris in the 1840s and 1850s', in *The Feel of Truth: Essays in New Zealand and Pacific History*, Peter Munz (ed), Wellington, AH and AW Reed, 1969, pp 205–206

6. T W Downes, *Old Whanganui*, Hawera, WA Parkinson, 1915 (doc A40), pp 94, 318

7. M J G Smart and A P Bates, *The Wanganui Story*, Wanganui, Wanganui Newspapers, 1972, pp 33, 175

8. Richard Taylor journals, vols 2–3, 28 November 1844–c15 September 1854, ATL (cited in doc A47, p 7)

9. Ian Pool, *Te Iwi Maori: A Population Past, Present and Projected*, Auckland, Auckland University Press, 1991, ch 5, particularly pp 91, 95–96, 99; doc A47, pp 40–41

While there were opportunities for Maori and Pakeha trade, the growth rates of the two were not the same. Maori goods were required less as settler agriculture increased. New foods were introduced, but Maori remained reliant on traditional harvesting. Gift exchange and ceremonial feasting continued as before.<sup>10</sup> The mutual dependency inherent in customary relationships was undermined by the scale of European arrivals, which created an imbalance of power that put customary authority at risk.

This was not so apparent to those on the Putiki reserve. The rangatira Te Anaua and others were treated civilly in the township, with every courtesy and respect, for trouble from the interior was always a possibility and their friendship was valued. The rangatira may not have appreciated, however, the fine line between respect and patronage.

Maori who found work as seasonal and casual labourers and minor officials no doubt saw the benefits of regular pay, but they may not have appreciated the distinction, formerly unknown to Maori, between working for someone else and being in control.

Still, an interdependent relationship had developed. When war came, most Putiki Maori did not take arms against the Government.

Maori throughout the river traded at the town, and the river may have been more used by them than before. As the initial work of the Church Missionary Society mission at Putiki-wharanui shows, the river served as a connecting link for the various hapu even before the township was fully established. Taylor was regularly up and down the river, and Maori from all parts attended his mission. His Christmas hui, coinciding with the annual down-river migration for fishing, attracted large numbers. Maori also provided virtually all river transport for Europeans until the early 1890s. Maori dominance over river transport, before the advent of steamers, was such that some European travellers felt hard-done-by paying the charges demanded.<sup>11</sup> Apart from the coastal flats, the Whanganui lands were still in Maori hands.

Enhanced role of river

The idyllic life that Taylor worked to create proved illusory. Only 12 years after McLean's transaction, war was resumed on an unprecedented scale in Taranaki, and Atihaunui became involved.

Clouds of war

By the late 1850s, Te Atihaunui could no longer be indifferent to the growing determination of Ngati Ruanui, Taranaki, Te Atiawa, Ngati Tuwharetoa, Ngati Maniapoto, and Waikato to resist further European encroachments by placing their land under the mana of a Maori king.<sup>12</sup> Given the strategic importance of the

10. Document A47, pp 26–27 (citing various Richard Taylor journal extracts, ms 254, ATL)

11. James Belich implies that, such was the Maori monopoly on the provision of river transport, paddlers could demand higher payment: Belich, *I Shall Not Die*, p 31. We note that Belich's apparent construction of a two-day journey from Wanganui to Pipiriki is incompatible with Richard Taylor's 1850s (as well as other) descriptions of upriver journeys. A journey downriver could take as little as three days, while a journey upriver would take from 10 days to a fortnight: W Swainson, *Auckland: The Capital of New Zealand*, London, Elder Smith, 1853, p 118 (cited in doc A47, p 9).

12. Taylor to Native Secretary, 4 September 1861, AJHR, 1862, E-7, p 29 (cited in Suzanne Cross and Brian Bargh, *Whanganui District*, Waitangi Tribunal Rangahaua Whanui Series (working paper, first release), April 1996 (doc E2), p 25)

Whanganui River, the Kingitanga supporters courted the Whanganui hapu. Te Anaua, Te Mamaku, and Te Pehi were each offered the kingship but declined.<sup>13</sup> Te Mamaku and Te Pehi were sympathetic, and later joined the Kingitanga movement, while Te Anaua remained apart. Te Pehi, his brother Tahana, and his son Turoa Topia became the Whanganui leaders of the Kingitanga, and Pipiriki was to become the southern boundary of the Rohe Potae – the district immediately subject to the authority of the Maori king.

Kingitanga as  
pro-Maori but not  
anti-Pakeha

The Kingitanga was portrayed by Governor Grey as a challenge to British sovereignty, but modern historical opinion does not support that view. The movement sought rather to limit European expansion so that Maori authority over Maori land would remain:

The King would have mana over his lands, the Queen over hers 'but that their love [aroha] should be one, in accordance with the precepts of God and that the king should have love for both races and protect them.'<sup>14</sup>

In September 1861, after the war had begun in Taranaki, Taylor wrote to the Native Secretary, reflecting a personal view:

The Upper Wanganui chiefs appear generally to side with the disaffected, and to sympathise with the King Movement. They openly say that in the case of the King being attacked at Waikato, they should go and join in his defence; but one and all express their kindly feeling to the settlers, and their unwillingness to have the war brought into this district. The lower Wanganui Natives are decidedly attached to the Government, though alarmed at the military preparations, and especially by the calling out of the militia.<sup>15</sup>

Internal policy  
divisions

Taylor and most settlers saw Maori as divided on policy according to upper and lower river sections, but the reality was different. In the kainga between Pipiriki and Kaiwhaiki, 'friendly' Maori and 'Kingite' Maori lived side by side.<sup>16</sup> Many kainga from Pipiriki to Putiki were theatres of intense ideological debate, as runanga (councils) to administer the Maori King's law were established as far south as Kaiwhaiki, and runanga for the Queen's law were set up at Putiki, Aramoho, Koriniti, Hiruharama, and Ranana.<sup>17</sup> In context, the issue was not about whose law would apply but about alternative political strategies.

Religious divisions

Religious differences between people, even in the same hapu, also assumed political significance. Te Pehi Topia supported the Roman Catholic mission at Kauaeroa and persuaded Catholics nearby to declare for the King. Then Taylor

13. James Cowan, *The New Zealand Wars and the Pioneering Period*, 2 vols, Wellington, Government Print, 1922–1923, vol 1, pp 445–446; DNZB, T24, p 440, T49, p 470

14. *Te Hikioi*, 8 December 1862 (cited in Alan Ward, *A Show of Justice: Racial Amalgamation in Nineteenth Century New Zealand*, Auckland, Auckland University Press, 1974, p 100)

15. Taylor to Native Secretary, 4 September 1861, AJHR, 1862, E-7, p 29 (cited in doc E2, p 25)

16. 'Sketch of the Coast between the Rivers Manawatu and Patea and of the River Whanganui', November 1862, MA24/22 (cited in doc E2, p 27)

17. Document D25, pp 19, 21; 'Sketch of the Coast'

excluded from his Anglican services those Maori who were opposed to the Government.<sup>18</sup>

In May 1864, an armed party of members of the Pai Marire faith arrived at Putiki and challenged Te Pehi and his followers to embrace this new religion. It appears that some did.

It cannot be said of the war, when it came, that this hapu was on one side or that hapu was on another. People acted variously and changed positions over time. Leaders embarking for the Taranaki war might need to canvas several hapu to raise a respectable force. Motives varied, one being support for Taranaki relatives on account of old ties. In brief, the popular settler view that lower river Maori were loyal and upper river Maori were not was far removed from reality, and the classification of hapu as 'Kingites', 'Queenites', Anglicans, Catholics, 'loyal', and 'hostile' was largely their perception.

Whanganui Maori fought on both sides in the first Taranaki war. Two years later, Governor Grey reoccupied the Tataraimaka block, which was Pakeha land that had been occupied during the first Taranaki war, in reprisal for the taking of Waitara. Some Kingite and Queenite Whanganui Maori were sufficiently outraged to assist Taranaki Maori in the second Taranaki War against troops under Lieutenant-General Duncan Cameron. Even here, Whanganui Maori fought on both sides of the conflict, and chiefs would change sides for their own reasons.<sup>19</sup> For example, Te Mamaku and Te Pehi remained neutral in the Taranaki wars except to take part in the Tapuiwaewae raid of 1863, when they were avenging the death of Whanganui chief Hori Patene at the recent battle of Katiare.<sup>20</sup>

Many of the Maori who had suffered land confiscation became followers of the religious prophet Te Ua Haumene. His Pai Marire faith, also known as Hauhauism, was based largely on the Old Testament and spread rapidly from Taranaki to the Bay of Plenty, Taupo, Urewera, and the East Coast, and included Whanganui. It was opposed to missionary-controlled Christianity.

In 1864, the war came to the Whanganui River itself with the battle of Moutoa, but significantly the battle was fought between Maori and did not involve Government troops. Moreover, it was not a battle between upriver Maori opposed to Europeans and down-river Maori who supported them, as it has often been portrayed. The issue was whether an upriver group should be allowed to attack the Europeans at Wanganui and could use the river 'highway' for that purpose. The questions were whether all would be implicated if one war party were allowed to pass through and whether the war would then be brought to the kainga of the

Varying  
participation in the  
Taranaki war

Battle of Moutoa on  
the Whanganui  
River

18. Document D25, p 22; DNZB, L1, p 235; Richard Taylor journals, vol 12, 26 April 1862, ATL (cited in Paul Clark, *'Hauhau': The Pai Marire Search for Maori Identity*, Auckland, 1975, p 70)

19. Document D25, pp 6, 13–14. For example, Inia Te Marahi fought on the side of the Crown in the first Taranaki war and Ao o Te Ranapi Haimoana Hirotu fought against the Crown, while Topine Te Mamaku joined in the conflict against the Crown in the second Taranaki war: see also Cowan, p 164.

20. David Young, *Woven by Water: Histories from the Whanganui River*, Wellington, Huia Publishers, 1998, p 55 (citing Turoa to Ezekiel, George, Henry et al, AJHR, 1863, E-3, pp 50–51, and Richard Taylor journal, 8 September 1863); doc D25, pp 13, 15–22

Atihaunui people. The assumption was that the hapu could control passage along the river.

More particularly, the Hauhau taua that had arrived unannounced at Pipiriki under Matene Rangitauira of the upper river reaches challenged Te Pehi to allow them to move down the river to attack the Wanganui town. It is to be noted that they did not assume a right of free passage when travelling for war-like purposes.

Te Pehi appears to have played for time, suspending deliberation and delaying the war party while he sought the opinions of hapu as far south as Tawhitinui, 16 kilometres downstream. Predictably, they were thrown into turmoil, some wanting Te Pehi to join Matene, others believing that Matene should be allowed to pass through, and others again that he should not be so permitted. In the meantime, Te Pehi had sent a warning to Te Anaua, at Putiki, of the journeying party.<sup>21</sup>

Te Anaua mobilised a force under Metekingi, nominating the Ngati Hine boundary at the north end of Moutoa Island, within his own territory, as the point beyond which Matene could not proceed without a fight. Intensive diplomacy failed to get Matene to back off. Some Whanganui chiefs sided with Matene, but most joined Metekingi or, like Te Mamaku, remained neutral. On the morning before the attack, two old men, ‘ancestors of all the Ranana people and several up the river’, took their stand on each side of the river and throughout the day held a rope across the river, ‘as a sign to the Hauhaus that they were not to pass’.<sup>22</sup> Matene’s warriors came close to defeating Metekingi’s force, but were finally driven back to the right bank. In the fighting, some of the Pai Marire taua were taken prisoner and Matene was killed, but Metekingi let the remainder of his taua retreat unmolested.<sup>23</sup> James Cowan considered that:

An uncompromising refusal of the right of way was returned by Haimona Hiroti, Mete Kingi, and the other leaders, not so much out of regard for the pakeha of the Town of Wanganui as for the mana of their river. Ngati-Hau, Ngati-Pamoana, and the lower-river men were resolved to resist to the utmost the insolent passage of an enemy war-party.

But they fought also to protect Wanganui Town, and their determined stand won the gratitude of the townspeople and the Government.<sup>24</sup>

On our analysis, the Pai Marire incursion was not, as has been claimed, a re-enactment of a historical animosity between ‘upper’ and ‘lower’ river hapu but a threat, as much to Te Pehi and the other Kingite leaders as to those called ‘friendly’.<sup>25</sup> Though they employed different tactics, they were generally imbued by a common strategy of protecting ancestral land, minimising the risk to their

21. Document D25, pp 19–21; Tinirau pamphlet, Wanganui Museum (cited in doc A49(a), p 85). For other accounts of the battle see *The Wanganui Chronicle*, no 18, 21, 28 May 1864; John White, outward correspondence, MS 75, ATL; see also DNZB, T49, p 470

22. Tinirau pamphlet

23. Ibid; Cowan, vol 2, pp 32–36

24. Cowan, vol 2, pp 32, 36

25. Document E2, p 29

Figure 8: Moutoa Island on the Whanganui River.  
Photograph courtesy Alexander Turnbull Library (F75310½).

people, limiting the conflict, and doing what was necessary to limit its consequences as well.

Crown historian Fergus Sinclair considered that ‘it seems an artificial reading of the evidence to suggest that the battle of Moutoa symbolises Maori as opposed to European control of the river’.<sup>26</sup> While control of the river was not the central issue, the important point is that control is what Maori asserted in fact and that, in doing so, they followed historical precedent. It is indicative that the river was seen as part of their territory.

Maori authority and  
control of river  
passage

Although the battle may not have related to a contest between Maori and European over control of the river, the circumstances show how Maori authority was still intact. The surrounding land was still Maori land, tribal structures were still intact, the only Europeans in the vicinity were under Maori protection, and it was Maori who kept them from harm, or for their own reasons chose not to.<sup>27</sup> The battle itself was fought at a place of no strategic importance for a defence of Wanganui, but it was a marker of spiritual significance for the hapu of Tupoho, and as a result of the battle, the mana of Tupoho was greater.<sup>28</sup>

Following the battle of Moutoa, and with concern for the settlers’ security, the Governor and his Ministers saw the need to assert the authority of the Queen while avoiding a recourse to arms, unless that were necessary. He demanded that Maori show their loyalty to the Queen and deliver to him the prisoners taken in the battle. The lower river Maori were probably most interested in protecting ‘their valuable entrepôt of Wanganui Town’.<sup>29</sup> Once the battle was over, Matene’s people were still

Issue of prisoners

26. Document C10, p 87

27. Document D25, pp 16, 20–21

28. Tinirau pamphlet

29. Belich, *The New Zealand Wars*, p 212

their relatives and it was time to mend bad feelings. Moreover, the battle had been Maori business and Imperial troops had had no part in it.

However, the provincial superintendent, Dr Featherston, arrived with 25 men of the colonial defence force. Escorted by Te Anaua, they proceeded up the river. Meetings were held at Raorikia, Parikino, Koriniti, Ranana, and Pipiriki. Despite passionate pleas from Te Anaua and Te Pehi, the provincial superintendent determined that the prisoners had been in arms against the Queen and must be held by the Government.

Maori agreed. To have opposed the superintendent's request may well have led to the arrival of troops on grounds of suspected disloyalty. Te Anaua's response reveals his anguish: 'the hearts of all the chiefs and their people are dark, very sad this morning . . . because of these prisoners. They are our friends and nearest relatives; but we shall take and give them up to you.'<sup>30</sup>

Pipiriki stockade  
and war

None the less, each side remained suspicious of the other, and for lower river Maori there was always the prospect that those whom they had defeated in battle would seek utu. The official documentary record is that 'friendly' Maori sought military settlers and the construction of roads.<sup>31</sup> Clearly, however, the Government also desired a presence. A stockade was established at Pipiriki and manned by colonial militia, supported by a native contingent of about 60 under Captain Te Keepa Rangihwinui (later Major Kemp).

Te Pehi appears to have seen this as a challenge to his authority and responded by building fighting pa at Pukehinau and Ohinemutu, about two miles further up the river. It is said that he was supported by nearly 1000 warriors from 'all the Upper Wanganui hapus as high up as Taumarunui, and many men of Ngati-Maniapoto, Ngati-Raukawa, and Ngati-Tuwharetoa'.<sup>32</sup> Following skirmishes, a truce was arranged and both sides agreed to disengage. Maori maintained their authority, but their territory had been penetrated by Government forces.<sup>33</sup>

Maori negotiations  
for internal unity  
and peace

Concerted Maori efforts to secure peace with the Government and unity amongst the hapu followed. Nearly six years of diplomacy was required to restore the broken canoe. Te Anaua made the first move, in 1865, travelling up the river to Te Pehi, and stopping beside Ohinemutu, which had been razed during military operations. There, he twisted a knot in a taunoka shrub and said: 'I have made this knot that there may be peace inland of this place.'<sup>34</sup> The taunoka creeper interlaces itself to become strong and impenetrable, and so was his meaning made known – the Whanganui hapu must unite as the plaited rope of the taunoka creeper. His process of reconciliation was called Whiritaunoka (to plait the taunoka vine).<sup>35</sup>

30. 'Report by his Honour the Superintendent of Wellington, of the Battle of Motua, and Subsequent Events on the Wanganui River' in 'Further Papers Relative to the Native Insurrection', AJHR, 1864, E-3, p 83

31. Ibid, p 82

32. Cowan, vol 2, p 38

33. Ibid, p 37

34. 'Notes of Native Meetings Held in Upper Wanganui', AJHR, 1870, A-13, p 3

35. Ibid; Father Jean Marie Vimbaud SM memoirs, DNM17(i), Archives of the Society of Mary, Wellington (cited in doc D15, p 4)



Replying, Te Pehi built a meeting house called Te Ao Marama (the world of light that follows the dark). When Te Anaua died, in 1868, before the work was completed, his life-sized effigy was carved for a centre post.<sup>36</sup> Te Anaua had led his people through the turbulent years of European settlement and war. By the time of his death, a new generation of Tupoho leaders, among them Te Keepa and Metekingi, were to follow in his footsteps.

In the year of Te Anaua's death, 110 highly skilled warriors under Te Keepa were a significant part of the colonial forces facing Titokowaru. Even here, hapu and iwi agendas predominated, with the Kingitanga bringing considerable pressure to bear on Whanganui kupapa (those who fought with the Crown against other Maori) to cease supporting the Government against Titokowaru, while Te Keepa was determined, primarily for reasons of mana, to fight alongside the Crown.<sup>37</sup>

Peace was elusive at first, owing to a development that threatened to divide, though it eventually assisted unification. The opening of Te Ao Marama coincided with Te Kooti's running battle with the Government. In September 1868, Te Kooti had been defeated at Te Porere, near Rotoaira, by Government forces that included a Maori contingent under Te Keepa. Te Kooti escaped and, at the time of the opening of Te Ao Marama, was reported to be hiding in the upper Manganuiateao.<sup>38</sup> Would local Maori assist his capture or would they support him?

Te Kooti issue

Once more, there were divisions. The opening of the house turned into a dramatic meeting, the Kingites favouring Te Kooti, others supporting the Government, and two days of plain speaking proving inconclusive. Some tension was eased when a message from King Tawhiao renounced Te Kooti; thereafter, the Kingite, Turoa Topia, declared that he would pursue Te Kooti if he were given guns to do so. That raised two more questions: whether neutral hapu would allow a taua against Te Kooti to use their part of the river and whether those supporting the Government, and the Government itself, could trust the Kingite warriors with guns and ammunition.<sup>39</sup>

Discussion continued at Ranana nine days later, with Te Keepa present, followed by a meeting with the Premier, William Fox, who was conciliatory. He assured all that they would not be punished with land confiscations if they now rejected Te Kooti, whatever their history in the recent war. Advised by Te Keepa and Metekingi, Fox agreed to trust Turoa Topia to fight Te Kooti, and let him have a stand of arms. In return, Topia promised to work with the Native Minister, Donald McLean, in the cause of peace.<sup>40</sup>

Thus was the reconciliation advanced a stage further. The Premier was then welcomed to Te Ao Marama, where the last word was left to Tahana:

Let this first day of December, 1869, be the first day in our new life; let all the old thoughts and grievances be washed out; let this house, the Aomarama, be as the pool

36. 'Notes of Native Meetings Held in Upper Wanganui', AJHR, 1870, A-13, p 3

37. Belich, *The New Zealand Wars*, pp 238, 256

38. 'Notes of Native Meetings Held in Upper Wanganui', AJHR, 1870, A-13, p 5

39. Ibid, p 5

40. Ibid, pp 7-10

Figure 9: Te Keepa's pole at Raorikia, Whanganui River.  
 Photograph courtesy Alexander Turnbull Library (Harding–Denton collection, G477½).

of Siloam. . . . let all the old prejudices and old feuds be washed away. . . . When we separate do not let this be a long separation; let the Pakeha and the Maori come to the Aomarama, and let us hope for better times for the future.<sup>41</sup>

**Te Mamaku's  
change of mind**

Finally, Te Mamaku came over, though he remained a Kingite throughout. He was not opposed to the taua against Te Kooti as such, but at first he would not let them use his stretch of the river.<sup>42</sup> By the end of the year, however, he had withdrawn this opposition. Te Kooti's continuing, elusive presence in the bush appears to have encouraged him, and he made his peace with the Government. In March 1870, he sent his wife down the river 'for the purpose of making peace with Pehi and the rest of the Government Natives'.<sup>43</sup> When Richard Woon, the recently appointed resident magistrate for the upper Whanganui, visited Maraekowhai in April, he was overwhelmed by the warmth of his reception. Te Mamaku and his people, he reported, earnestly desired that 'Wanganui tribes may once more become a united people under the Queen'. At Te Mamaku's request, he held sittings at Maraekowhai and other settlements high up the river.<sup>44</sup>

41. 'Notes of Native Meetings Held in Upper Wanganui', AJHR, 1870, A-13, pp 10–11

42. 'Further Papers Related to Military Operations Against Rebel Native', AJHR, 1870, A-8A, p 18

43. 'Reports From Offices in Native Districts', AJHR, 1870, A-16, p 22

44. 'Further Reports from Officers in Native Districts', AJHR, 1871, F-6B, pp 9–20

Te Mamaku and Te Pehi then attended a peace meeting at Putiki-wharanui in April 1872 under the auspices of Te Keepa to confirm peace and unity amongst the Atihaunui hapu from the source of the river to its mouth. Peace with each other and with Pakeha was symbolised when Te Pehi's brother, Tahana, wrapped a dogskin mat and a blanket – the clothing of Maori and Pakeha – around a young girl, and the girl was handed over to Topine, signifying how Whanganui Maori had come together again. Te Mamaku for his part presented Te Mawae with a magnificent canoe in honour of his dead brother, Te Anaua. The symbolism was again evident. A new canoe had been fashioned.<sup>45</sup>

Peace and unity  
secured

Thereafter, Te Mamaku continued to exert his influence from the river's upper reaches until his death in 1887.<sup>46</sup>

So ended the war, though the significant aspect of it for the purposes of this claim is that, at the end of it, the mana of Atihaunui remained. Peace was not a capitulation. It was simply something that was desired.

Retention of mana  
and river control

As for the river, during the war Maori continued to assume the right to control river passage in the time-honoured way. Though in practice the right could not always be maintained – against Government forces, for example. There had been no conquest that could take away the right altogether, and it was not part of the peace agreement that Maori should have to open their traditional territory to settlement. No authority was ceded. No surrender was made, and by 1870 the Government was as anxious for peace as anybody. It was sufficient that it had shown that it was a force to be reckoned with.

Subsequent conduct corroborates the Maori view that their authority remained as before. This is covered in the next section, but we note for now that in 1880 Te Keepa, the Maori fighter for the Government, erected a pole on the river near to where the coastal flats met the hills. His pole was to mark the outer limit to European expansion without his approval. At the same time, he proposed that the hapu place their lands into a single trust to prevent their further alienation. Thus, the inefficacy of 'Kingite' and 'Queenite' labels. Here, the Queenite was proposing the principle to which the Kingites had adhered.

Te Keepa's pole

### 5.3 THE QUESTION OF AUTHORITY IN PEACE

Following the peace pact of 1872, from a Maori point of view the issue of authority remained alive as before. For the New Zealand Government, peace was the opportunity to promote colonisation with renewed vigour. While there were four Maori members of Parliament, they tended to represent kupapa interests. The Government was well aware that control still had to be extended into many of the lands of those it had fought against. This included mainly central North Island land, which had to be purchased and opened up.

Assumptions on  
authority after the  
war

45. Resident Magistrate Woon to Native Minister, 23 April 1872, AJHR, 1872, F-3A, p 3

46. DNZB, T49, pp 469–470

**Government policy  
of rapid European  
settlement**

Under Sir Julius Vogel's policy, the Government pursued a bold, comprehensive strategy to ensure a steady European advance into Maori districts, borrowing heavily to assist immigration and to build a telegraph system, railways, and roads. An increasing European presence, it was envisaged, would help pacify Maori districts and extend the rule of British law, while the progressive acquisition of Maori land for settlement would strengthen the colonial economy.

**Associated  
legislation**

Preceding the policy was a raft of facilitating statutes. The two most well known being the euphemistically named New Zealand Settlements Act 1863, under which land was confiscated for military settlements in proclaimed districts where a considerable portion of Maori had been engaged in 'rebellion'. The aim was to establish a sufficient number of settlers able to protect themselves and preserve the peace, and to defray the cost of the war.

**Impact of the Native  
Land Acts**

The historical record shows that the Native Land Court process facilitated the purchase of Maori land and partition. It did so by obviating the widespread tribal opposition to land sales by enabling the Crown and private purchasers to buy direct from individual Maori shareholders named on the certificate of title awarded by the court.

Few things could have been more threatening to the peace pact of 1872. Not merely a peace with the Government, it had been intended to unite the hapu. Like Te Keepa's trust, it had augured of an iwi control, not dealings by the Government with individual Maori shareholders. This threat to Maori autonomy applied nationally, and throughout the country Maori reacted with various national and regional schemes.

These schemes are now briefly considered to show how Maori saw their own authority as continuing, while appreciating that the new environment compelled the taking of special steps to maintain it.

### 5.3.1 The quest for national autonomy

**Maori autonomy  
and the repudiation  
movement**

From the early 1870s until after the turn of the century, large intertribal meetings were held to formulate a coherent policy of self-government and self-administration of land, and to devise an organisational structure that the Government could work through. In May 1874, Henare Matua, the chief Ngati Kahungunu spokesman of the Hawke's Bay repudiation movement, and 100 followers attended an eight-day meeting on the Whanganui River at Kaiwhaiki. In his speech, Matua said that all land selling and leasing should cease, the Native Land Court should be abolished, every major tribe should be represented in Parliament, and roads, telegraph lines, and railways should not traverse Maori land. Over 300 Whanganui Maori gave their names as active supporters, and a council of 12 was elected to present their grievances and demands to Parliament.<sup>47</sup>

**Komiti and the  
Maori parliament**

The movement, which began in Hawke's Bay, was to take a national character and lead to a resurrection of a Maori parliament along the lines of that set up by

47. DNZB, M38, pp 284–285; Woon to Native Secretary, 16 June 1874, AJHR, 1874, G-2, pp 15–16 (cited in doc E2, p 38)

Governor Browne at Kohimarama in 1860. First, a network of komiti, or committees, was formed. Whanganui representatives attended large meetings held for the purpose at Porangahau in 1874, Pakowhai in 1875 and 1876, Omaha in 1877, and elsewhere. Maori, it was considered, should organise their own land management policies through their own parliament.<sup>48</sup>

In 1877, Mete Kingi built a 'quasi-parliament' called Te Paku o te Rangi at Putiki, and in 1881 the Ngapuhi people built the meeting house Te Tiriti o Waitangi in the Bay of Islands. Both places were the centre of talk for the establishment of a Maori parliament for Maori and the tribes as a whole.<sup>49</sup>

The intention was to separate in order to ensure that Maori people would decide Maori policy, rather than have Pakeha do it for them. In consequence, the two races would work together more harmoniously, not one above the other but each cooperating in their own ways. Some of the staunchest adherents of a Maori parliament, like Te Keepa and Metekingi in Whanganui, were those who had acted in alliance with the Government in the war. Moreover, Metekingi and other kupapa held the four Maori seats in the New Zealand Parliament.

Such a position was not understood by most Pakeha and was more often than not seen as a threat, rather than a basis for peaceful coexistence. Petitions asking for a Maori parliament were ignored. In 1879, Paora Tuhaere, a Ngati Whatua chief who had also stood in alliance with the Government during the war, reconvened the 1860 Kohimarama conference at Orakei. Some 300 chiefs discussed the Treaty of Waitangi as 'a covenant of peace' and a basis for unity, not only for the tribes but for Maori and Pakeha. Again, this was to no avail.<sup>50</sup>

1879 Kohimarama  
conference

After the Orakei meeting, the drive to establish a Maori parliament was taken up by the Kotahitanga, or unity movement. The goal was to obtain parliamentary authority for a Maori parliament established in accordance with the principles of the Treaty of Waitangi, and to have self-governing Maori districts set aside as provided for in section 71 of the New Zealand Constitution Act 1852. Once more, the Whanganui tribes were involved, and once more the proposal was not seen as separatist. As Te Keepa said, 'It was only by working in friendly relations with the Pakeha that they could attain their desired ends.'<sup>51</sup>

Kotahitanga  
movement

Still the Government was not sympathetic, and the proposition appears to have received no serious consideration by the House. Eventually, in 1888, an intertribal meeting at Putiki resolved to create a Maori parliament. In 1891, the Kingitanga established its own parliament – Te Kauhanganui – but not all could support a parliament under the King's name, and in January 1892, at Parikino on the Whanganui River, a representative committee of 80 was formed to draft suitable legislation for another. A constitution comprising a lower house elected by tribally based districts and an upper house of chiefs was adopted at Waitangi in April, and

Maori parliaments

48. Keith Sinclair, *Kinds of Peace: Maori People after the Wars, 1875–85*, Auckland, Auckland University Press, 1991, pp 105–110

49. For an overview of these initiatives, see Ward, p 272; doc E2, pp 45–46.

50. Ward, pp 115–118, 272

51. Cited in John Williams, *Politics of the New Zealand Maori*, Auckland, Oxford University Press, 1969, pp 48–67, especially p 49

the first parliament assembled at Waipatu in June 1892. Thereafter, it met annually at different places until 1902, when a motion to disband was passed.<sup>52</sup>

### 5.3.2 The quest for local autonomy

Rohe Potae (King Country)

Action at a local level varied from place to place throughout the country, but here the concern is with that action taken in the Whanganui district. A part of the upper catchment area was included in the Rohe Potae (King Country). This lay behind the aukati (boundary) erected by the King party along the confiscation line. After defeat in Waikato and the loss of Waikato and Waipa land in 1864, Tawhiao, the Maori King, withdrew into the fastness of his Ngati Maniapoto domain. Europeans were denied access, and the King called on his supporters to keep surveyors and the Native Land Court out of the King Country.<sup>53</sup>

Runanga and Maori justice systems

At places along the river, however, new runanga, sometimes called komiti, were established to administer local affairs. About 1861, runanga had functioned amongst Ngati Kahungunu of central Hawke's Bay, who had not joined the Kingitanga movement but desired none the less to keep social order and stop land selling; the pattern was similar in other places.<sup>54</sup> In 1862, Governor Grey had tried to incorporate a system of village and district runanga into the structure of Government on the basis of 1858 legislation. According to historian Keith Sinclair, 'in the atmosphere of uneasy peace after the first Taranaki war, the system did not work and little was achieved'.<sup>55</sup> In the 1870s, Maori in many districts created their own runanga or komiti, which were sometimes indistinguishable from runanga. In 1875, and again in 1878, Richard Woon, a resident magistrate, reported that a runanga was operating on the Whanganui River at Parikino, where his court sat. It was summoning people for minor offences, imposing fines, seizing property, settling land disputes, issuing certificates of title for land, and charging fees.<sup>56</sup>

Runanga opposition to the Native Land Court

The runanga was also very much concerned with land affairs and attempted to thwart the Government's presumptive control of Maori land through the Native Land Court. The court was a direct affront to their rangatiratanga, their right to manage and control their own resources themselves. When the court began to investigate and award title to land adjoining the river, as a prelude to land buying from individuals, the Whanganui rangatira sought to keep the matter out of the court by settling their land boundaries themselves.

52. Williams, pp 48–67

53. M P K Sorrenson, 'The Maori King Movement 1858–1885', in *Studies of a Small Democracy: Essays in Honour of Willis Airey*, Robert Chapman and Keith Sinclair (eds), Auckland, Auckland University, 1963, pp 48–55; Cathy Marr, *The Alienation of Maori Land in the Rohe Potae (Aotea Block), 1840–1920*, Waitangi Tribunal Rangahaua Whanui Series (working paper: first release), December 1996, ch 2

54. As considered by the Waitangi Tribunal in *Tē Whanganui-a-Orotu Report 1995*, Wellington, Brooker's Ltd, 1995, sec 5.4.2; J Rutherford, *Sir George Grey KCB, 1812–1898: A Study in Colonial Government*, London, Cassell, 1961, pp 457–459, 477, 569

55. Sinclair, pp 99–102

56. Ibid, p 105; Woon to under-secretary of Native Affairs, May–June 1874, AJHR, 1874, G-2, pp 14–18 (cited in doc E2, p 38)

At Parikino in May 1871, the Whanganui and Ngati Apa rangatira and representatives from Ngati Raukawa and Ngati Whiti agreed, 'for the most part', that the boundaries of their lands lying between the Whanganui and Rangitikei Rivers inland to the base of Tongariro would remain in tribal title. Then, at Koriniti in February 1872, some 300 people from all parts of the river between Putiki and Jerusalem discussed the setting aside of land between the Whanganui and the Turakina Rivers, and in the neighbourhood of Atene and Ranana, as a reserve in perpetuity for their descendants.<sup>57</sup>

Runanga  
establishment of  
tribal boundaries

Prominent in this plan to prevent the further alienation of Maori land through the Native Land Court subdivision and individualisation of customary title was a scheme promoted amongst the hapu by Te Keepa. This former Government ally had been relieved of his duties as a native assessor in the resident magistrate's court and as a land purchase officer for opposing surveys and land sales around Murimotu. Adopting both Maori and European techniques, in 1880 Te Keepa proposed that the Atihaunui people should place their land in a trust to control its alienation much as the Reverend Henry Williams had attempted 41 years before. In this case, the intention was that the trust should put the land through the Native Land Court to obtain 'a marketable title', set aside inalienable reserves, and open up land for settlement under its control.

Te Keepa's land trust

Te Keepa was joined by a council of some 180 Whanganui leaders and signatories to the trust, including a number who were minor office holders in the Government.<sup>58</sup> For reasons that are given later, the scheme could not withstand the omnipresent programme of the Native Land Court.

### 5.3.3 The quest for river control

In an assertion of control of the river, Te Keepa imposed an aukati. A carved post some 30-feet high was erected at the confluence of the Kauarapaua Stream and the Whanganui River to mark where the boundary for the land trust commenced. Te Keepa announced that the river above Raorikia would thenceforth be closed to all Pakeha without a pass signed by him.<sup>59</sup>

Assertion of river  
control

This was neither the first nor the last time that Whanganui Maori, assuming a right of river control, imposed either an aukati (a boundary beyond which no one is supposed to go) or a rahui (a restriction most commonly used on resources to ensure they were not depleted). While Europeans thought of the river as a public highway open to all, to Whanganui Maori it was a tribal waterway over which their rangatira exercised authority. From time immemorial, customary rights, protocols, obligations, and sanctions had governed its use. At times, control was demonstrated by rahui to reserve parts from use and aukati to control river passage.<sup>60</sup>

River control: aukati  
and rahui

57. For references to meetings, see doc E2, pp 33–4.

58. Woon to Halse, 14 June 1871, MA2/1 (cited in doc E2, pp 33–34)

59. Woon to under-secretary, 20 October 1880, MA13/14 (cited in doc E2, p 52)

60. Document A23, p 29; doc A77, vol 1, pp 12–13; doc A49, pp 52, 56–65, 121–22; doc D22, pp 1–2 (citing Elsdon Best, *Religion and Mythology*, Wellington, 1982, pt 2, pp 15, 17, 55, 184–191); Booth to Major H Straith, Pipiriki, 19 April 1859, CN/M21, micro ms 4, pp 276–279, ATL (cited in doc D24, pp 6–7)

Although Te Keepa's aukati was the example best known to the settlers, other chiefs also placed aukati on the Whanganui and its tributaries according to their areas of interest. At different times, aukati were placed on the Tangarakau River, which joins the Whanganui 32 kilometres above Pipiriki, to keep out Europeans prospecting for coal or gold. In 1861, James Crawford was prevented from going further upriver than Utapu because he refused to pay a toll, and the river beyond that point remained closed to Europeans for some five years. In 1877 and 1884, there were reports of later parties being turned back.<sup>61</sup>

Early in 1884, John Rochfort was sent by the Government to make a reconnaissance survey of the central plateau, pending its decision on the route of the main trunk railway. Rochfort made two unsuccessful attempts to get to Taumarunui via the Whanganui, Pehi and other rangatira refusing him passage over those parts of the river or its tributaries in their control. On the advice of the Native Minister, John Bryce, he decided to 'go around the north end of the district' to try again to enlist Pehi's support. He finally reached Taumarunui after visiting and obtaining support from, in turn, Topia Turoa at Rotoaira, Matuahu at Tokaanu, and Te Heu Heu at Waihi.<sup>62</sup>

#### 5.4 THE IMPACT OF GOVERNMENT POLICY

Counter-policy of  
the Native Land  
Court

These endeavours were to no avail. Te Keepa's trust, the runanga, and the Maori parliaments were short-lived, for nothing could withstand the onslaught of the Native Land Court. It made its determinations even if only one person appeared, compelling others to attend or have their names omitted from the listed interest holders, and nothing could restrain the individual from applying for a partition of interests once tribal controls were removed. Nor could the tribe withstand the power of the Government, with its laws and supporting infrastructures, to wrest control of the river.

The process by which the Government assumed an exclusive authority over the river, is considered in the next chapter. Here, brief mention is made of Government land acquisition programmes, and the machinery established to administer Maori lands.

Government land  
acquisition  
programmes

Beginning in 1871, the Government set out to acquire as much land as it could between Whanganui and Taupo for 'colonization and settlement' after it had been put through the Native Land Court.<sup>63</sup> By 1907, the Stout-Ngata commission estimated that, in Whanganui, Maori retained about 500,000 acres of the approximately 1.77 million acres they had held under customary ownership.<sup>64</sup> Most

61. 'Reports from Offices in Native Districts', AJHR, 1877, G1, p 19; 1878, G-1, p 13; 1880, G-4, p 17. For an overview, see doc A49, pp 56-67.

62. 'John Rochfort's Report on Obstructions to Survey', AJHR, 1884, D-5, pp 3-5 (doc A49(a), pp 195-200)

63. McLean to Booth, 7 September 1871, AJHR, 1873, G-8, p 27; Booth to under-secretary of Public Works, 12 July 1872, AJHR, 1873, G-8, p 27 (cited in doc E2, p 36)

64. Robert Stout and Apirana Ngata, 'Interim Report on Native Lands in the Whanganui District', AJHR, 1907, G-1A, pp 15-16 (cited in doc E2, pp 75-6)



of their customary land had been purchased after the wars but before the end of the century.

When, in 1958, the Maori Appellate Court investigated the previous progress of court proceedings concerning lands above the tidal limit at Raorikia, it found that, of the combined totals of 142½ miles on the left bank and 143 miles on the right bank, only two miles and 25 chains had not been investigated before 1903.<sup>65</sup> All but one of the riparian blocks, Ohoto 1, bordered the river on one side only, and none of the grants purported to confer the bed of the river, or any part of it, on the purchasers.<sup>66</sup>

Conversion of  
riparian lands

As for the Maori komiti or runanga, they largely lapsed as did the alternative bodies introduced by the Government with more limited powers. In 1882, Henare Tomoana, the member for Eastern Maori, introduced a Bill for elected Maori committees to decide disputes between Maori and regulate social abuses in proclaimed districts. It contained a clause that the Native Land Court should take judicial notice of committee decisions when determining owners, successors, and boundaries, but the Bill was withdrawn when the Government undertook to introduce a substitute.<sup>67</sup>

Maori komiti

The Native Committees Act 1883, which resulted, was not an effective vehicle for the management of Maori affairs at that time. The committees were regional, not tribal, the elected leadership was limited to 12, they could hear only small disputes involving less than £20, and any views on land questions were simply to be reported to the court. Native Minister John Ballance observed that a native committee under the Act existed when he visited Whanganui in 1885, but committees under this statute were not generally supported, and in 1886 the Act was repealed.<sup>68</sup>

The Government gave no further consideration to Maori representative structures until, at the urging of Sir James Carroll and assisted by a new generation of young Maori leaders including Apirana Ngata, the Maori Councils Act and the Maori Lands Administration Act were passed in 1900. This legislation was essentially an attempt to reach a compromise with the Kotahitanga movement over a Maori parliament, but it fell far short of providing for Maori self-government.

Maori councils

The Maori councils were harnessed to a programme of health reform under the Health Department. The Maori land councils with a majority of Maori members were intended to administer land that had not passed through the Native Land Court, and Whanganui Maori vested significant amounts of land in the Aotea Land Council for that purpose. But after the Act was amended in 1905 and 1909, Maori members were in the minority, and the Aotea Land Board leased and sold large amounts of papakainga land during the next two decades.<sup>69</sup>

Aotea Land Board

65. Document A77, vol 2(9), p 5

66. Document A27(p), p 257; doc A49, pp 43–44

67. The Native Committees Empowering Bill 1881 from ‘Crown Bills Rejected 1881–82’, Crown Forestry Rental Trust

68. Document E2, p 56; AJHR, 1885, G-1, pp 1, 5

69. Selwyn Katene, ‘The Administration of Land in the Aotea District, 1900–27’, MA thesis, Victoria University of Wellington, 1990 (cited in doc A49(d), pp 94–115); Williams, pp 98–129

**5.5 CONCLUSION**

The wars did not relieve Atihaunui of their traditional authority and rights of river control. In the peace that followed, Maori took strenuous steps to maintain their authority, their lands, and their control of the river, but alternative Government policies inimical to that course prevailed.

The Native Land Court system of land purchase policies and the machinery provided for local Maori administration subsumed mana Maori.

None the less, the Maori leadership still favoured development and continuing association with the settlers. Theirs was not a separatist movement, as some contended, but an endeavour to capitalise on the asset that they had, to ensure lasting benefits for their people, and to prevent their marginalisation. It was an endeavour to keep a place where two peoples could coexist and to maintain an environment where both their own authority and that of the Government could be respected. The Treaty of Waitangi had guaranteed no less.