

Treaty must have seemed like salvation

By PATRICK PARSONS

The Treaty of Waitangi in 1840 must have seemed the Legislation of Salvation to the war-weary Kāhanganu tribe of Hawke's Bay. After years of exile at Mahia, caused by the repeated savage attacks of tribes from the interior and north, depleted in numbers, they were struggling to re-establish themselves in their ancestral lands.

Assisting them in this struggle was a remarkable missionary, William Coleman, who took up residence at Waitangi in December, 1844. If over-zealous in his mission, nevertheless he possessed the single-mindedness and strength of character so badly needed to guide them.

On to this landscape rode the Government land purchase officer, Donald McLean, in 1850. He negotiated the purchase of two huge tracts of land direct from the Maoris, the Waipukurau block and the Ahuriri block, in November, 1851.

An entry in his diary, dated November 11, 1851, comments on Coleman's guidance to the Maoris and contains a reference to the British Government which should have given the Maoris cause for reassurance.

"... and Mr Coleman advised them to have a clause inserted in the deed, giving them free rights to their vessels entering and leaving the harbour, besides such other hints which would no doubt be to their advantage, although it does not appear to be essential that the natives require such advice, when they are in treaty with the British Government."

The demand by settlers for Hawke's Bay land was such that surveyors could hardly keep up. During the following 10 years, the white population swelled steadily and the traders were swift to set up their stores wherever the population would support them.

Early casualties were the Maoris whose trade was solicited with rum and credit, unchecked by protective legislation.

The Kāhanganu fought their last internal battle at Pakiaka near Whakatu in 1857. Te Hapuku was banished to Te Hauke leaving Te Moananui undisputed high chief of the Heretaunga Plains. Upon his death at Ma-

tahiwi, Clive, on July 31, 1861, Tareha of Pawhakaro, Waiohiki, assumed his name and mantle.

Land-hungry settlers come

In November 1858 Hawke's Bay became a province. Its finances were handled by the Provincial Council presided over by the Superintendent of Hawke's Bay. During the period 1862-1869 Donald McLean was superintendent and was followed by J. D. Ormond.

Pressure was being exerted on the chiefs as early as 1861, as is evidenced by a letter addressed to the Provincial Council in that year. In it Tereha, Karaitiana Takamoana and Renata Kawepo recommended that the Maori title to the land should be confirmed in a Crown title so they could lease it to the settlers in a formal agreement.

They had little option but to lease it, they said, for immense numbers of sheep and cattle belonging to the Europeans were already pasturing on the land and, without fences, could not be driven off.

In 1864 a well-off English settler, Thomas Tanner stopped at Pakowhai Pa to inquire who had the authority to lease Heretaunga. Henare Tomoana, half-brother to the chief Karaitiana Takamoana replied that he had. But, as the block had not been examined in court, any lease would be invalid.

Despite this inconvenience, Tanner drew up a lease for 21 years at £600 a year. His co-lessees were J. N. Williams (brother to Karaitiana's friend and adviser the Reverend Samuel Williams) and W. Rich, a friend of Henare Tomoana.

Shortly afterward, Rich died. Tanner wasted no time. He approached Rich's executors and took over his share upon which he invited Captain A. H. Russell to join the syndicate.

In early 1865, the syndicate took in four more influential partners, J. D. Ormond and Purvis Russell, both on the Provincial Council, J. B. Braithwaite, manager of the Union Bank, and Captain J. G. Gordon. The rent was raised to £900 a year and the block surveyed into 12 north-south strips. This is how the syndicate acquired the name the Twelve Apostles.

How to make it all legal

One worry for the syndicate of apostles was now to legalize their lease of the Heretaunga block. They had already fenced off their shares, and the 1600-acre Karamu Native Reserve.

The Native Land Act of 1865 was their salvation. It limited the number of names in a Maori land title to 10.

This forced the Maori to elect one grantee to Maori custom, the whole hapu owned the share represented by their grantee. According to British law, however, that grantee became sole owner, a fact of which the syndicate was well aware.

The court hearing began in March 1866 but the Crown grant wasn't finalised until April 1867.

The following were the grantees and the hapu they represented.

1.— Henare Tomoana, representing Ngati Ngarara, Ngati Te Mihiroa and Ngati Kaiota.

2.— Arihi Te Nahu, representing Ngati Te Rehunga and Ngati Te Mihiroa.

3.— Manena Tini, representing Ngati Taraia, Ngati Kaiwai and Ngati Uaha.

4.— Matiaha Kuhukuhu, representing Ngati Rua.

6.— Pera Pahora, representing, Ngati Papuamaro.

7.— Karaitiana Takamoana, representing Ngati Huri.

8.— Te Waka Kawatini, representing Ngati Hinemoa.

9.— Noa Huke, representing Ngati Hinemanu and Ngati Upokoiri.

10.— Tareha Te Moananui, representing Ngati Takaro and Ngati Tuku a te Rang.

The syndicate didn't wrest the titles of the grantees immediately. If they required lessons in this field, excellent tutors were to be found. Frederick Sutton and Richard Many both possessed such expertise. Both ran trading stores. Both offered credit freely, liquor too. Unscrupulous, working together with the syndicate, they ran the grantees into heavy debt.

In late 1868, at the persuasion of Donald McLean, a contingent of 100 Kāhanganu travelled to Poverty Bay to assist in repelling Te Kooti. Several of the grantees were at the head of this force. Their personal expenses added to their debts.

Overtures were made in 1868 concerning the purchase of the grantee's shares. By 1869 the syndicate was losing patience with the 10 grantees who weren't responding to "gentlemanly persuasion".

The tactics then employed by the syndicate were revealed in the minutes of the Hawke's Bay Lands Alienation Commission of 1873. This commission was set up to hear the grievances of the Maori concerning local land purchases.

The commissioners were Judge C. W. Richmond and Judge F. E. Maning, together with two Maori representatives, Wiremu Hikairo and Wiremu Te Wheoro.

The following summaries were taken from the evidence of several principal grantees with findings of the commission chairman Judge Richmond.

Tareha Te Moananui, Waiohiki

Tareha, though not the principal owner, was the highest-ranking chief. Acquiring his grant would be a factor in persuading the reluctant.

Tareha was first Maori Member of Parliament in 1868 and was obliged to spend extended intervals in Wellington.

Rigorous and untiring in their pursuit the huntsmen went to Wellington. Maney and Peacock, traders to whom Tareha was in debt to the tune of £1500, launched the attack. For three solid days they pressed their claims.

It was later claimed that the traders had a Wellington businessman lined up to purchase Tareha's grant but, on the third day, Tanner showed up.

Tareha was no match for the combination onslaught. He explained to the commission: "I was sad on account of the work of these people. I said, 'Have you finished your talking? Where is my strength? Here you are killing me!' Demoralised and worn out, Tareha signed on July 12, 1869.

Judge Richmond's findings on Tareha's appeal include: "Tareha also made the usual complaint of having been unwilling to sell and having been very much pressed to do so. Both of these statements are doubtless true. I can not see, however, that he was unwilling to go into debt; the contrary appears to have been the case. He now found a charges against his creditors for their importunity in pressing to sell the land."

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The oldest known photograph of the main street of Hastings, about 1884. Halfway down Heretaunga St on the right is the shop of G. H. Roach at the King St intersection.



Tareha te Moananui ... earbashed until he signed.

Chiefs were hounded to sell

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Henare Tomoana, Pakowhai Pa

Though subordinate in rank to his elder half-brother, Karaitiana Takamoana, Henare Tomoana had greater ancestral rights to Hereaunga through his paternal side.

He achieved considerable prestige in the fight against Te Kooti at Taupo in the latter part of 1869.

Henare told the commission: "A greater portion of my debts was incurred going to Taupo. I gave authority to the shopkeepers and the debts of others were placed in my name."

Fearing Henare might not return, Frederick Sutton, to whom he was in debt, summoned him on the point of departure. Despite the assurances of J. D. Ormond, Henare tried while away fighting for the Government and he was judged.

The Government failed to reimburse Henare adequately.

On his return he was greeted by Tanner who threatened him with jail if he didn't sign away his grant. He was called to his solicitor's office where he was greeted by Tanner and Hamlin, the interpreter. He claimed he tried to leave but was physically

prevented. Five hours later, on December 16, 1869, he signed.

"When I told Karaitiana he was sad. He knew Hereaunga had gone."

Judge Richmond declared that Henare's description of the circumstances of the signing was a deliberate falsehood, that the complainant came to the solicitor's house by his own appointment, that he passed the greater part of the day agreeably, dined with them, called for the agreement to sign, then departed without any dispute or disagreement.

Manana Tini, Pakowhai Pa

Manana, as Tanner pointed out to him, was the only person left who had not agreed to sell. Karaitiana had gone to Auckland to persuade Donald McLean to intervene on their behalf, Tanner and Hamlin came to Pakowhai Pa and asked for Manana's share. He would not agree.

A week later, they tried again but Manana concealed himself in a willow tree until they left. On yet a third occasion he evaded them by hiding in the ammunition loft above the minister's house.

Tanner lost patience and set Sutton, to whom Manana was in debt for £600, on the trail.

In cross-examination, Manana was asked: "Was it because you wished to avoid these people or to make better terms, you went away?"

Manana replied: "Because I was unwilling to sell."

Another creditor, Edwards, joined the next visiting party. They offered Manana a side-payment of £100 if he would sign in Napier the next day. He failed to show up.

They came to the pa and presented him with a list of his debts.

After the usual bargaining session Manana, realising the futility of his position, surrendered his grant on March 16, 1870.

Five days later the deed of purchase of the Hereaunga block was finalised.

Judge Richmond in his findings concerning Manana saw Manana's efforts to avoid Tanner as either feeling or feigning reluctance to concur in the sale. He speculated as to whether Manana didn't like to sign in Karaitiana's absence, or perhaps by making a little difficulty he could secure himself better terms.

His description of Sutton as "a genial creditor", and reference to Manana "coolly taking refuge in the branches of a willow tree from the importunate advances of Tanner and Hamlin", don't reveal any great gift for summing up the character of either European or Maori.

Did the Treaty of Waitangi, the Native Land Court and the provincial administrators make sufficient provision for the protection of Maoris, untortured in the complexities of British law?

Judge Richmond describes Karaitiana Takamoana, Henare Tomoana and Manana Tini as men of considerable intelligence, quite capable of transacting their own business.

To expect fighting chiefs to bridge in two decades, the gap of generations of evolution in education and law reform with which the European colonists were advantaged, was unrealistic.

The Maoris displayed a degree of adaptability to this in their lasting credit. However, most people today of both races have difficulty comprehending legal matters. What chance then had the Maori of more than a century ago?

Allowed Hastings to develop

Karaitiana Takamoana, rangatira of Hereaunga, stands in history as the man who allowed the township of Hastings to develop.

He was one of William Colenso's converts to Christianity, but, despite this, maintained three wives.

The two pas with which he was most strongly connected were Te Awapuni (Waitangi) and Pakowhai, both of which were finally destroyed in the great flood of 1897.

His grave is one of two in a paddock near the tangle of bridges and roads at Pakowhai. There and a couple of adjacent walnut trees are the last vestiges of what was once a thriving community.

In 1872, 12 years before Hastings came into being, Samuel Locke was reporting to the Government: "There are men like Karaitiana who are zealously endeavouring in every way to improve themselves and their fellow countrymen."

"They each have large farms on which the best and latest machinery is used. They live in well-built and comfortably-furnished houses."



Karaitiana Takamoana
... "land first cause of evil"

Karaitiana was a moderate who saw benefits for both the Maori and the European in settlement of the Hereaunga Plains, but he wanted the Maoris to lease their land to the settlers, not sell it.

Back in 1861, he was one of three chiefs who met with the Government: "There is no other first cause of evil than that of land."

"If we come to a fair and mutual understanding on this one day... friends this will indeed be a healthy thing. And if others see this, Maori and pakeha, let them follow our example and let their ills be cured. Let our words on this question be printed so that they may be seen by two faces, heard by two ears and adopted by two races."

In September 1865, 300 Maori met messengers from other tribes at Karaitiana's Pakowhai Pa. The Hau-Hau were urging them to join in an uprising against the European settlers. Under the guidance of Karaitiana and other chiefs, the meeting decided to stand by the Europeans of Hawke's Bay.

The assembly ended with three hearty cheers for the Queen.

Within four years, Karaitiana was reluctantly signing over his people's land on the Hereaunga block to Tanner and company.

Protests

In July 1869, he was protesting: "The European invites the Maori to whom the Crown Grant belongs to drink spirits. That Maori then says 'I have no money'. The European then says 'Your land is your money'."

"I look upon this as a cruelty to the Maoris."

Seven months later, Karaitiana left Pakowhai with Te Heu Heu to go to Auckland to seek help from his friend Donald McLean.

At the boat, Frederick Sutton served him with a writ for debts. Karaitiana turned back to Pakowhai: At the tollgate at Awatoto he found Thomas Tanner. The two talked Maori fashion, saying one thing, meaning another, about debts and land sales.

After this, Tanner and the interpreter Hamlin constantly visited Karaitiana at Pakowhai, asking him to sign the deed of sale on Hereaunga.

Karaitiana signed on December 6.

Became MP

For the eight years between 1871 and 1879, as MP for Eastern Maori, he continued to fight for the land, through constitutional means rather than warfare. He led the pressure which resulted in Parliament setting up the Hawke's Bay Native Lands Alienation Commission in 1873.

He was also to become focal point of a political drama in the House of Parliament.

Stafford was making a bid to topple the Fox Government, of which J. D. Ormond and Donald McLean were members. McLean was confident the MP for East Coast would support him, but Karaitiana was by this time disillusioned with both Ormond (who, as an apos-

tle, was one of the syndicate against whom he sought an inquiry) and McLean who appeared to be supporting the syndicate with his silence.

Karaitiana voted with the Opposition and had the satisfaction of seeing the two Hawke's Bay MPs change sides of the House along with members of a defeated Government.

At Pakowhai he continued to encourage his people to make the most of the European lifestyle. He hired two Napier bandmen to go to the pa three times a week to play for the young people, who were being taught ballroom dancing and etiquette.

He ordered a piano from Wellington so they could learn to play.

A school at Pakowhai opened in January 1872. The teacher's salary was 100 pounds a year and the daily attendance was 41. Adults were encouraged to join classes.

He and his half-brother, Henare Tomoana, established a Maori newspaper. The Catholic mission, next door, was encouraged in its work.

In 1874, Karaitiana led an intriguing struggle with Frederick Sutton over possession of 13 acres at Mangatere. Sutton put sheep on the land. They were promptly turned off.

Sutton dismantled a large house and re-erected it on the disputed ground. Three men, helped by a crowd of women and children, then pulled the house down and carried the pieces back across the road where they threw them on to Sutton's land.

In court, the Maori said that as soon as the house was erected on Karaitiana's land it became his property. However, instead of burning it or keeping it, Karaitiana had kindly had to dismantled an returned to Mr Sutton.

The following year, Karaitiana had another victory over Sutton. He obtained a writ to stop him cutting out the remains of the timber at Big Bush (Mangatere).

In the end, however, Sutton obtained possession of the land and later sold it to Nelson Brothers. The trees went into the mills and were used for the building of Hastings.

Karaitiana died in 1879. A quarter of a century before Hastings came into being, he had been planning a township of his own.

The plan showed equal

sections of land for 104 families. Elevations of the houses were drawn, with doors, windows, fireplaces and chimneys in the European style. People would sleep on beds, rather than on the floor, a health and sanitation measure. There would

be a church and parsonage.

The town would be called Kō Rauurū "after traditional Solomon of Maori people."

It would go on the basis of the Ngaurorū, just opposite Tucker's Works Whakatu.

● Footnote: This article first appeared in Hastings 100 published by the Herald-Tribune in 1984 to mark the centennial of the city.