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THE REPUDIATION MOVEMENT

A STUDY OF THE MAORI LAND PROTEST
MOVEMENT IN HAWKES BAY IN THE 1870'S

A thesis presented in fulfilment of the
requirements for the degree of Master of Arts
in History at Massey University.

Sharron Mary Cole.
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The Repudiation Party at Mount Herbert,
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ABBREVIATIONS

<u>AJHR</u>	Appendices to the Journals of the House of Representatives
<u>HBH</u>	Hawkes Bay Herald
<u>JLC</u>	Journals of the Legislative Council
MHR	Member of the House of Representatives
MLC	Member of the Legislative Council
Na Mu	Hawkes Bay and East Coast Museum
<u>NZPD</u>	New Zealand Parliamentary Debates
<u>TW</u>	Te Wananga
W Tu	Alexander Turnbull Library

INTRODUCTION

The Repudiation Movement was a Maori land protest organization that aroused suspicion and fear in the minds of Europeans in Hawkes Bay in the 1870's. It was a movement that adopted European methods and institutions as its means for solving land grievances and was led by influential Chiefs and by some Europeans. This adoption of the movement by these Europeans led to much animosity and conflict and accentuated the polarization of European political factions at provincial and national level.

Despite its evident uniqueness when compared with other Maori protest movements, the Repudiation Movement has yet to become the object of an historical analysis that poses the obvious questions - how and why? M.P.K. Sorrenson, M.D.N. Campbell and Alan Ward have mentioned it briefly in their historical studies of broader issues and have made a number of fairly general observations about its causes and methods. The only detailed study that has been aimed specifically at Maori land protest in Hawkes Bay is P.J. Coleman's M.A. thesis in 1949.(1) Coleman's work concentrated mainly on the period of the 1860's following the Native Land Act and examined in depth the Hawkes Bay Native Lands Alienation Commission of 1873 largely ignoring the protest after 1873. Coleman's analysis was somewhat restricted by his lack of sources and his undue reliance on the Hawkes Bay Herald which research has shown must be used with great caution as it was an instrument of propaganda against the movement.

- (1) P.J. Coleman, 'The Native Lands Act and Hawkes Bay: Some Considerations on the Alienation of Maori Land in the Provincial Period of Hawkes Bay Government', Unpublished M.A. Thesis, Victoria University, 1949.

This study will be an examination of the Repudiation Movement in Hawkes Bay so that it may be seen in the context of other Maori protest organizations which were also concerned over the alienation of the Maoris' chief heritage - land. This study will trace the movement from the roots of its grievances - alleged fraudulent and unscrupulous land transactions - and will also examine its causes, goals and methods of protest. It will also look at its impact on the European community, its place as a weapon of provincialists against the centralists on the national political scene, its successes, its influence on the Maoris of other districts and finally, its decline.

Sources have presented something of a problem. There is a large collection of primary manuscript material from the European and anti-repudiation side but there is little from the Maori side. The McLean Papers and the Ormond Papers provide much information on their opposition to the movement and also spell out the great influence wielded by them over the local newspapers, Native Department Officers and the business community. Such sources must be treated with great caution and even the reports of Native Department officers can be assumed to have been influenced against the movement.

The only primary sources that put the Repudiation Movement in a favourable light are a letterbook of Henry Russell and the repudiationist newspaper, Te Wananga. But the natural bias of these sources must be also taken into account and unfortunately, large sections of Russell's letterbook are illegible. The problem that arises over this lack of Maori material is that the Maori protagonists can be seen only from the European angle, their motives can only be guessed at and their personalities remain somewhat cardboard in character.

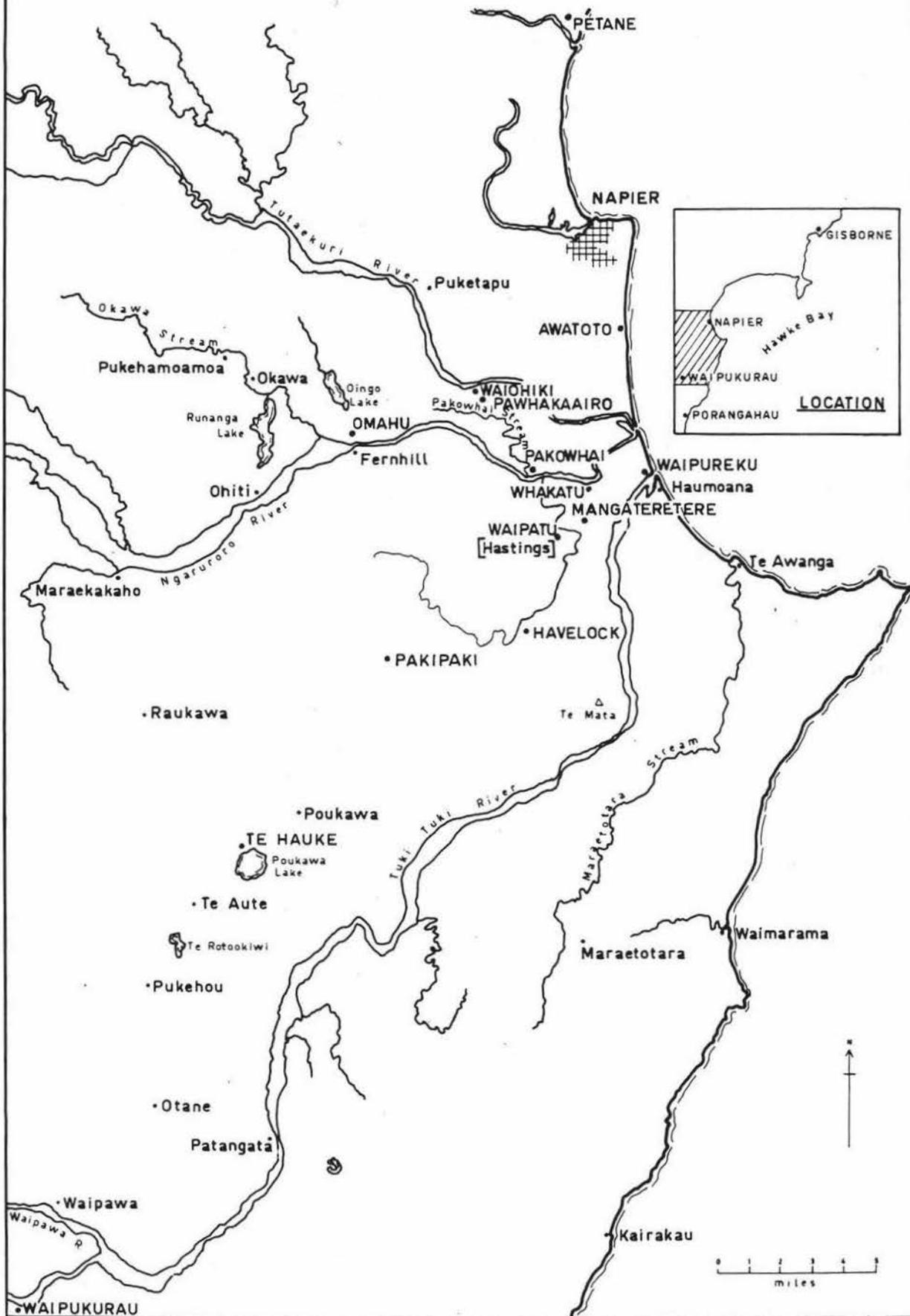
Any student of Hawkes Bay history is also bound to run

into problems caused by the destruction of a great volume of primary material in the earthquake of 1932. Anything not of official Head Office importance that remained in the province was wholly or partly destroyed. This means there are often gaps of information in vital areas and one is forced to make informed guesses and assumptions. Besides provincial earthquake destruction, Wellington Head Office clean-outs have left their mark as a large number of letters from Maoris to the Native Department in the 1860's and 1870's have been destroyed, although at least a register remains.

The New Zealand Parliamentary Debates and the Appendices and Journals of the Legislative Council and the House of Representatives contain much valuable information relating to the situation in Hawkes Bay. There are also a number of manuscript collections left by people such as John White and W.L. Buller as well as official documents of the Hawkes Bay Province which contain material of peripheral importance.

In the course of my research, I have encountered a number of difficulties and I have received invaluable help from a number of people. I would like to thank Dr Mike Pugh for his cartography, Mr Sam Ruawai for his help with translation from Maori, Mrs McLeod of the Hawkes Bay and East Coast Museum and the staff of the National Archives, Alexander Turnbull and Massey University libraries for their help with research material and bibliographical aids. My thanks also to the staff and students of the Massey University History Department who participated in the 1975 work-in-progress seminars, my husband Richard for his general and proof-reading assistance, and Professor W.H. Oliver for his guidance and help, particularly in the early stages of this thesis. Finally for his patience, good humour, advice and encouragement, I am greatly indebted to my supervisor, Dr Kerry Howe.

HAWKES BAY SETTLEMENTS IN THE LATE NINETEENTH CENTURY



EARLY DAYS

For the Maoris of Hawkes Bay, the 1870's were a time of discontent with their grievances and resentment of their treatment by the Europeans mounting up until the breaking point was reached and the Maori people united into the Repudiation Movement. If the 1870's marked the eruption of ill-feeling however, the discontent had simmered from the late 1850's and increased in intensity following the Native Land Act of 1865. To adequately account for the causes of the Repudiation Movement therefore, it is necessary to go back to the Hawkes Bay of the 1850's when the first European settlers arrived in numbers.

Pre-European Hawkes Bay was peopled by the Ngati Kahungunu tribe. The Maori history of the province is one of complex tribal alliances, raids and counter-raids, and resettlements by defeated hapu, all of which continued into the 1840's when the skirmishes showed a noticeable decline owing to the influence of the missionaries and the arrival of European settlers and traders.

By the late 1840's, following a decade of sporadic settlement by whalers and a few traders, the presence of eminently suitable farmlands in the province had become widespread knowledge. A number of Europeans, intent on settling and developing farms, drifted into the Ahuriri District. It was recorded by W.W. Carlile in 1875 that 'as early as 1848 blocks of land were being taken up extensively as runs in spite of the precariousness of tenure ... so that by the end of 1850 it was felt by the then Government that the time had come for endeavouring to acquire a landed estate from the natives' (1).

(1) W.W. Carlile, Cit., J.G. Wilson, History of Hawkes Bay, Wellington, 1939.

In response to the irregular situation in Hawkes Bay, Donald McLean was sent as a Land Purchase Commissioner to negotiate and buy land for the Crown. He went also at the request of Te Hapuku, a Maori Chief particularly well disposed towards the European, who was dissatisfied with the low prices paid for flax and also at the number of 'low Europeans' in the province. Te Hapuku expressed the hope that if he sold his land to the Governor, then respectable gentlemen straight from England would come to settle!(2)

McLean's negotiations met with almost immediate success. After surveying a number of blocks, he concluded an agreement with the 'whole of the principal chiefs of Hawkes Bay'. (3) In November 1851, the first Crown purchase in Hawkes Bay was completed - the Crown had bought 629,000 acres for the sum of 7,300 pounds.(4) It is not clear if the Maoris knew exactly what their actions entailed, that they were actually alienating their land as up until that time, the practice of a number of runholders had been to lease land illegally from the Maoris. The Maoris in those instances knew they still possessed the land so it was possible they may have believed their agreement with the Crown was on the same basis. Whatever their understanding, by July 1856, land purchased from the Maori or under negotiation totalled 1,168,700 acres out of an estimated provincial area of 2,700,000 acres.(5)

While Te Hapuku's keenness to sell land was evident, whether other important chiefs were willing to part with their lands was not clear. Of this number of influential chiefs who included Karaitiana Takamoana, Renata Kawepo,

(2) Te Hapuku, Cit., Wilson, p.3.

(3) Wilson, p.194.

(4) McLean to Colonial Secretary, 29 Dec. 1851, AJHR, 1862, C-1, p.315.

(5) McLean to Asst Native Secretary, 29 June 1859, AJHR, 1862, C-1, p.345.

Henare Tomoana and Tareha Te Moananui, only the latter's name appears amongst the sellers of land and in 1856, he tried to go back on his agreement to sell the Kidnappers Block.(6) These chiefs became concerned at the vast tracts of land that had been sold to the European and began to resent the Government officials who seemed only to want their land. These chiefs led by Te Moananui expressed their opposition to further sales of land and advised Te Hapuku of their desire to hold on to their remaining lands.

Te Hapuku was however an independent chief of an imperious disposition, not willing to be dictated to by the other chiefs. His relations with Te Moananui and Renata Kawepo in particular had been cool for some years. The quarrel erupted into fighting in 1857 when Te Hapuku expressed designs on land around Whakatu which he occupied only with Te Moananui's consent. When Te Hapuku started to build a pa, Te Moananui took umbrage and aided by Renata Kawepo, Karaitiana Takamoana, Henare Tomoana and other chiefs, he fought Te Hapuku's party in a series of skirmishes. Defeated, Te Hapuku retired to Te Hauke and remained there until his death in 1878.(7)

It was not only the loss of land that alarmed the chiefs who opposed Te Hapuku but also the Government's method of purchase. Government land purchasers approached individual minor chiefs who sold the land with the rest of the owners being ignorant of the sale. This method of alienation of land was completely contrary to the traditional tenure of Maori land whereby the land belonged to everybody in general and nobody in particular. No one person could give land away. This was a break from tradition and threatened the chiefs with a loss of their influence as

(6) Wilson, pp.194-195.

(7) For a full account of the battle, see Wilson, pp.108-109 and pp.207-208.

Government officers approached individuals, ignoring the chiefs and other owners. Alarmed, the chiefs saw not only their own authority being weakened but also perceived that the very fabric of Maori society was being torn down.

Initially, the chiefs opposed to land selling had held discussions with Te Hapuku, seeking a compromise. As the Maoris of the Waikato and the Taranaki recognized the need to present a united opposition to land sales, the Hawkes Bay chiefs also sought to establish a united front. Their efforts initially were patently unsuccessful. Not only did the discord lead to actual physical combat, but aided the European in his quest for land. Land Purchase Officer Cooper wrote:

The jealousy between the chiefs is as bitter as ever. It is impossible to get them to join in any discussion on the land problem... there is reason to hope for further extensive acquisitions being made in the Ahuriri district... their own internal jealousies are leading them to extend the sale of their land. (8)

Recognizing the futility of negotiations with Te Hapuku but aware of the possibilities presented by unity of opposition, Te Moananui's faction embarked on a course of action that foreshadowed the activities of the Repudiation Movement a decade and a half later. They, in December, 1856, with a large number of their supporters crossed the Kawekas to Taupo to attend a meeting called by Ngati Tuwharetoa chief Te Heu Heu. The meeting was the first indication of the emergence of a supra-tribal group opposed to land selling which was shortly to form itself into the King Movement.

Cooper's report of the meeting went:

(8) G.S. Cooper to McLean, 29 Nov. 1856, AJHR, 1862, C-1, p.323.

The meeting is attended by delegates from nearly every tribe of any importance in New Zealand, and its object as far as I can learn, is the inauguration of a Maori Parliament, to be composed of deputies from all the tribes who join the confederation.

This Parliament is to have regular sessions at stated times... it is to be proposed to put an immediate stop to all sales of land to the Government.(9)

It is interesting that supra-tribal meetings called by Hawkes Bay chiefs during the Repudiation Movement in 1876 and 1877 proposed exactly the same things.

The Hawkes Bay participants of the meeting returned home, strengthened in their resolve to oppose all sales of land to the Government. It was in this atmosphere of stern opposition that the chiefs clashed with the recalcitrant Te Hapuku, who had refused to accompany the others to Taupo. In the peace that was concluded with Te Hapuku's people, although without the concurrence of Te Hapuku himself, the following resolution was agreed upon:

The system of selling land through the chiefs should be abandoned - everyone in future doing as he pleased with his own; and that death should be the penalty of infringement.(10)

While this resolution is somewhat surprising in view of the previous problems encountered as individual chiefs were forced to sell land, it was probably an attempt to keep Te Hapuku who appeared to be one of the only Maoris still keen to sell land from doing so. Also it was envisaged that the chiefs could use their influence and bring pressure to bear to stop individual Maoris from selling.

Although the Hawkes Bay Maoris had attended the meeting in Taupo which had in effect given birth to the King Movement, no active and official support had been given to the newly emerged movement with the exception of

(9) *ibid.*

(10) HBH, 20 Oct. 1858, p.3.

Te Moananui who had apparently been appointed the Hawkes Bay Viceroy. Anxious to widen its basis of support, the King Movement sent a deputation to Hawkes Bay in April 1859 to seek cooperation from the Ngati Kahungunu. A meeting was held at Pa Whakairo attended by all the prominent chiefs from Poverty Bay to Porangahau.

There was no unanimity and the meeting split three ways. Te Moananui and representatives from Waipureku to Porangahau declared themselves for the King, being termed Monarchists by the European settlers. Karaitiana and Renata Kawepo would not acknowledge the authority of Potatau as King but they agreed to adhere to the Runanga system, which had sprung up concurrently with the King Movement. They were joined by Maoris from Mohaka, Wairoa, Nukutaurua and Turanga and were called Republicans by the Europeans. Finally there was Te Hapuku who agreed with neither group and remained neutral. He was probably still smarting over his defeat of the previous year and determined to side with neither Te Moananui nor Karaitiana. He was also more favourably disposed towards the Europeans than the others. (11) Whatever his reasons, Te Hapuku remained at Te Hauke for the next few years and little was heard from him until he received emissaries from the Pai Marire in 1865.

Despite the differences in their approach to opposition to land sales, with the exception of Te Hapuku, the chiefs were in agreement with the objects of the King Movement. They recognized the importance of extending and reasserting traditional values, ideals and practices in an endeavour to resist the encroachment of European culture and settlement

(11) See report G.S. Cooper to McLean, 9 May 1859, AJHR, 1862, C-1, pp.341-342 for a full account of the meeting.

and the disintegration of their own.(12) As a result of this recognition of the importance of the traditional Maori Society, the meeting agreed '... that no more land should be sold to the Government, but that all sales already made should be respected'.(13) This resolution, combined with the effects of the Runanga Movement, effectively meant the halt to all land sales and the souring of relations between Maori and European until the passing of the Native Land Act in 1865.

The Runanga Movement which emerged in Hawkes Bay in 1859 established a strong hold over Maoris in the province and its effects rivalled that of the Repudiation Movement some years later. The runanga was a traditional Maori meeting or hui in which problems and difficulties had been discussed and adjudicated upon. The new runanga was built on the traditional one but had a more formal structure and was concerned with promulgating new codes of law.(14) The influence of the movement was succinctly described by Cooper:

Maoris [sic]... respect the decisions of their own Runanga... and get out of' the habit of taking the law into their own hands.... Strenuous efforts are to be made to put a stop to the habits of drunkenness ... by inflicting a fine of £5 on any person drinking so much as a glass of any kind of spirits.(15)

He testified to its effectiveness some months later when he reported 'Runangas [are] in constant and active operation ... not without a good deal of beneficial result... drunkenness... has now almost disappeared'.

(12) M.P.K. Sorrenson, 'The Maori King Movement, 1858-1865' in Studies of a Small Democracy, ed. K. Sinclair and R. Chapman, Auckland, 1965, p.35.

(13) Cooper to McLean, 9 May 1859, AJHR, 1862, C-1, p.342.

(14) A. Ward, A Show of Justice. Racial 'Amalgamation' in Nineteenth Century New Zealand, Auckland, 1973, p.97.

(15) Cooper to McLean, 9 May 1859, AJHR, 1862, C-1, No. 50, p.342.

(16) Cooper to McLean, 12 March 1860, AJHR, 1862, C-1, No. 67, p.350.

Although each runanga concerned itself with the destruction of vice, it also directed its attention towards the question that was exercising the minds of Maoris in many districts besides Hawkes Bay, and that was the question of land. In May 1859, Cooper informed McLean that the runanga would not permit the sale of land at Aropawanui, despite the wish of the Maori owners to sell. The runanga he said, was determined to repay the deposit of £150 itself and would 'take the land by force of arms if necessary'.(17)

The runanga continued to devote their attention to the land question and they met with considerable success. Since July 1856, only 236,000 acres had been purchased from the Maoris yet up until that date, some 1,168,700 acres had been bought.(18) In March 1860, Cooper wrote 'The action of the Runangas will... effectually put a stop to sales of land to the Government in those parts of the district to which their influence extends. On this part, they will listen to no argument, hear no reason'.(19) By the following year, Cooper's predictions had been proven correct '... there is no Native Land Question in this Province; that is to say, that within the last two years the Natives have put a stop to land selling to the Government'.(20)

As well as the runanga, the Maoris adopted other weapons in their fight against European encroachment on their land. For the first time, Maoris began to bring cases before the law courts which they were to do again in the 1870's. Although most of the cases were lost, the success of Karaitiana against Daniel Munn in a trespass case, with damages of £25 plus costs being awarded,(21) was

(17) Cooper to McLean, 10 May 1859, AJHR, 1862, C-1, p.343.

(18) McLean to Asst Native Secretary, 29 June 1859, AJHR, 1862, C-1, p.345.

(19) Cooper to McLean, 12 March 1860, AJHR, 1862, C-1, No. 67, p.351.

(20) Cooper to McLean, 20 June 1861, AJHR, 1862, C-1, No. 74, p.353.

(21) HBH, 15 Jan. 1859, p.2.

a further boost to the confidence of the Maoris. They had discovered the courts could work for Maoris as well as the European and they even started to take disputes over land to court. In September 1859, they were successful in obtaining a satisfactory settlement over the Ahuriri Block. (22)

Illegal grazing on Maori land and also illegal leasing were a major source of conflict between Maori and European and amongst Europeans themselves. The Maoris were angered by Europeans allowing their stock to graze on Maori land and demanded 'grass money'. Unfortunately for the Maoris however, there was little hope that their complaints would be acted upon, for as Provincial Superintendent Fitzgerald put it 'little sympathy was to be expected with the Maori in the Provincial Council, where the majority were sheepowners who leased land illegally themselves'. (23)

The illegal leasing of land by prominent European settlers drew fire from other Europeans for different reasons. The Hawkes Bay Herald objected because it believed that 'grasping and rapacious' Maoris would never sell land as they properly should, while they received a substantial annual income from rents. (24) Other Europeans objected because they believed that the 'clique' who were monopolizing the 'places of power, emolument and trust' were abusing their office to aggrandise themselves at the expense of other settlers who were 'men of no consequence, devoid of any power and influence, and so are made victims'. (25)

While these conflicts continued, another much more important event had occurred - hostilities between Taranaki Maoris and the Government had opened in April 1860, to be joined by the Waikato Kingites in October of the same year.

(22) HBH, 3 Sept. 1859, p.2.

(23) T.H. Fitzgerald, cit., Wilson, p.213.

(24) HBH, 9 July 1859, p.2.

(25) HBH, 29 July 1865, p.2; 3 June 1865, p.2.

As relations had worsened between Maori and European in the late 1850's in many parts of New Zealand, European settlers in Hawkes Bay watched anxiously lest the initially minor skirmishes and later the full fledged war should spread to Hawkes Bay. Every visit of Maoris from other districts and each meeting held by Hawkes Bay Maoris was viewed with great suspicion by the settlers.

The situation became very confused. In April 1859, the Hawkes Bay Herald reported in a relieved tone after the visit of Maori King, Potatau(26), that the 'feelings of chiefs here is we believe in favour of continued loyalty to Queen Victoria'.(27) Two months later however, the Provincial Council was sufficiently alarmed at the threatening attitude of the Maoris to urge the Government to organize a Napier Militia and to supply a stand of two hundred arms. (28) The situation was not clarified at all when the next year, the Hawkes Bay Maoris '... declared no present sympathy with Wiremu Kingi at Taranaki'.(29) Yet one week later, Renata Kawepo and the other chiefs were reputed to have said they '... approved of the conduct of the Native King, his designs and plans were good and that this was the ground for their adherence'.(30)

There is little doubt the Maoris in Hawkes Bay were in a very excited state over the war in the Taranaki and that their quarrels with the European became more frequent. Their stance probably coincided with that expressed by an assembly of chiefs at Kohimarama in July 1860. They recognized that the Kingites had genuine grievances, as they themselves had, but they preferred to retain their allegiance

(26) For an account of the meeting, see above, p.9.

(27) HBH, 16 April 1859, p.2.

(28) T. Lambert, The Story of Old Wairoa and the East Coast District, North Island, New Zealand, or Past, Present, and Future. A Record of over Fifty Years Progress, Dunedin, 1925, p.478.

(29) HBH, 14 April 1860, p.4.

(30) HBH, 21 April 1860, pp.4-5.

to the Crown and obtain redress by using acceptable methods. They did not wish however to be regarded as inferior to the European and they wished to have a part in the machinery of government. (31)

Renata Kawepo tried to clarify this ambivalence of sympathy towards the Kingites while maintaining their loyalty to the Crown

.../the Maoris in Hawkes Bay/ were grieved at the war between the Governor and William King... just as you are all English... so we natives are all one; Maori is my name!... The plan /for land purchase/ formerly was to assemble all the people... in the presence of the Commissioner so that the conveyance of the land to the Queen might be open and straightforward.... Afterwards it went wrong. The wrong was this, that the Governor bought off one person by himself.... You have got possession of those lands, but by unfair purchases made by your Commissioners; and there arose our quarrels amongst ourselves.... If the Governor shall ascend any of these cliffs /i.e. attack any other Maoris/ then we shall fight as our bretheren are now fighting in Taranaki. (32)

While not resorting to force of arms, the Maoris stood firm in their resolve to halt land sales, but also, for the first time on any scale, the desire to repudiate previous land transactions became apparent. Superintendent Fitzgerald wrote worriedly:

Sir.... Time will not allow me at present to cite numerous cases that could be adduced to the growing disposition of the Natives to refuse to obey the laws, as well as to repudiate many of the sales of land made by them and ratified formerly in the fullest possible way... they now wish to repudiate the sale of a large portion of the Ahuriri Block purchased some seven years ago from them, because, they say 'they did not receive sufficient payment for it'. (33)

In response to the harsh criticism of European settlers who generally resented their dependence on the Maoris and the fact they would sell no more land, thus impeding further

(31) Ward, A Show of Justice, p.118.

(32) Renata Kawepo, cit., O. Hadfield, The Second Year of One of England's Little Wars, London, 1861, pp.80-89.

(33) T.H. Fitzgerald to Cooper, 3 March 1860, AJHR, 1862, C-1, p.350.

settlement and development, (34) the Maoris tried to explain why they had stopped land sales. At a meeting held with the Provincial Superintendent, Renata stated:

You appear to suppose that by getting hold of a single individual you can gain an advantage over him. Hereafter, whenever the majority consent to a sale, it shall take place. Let us have no more blundering. All our trouble has arisen from faulty working, and on this account, it was that the door of land selling was shut. But when the system of buying is amended, the door will be opened that sales may be conducted on a regular plan. (35)

In the province, Maoris remained firmly in control of their land. They virtually ignored the newly appointed Civil Commissioner A.H. Russell who was empowered to prosecute illegal squatting but the Maori owners preferred the situation as it was, with their being able to collect rents which helped to pay off their mounting debts. (36) They adopted a similar attitude to the Resident Magistrate and there are two recorded instances of Maoris breaking into lock-ups to rescue imprisoned Maoris, with Karaitiana claiming 'There is no policeman who had power to take a Maori in charge. You know that our law is that we shall try our own criminals'. (37)

The runanga remained strong and vigorous and the Europeans, nervous of the apparent Maori disrespect for law and resentful of their almost powerless role, believed it to be overstepping the mark. Hanson Turton, a Native Department Officer claimed 'At Napier the Native Council seems to be getting louder in its pretensions.... I could not but think... what good stuff was there for all the purposes of life, if their energies could only be directed and sustained in a right channel'. (38) His claim was

(34) Petition of Hawkes Bay Provincial Council to Governor Gore-Browne, 1861, cit., TW, 18 May 1878, No. 20, Bk 5, p.252.

(35) Renata Kawepo, cit., Hadfield, p.79.

(36) Ward, A Show of Justice, pp.134-135.

(37) Ward, A Show of Justice, p.143.

(38) H. Turton, 29 Nov. 1861, AJHR, 1862, E-1, No. 5A, p.9.

reiterated by J.D. Ormond sometime later who wrote that the runanga were dealing out illegal and unfair judgements and suggested that if Maoris were informed they could obtain redress against the runanga '... such a course would be most effective in breaking at once the head of the Maori league against land selling etc. [in] this Province which is only kept in existence by the terror the Runanga imposes.'

(39)

The tension between Maori and European eased somewhat in late 1861 and 1862 with the cessation of hostilities and the return of Sir George Grey as Governor in the place of Gore-Browne. From the European point of view however, matters concerning land were still not satisfactory and additionally, Maoris had been committing offences with a sense of impunity. Cooper wrote 'Confound these Natives, they are getting harder to manage every day' (40) and later in the same year McLean noted 'There is no disposition on the part of the Natives here to fight but they irritate and annoy to such an extent that at any moment we may have an outbreak'. (41) It would appear that this threatened outbreak related to the exasperation of the settlers at having their sheep and cattle run off, fences cut and Maoris withholding services such as shearing if they could not get their own way.

As the months elapsed and the first days of 1863 slipped by, Hawkes Bay appeared to have charted a more settled course. The Hawkes Bay Herald commented 'We recently expressed an opinion that the future of Hawkes Bay loomed more hopefully upon us than it had done for many months past' (42) and in April, the paper was writing even more brightly:

(39) J.D. Ormond to McLean, 23 Dec. 1863, McLean Papers, Vol. 22, Na Mu.

(40) Cooper to McLean, 9 July 1862, McLean Papers, Vol. 20, W Tu.

(41) McLean to Dillon Bell, 24 Dec. 1862, McLean Papers, Vol. 20, W Tu.

(42) HBH, 18 Feb. 1863, p.2.

We believe that under Mr McLean's intelligent auspices /as newly-elected Superintendent of Hawkes Bay/ the horizon of our future is a promising one. The Native difficulty, which overcast us like a cloud, if not wholly dissipated, is in great measure disappearing, and we trust ere long will be entirely removed. (43)

This happy state of affairs was interrupted momentarily with the further outbreak of hostilities in the Taranaki in May 1863 which once again sent pangs of alarm through worried settlers. This time however their fears were soon allayed as the Maori chiefs came out strongly against the actions of the Kingite extremists in the Taranaki. The chiefs told Cooper '... they, one and all, express the utmost reprobation and disgust for the atrocious proceedings of the Patukai' and that they believed the Government to be quite justified in resuming possession of Tataraimaka. Cooper went on to say that the Hawkes Bay Maoris were quite happy since the Waitara had been given back to the Ngatiruanui and that the settlers of Hawkes Bay were quite safe .(44)

The Hawkes Bay Herald also carried relieved comments of the general opposition of Hawkes Bay Maoris to the Taranaki hostilities. One of the letters from an unnamed chief explained why the local Maoris had no sympathies this time for the Kingites. 'You are right and the Maori is wrong, for it /the action at Oakura/ was not done in a fair and open fight; it was an unprovoked attack. Had it been a pitched battle, it would have been well.' (45) The paper also reported that Te Hapuku, Renata Kawepo and Tareha Te Moananui who had formerly declared for the King, told the Superintendent that they were '... all agreed that the Natives of Taranaki had committed a great and unprovoked crime'. (46)

(43) HBH, 18 April 1863, p.2.

(44) G.S. Cooper to Superintendent, 25 May 1863, Hawkes Bay Provincial Papers, Local Government Letters, File 63/151.

(45) HBH, 3 June 1863, p.3.

(46) HBH, 5 June 1863, p.2.

The much more relaxed relationship between Maori and European in the sense that no hostility by the Maoris was feared, became apparent and McLean told the Provincial Council:

The present state of the natives contrasts very favourably with their conduct fifteen months ago, when local journals had frequent occasion to record acts of aggression such as the stopping of road improvements, carriage of mails, breaking open a lock-up and other violations of the law, which they are becoming aware cannot now be repeated with impunity. (47)

While it is true that relations between Maori and European had become happier in respect of dissipation of armed conflict, the old bogey of land was still a problem. At the end of the period which culminated in the establishment of the Native Land Court and the passing of the 1865 Native Land Act, the Maoris were still successfully resisting the further sales of land. Locke told McLean 'The plan of the Natives of breaking their old agreements with respect to their leases appears to be becoming a regular scheme carried on systematically.... Karaitiana appears to be always at the back of these disputes'. (48) Prophetic words indeed by Locke that he was to repeat on a number of occasions as Karaitiana strove to effectively stop any sale of land in the province in the 1870's under the auspices of the Repudiation Movement.

It is quite clear that the roots of Maori discontent stretch back beyond the 1865 Native Land Act to the mid 1850's with the realization by chiefs in Hawkes Bay and beyond, that the nature of the purchase of land was leading to the break up of Maori society. With the exception of the independent old chief Te Hapuku, the other powerful chiefs realized the importance of unity or kotahitanga if they were to succeed in their bid to thwart the European.

(47) Superintendent's Opening Address, Votes and Proceedings of the Hawkes Bay Provincial Council, Sessions 1-12, 1859-1867.

(48) Locke to McLean, 9 Aug. 1864, McLean Papers, Vol. 23, W Tu.

The chiefs of Ngati Kahungunu were able to act in concert to present a united front to oppose the European and while they were not yet able to extend this unity to the supra-tribal level, a valuable lesson had been absorbed. Through the runanga, so much like the Repudiation Movement was to be, the chiefs imposed a code of law and were largely successful in ensuring that no-one went outside it. The Europeans were made fully aware of the power that a united Maori people presented and protested loudly to the Government when they felt threatened or thwarted.

The Hawkes Bay Maoris demonstrated in this period, an ability to oppose the European to achieve their ends without having to resort to violence. They showed a willingness to try new methods such as the law courts but they also showed an independence of spirit which, while subdued during the latter years of the 1860's, was to surface strongly again in 1872 with the emergence of the Repudiation Movement.

NOT ONLY THE SHADOW BUT THE SUBSTANCE

With the defeat of the Waikato at Orakau in mid 1864, peace returned to the colony of New Zealand. Thenceforth, apart from occasional skirmishes with the Hauhau and later Te Kooti, Maori and Pakeha were not to meet again in major armed conflict. Maori attention was no longer to be focussed on war, but on a new institution which made its appearance at the end of 1864 and which was to have an effect even more profound than that of the preceding wars. That institution was the Native Land Court.

In the early sixties, continued effective Maori resistance to land selling and settlers' demands on the Government to overcome this resistance and restore the trade in land, resulted in the 1862 Native Land Act. It was this Act, finally sanctioned by the Imperial Government in December 1864, that revolutionized land selling. Under the new Act, the Crown's right of pre-emption was waived and a court with a European judge and Maori assessors in each district was to determine Native titles and then award individuals a certificate of title.(1) With a stroke of a pen Maori land tenure was on the way to complete transformation.

Previously, the Maoris saw the land as an undivided unit belonging to the hapu or sub-tribe with rights to ownership being founded on discovery, ancestry, conquest or gift.(2) The land could only be alienated with the consent of the whole hapu or by conquest, but under the terms of the new act, individuals were able to sell it. The 1862 Act had two principles in mind - to facilitate the sale of Maori land to private settlers and to Europeanize the Maori. Henry Sewell interpreted the Act thus:

- (1) AJHR 1891, Vol. II, Session II, G-1, Commission on Native Land Laws.
 (2) N. Smith, The Maori People and Us, Wellington, 1948, p.51.

... to destroy, if it were possible, the principle of communism which ran through the whole of their institutional.... It was hoped that by the individualization of titles to land, giving them the same individual ownership which we ourselves possessed,... their social status would become assimilated to our own.(3)

How well this Act and those following it achieved these objectives in Hawkes Bay soon became apparent.

Following close on the heels of the implementation of the 1862 Act was the Native Land Act of 1865. This Act sanctioned Chief Judge Fenton's reconstituted Land Court as a single Court presided over by roving European judges, assisted by Maori assessors. The Court was to grant a certificate of title after investigations into the land but no more than ten names were to be included on the certificate. Thus the chosen ten became the absolute owners of the land even though the land belonged to whole tribe or sub-tribe.(4) The Court did have the power to make restrictions on the inalienability of Maori land but failed to enforce this right. This was hardly surprising considering the pressure of settler demand for land and the confessed purpose of the court - 'the whole object... was to enable alienation for settlement'.(5)

The reaction of the Maoris to the Court differed throughout the country. Generally, the defeated tribes, such as the Taranaki, shunned the Court. The King Party withdrew into the heart of Ngati-Maniapoto territory behind the aukati and refused to allow any settlers to take up land beyond this boundary even if it had been obtained legally. The Tuhoe as always avoided contact with the Europeans and remained isolated in the Urewera country.

(3) NZPD, Vol. 9, p.361.

(4) AJHR, 1891, Vol. II, Session II, G-1, Commission on Native Land Laws.

(5) ibid., T.H. Lewis, p.145.

These responses merely frustrated the settlers but the response of Te Ua Haumene and his Pai Marire cult had a far greater effect. (6) The reported barbarity of the Hauhau alarmed settlers throughout the colony, even in Hawkes Bay which was relatively distant from the centre of Hauhau activities in the Waikato and Taranaki. The arrival of a band of Hauhau proselytizers in February 1865, reputedly at the invitation of Te Hapuku, did nothing to allay settler fears. Despite protestations of loyalty, the settlers were not yet ready to trust their Maori allies and were reassured only by a 180 strong defence force at Paki Paki and the presence of Imperial and colonial forces at Napier. (7)

The local Maori reaction to the Hauhau was tempered by conflict amongst themselves. When the band of Waikato Hauhau arrived, the Maoris around Heretaunga and Napier were most disturbed that the Hauhau had been invited to the kainga of Te Hapuku at Te Hauke. 'The motive the natives say, for the invitation to them [the Hauhau] upon Hapuku's land is that he may strengthen his force to renew his old quarrel with Karaitiana and Renata...'. (8) Clark discusses well Karaitiana's, Renata's and Tareha's reasons for rejecting Pai Marire - their rejection was more a concern for their land and to continue their chiefly feud with Te Hapuku than any great feelings of loyalty to the European. As he so aptly puts it '... the politics of the land had overcome the teachings of the prophet'. (9)

Later, to the relief of the suspicious Europeans, loyal Ngati Kahungunu Maoris joined with white soldiers to fight the Hauhau at Omaruhakeke in December 1865 and again at

- (6) See Paul Clark, 'Hauhau.' The Pai Marire Search for Maori Identity, Auckland, 1975.
 (7) Lambert, p.486.
 (8) HBH, 21 Feb. 1865, p.2.
 (9) Clark, pp.42-45.

Omaranui in October 1866.(10) The chiefs leading the 250 loyal natives with the 115 European soldiers are worth noting - Tareha, Te Hapuku, Renata and Karaitiana and according to the Hawkes Bay Herald '... the friendly natives accompanying the expedition appear to have rendered good service, and Renata and Karaitiana, in particular, are well spoken of in letters...'.(11) Flirting with the new religion was acceptable to the chiefs in order to score off each other, but with the confiscation of land in the Waikato and Taranaki fresh in their minds, when it came to the point of declaring for the Pai Marire against the Pakeha, each chief including Te Hapuku who originally invited the Hauhau to Hawkes Bay, backed down and chose the European side. They had too much to lose in rent, money, stock and land if they were defeated by the pakeha.

Amongst the loyal Maoris throughout the colony the Land Court was usually greeted with satisfaction although there were always dissentients who did not wish to sell land. Maoris in Hawkes Bay, North Auckland, parts of the East Coast, Wellington and Thames flocked to the court and hundreds of thousands of acres were brought before it. These Maoris welcomed the opportunity to sell land by what they saw as a more equitable method than that previously in use. In Hawkes Bay, the chiefs were embittered by the underhand methods that Government Purchase Officers had employed to obtain land in the late fifties and resented the fact that the Government could buy land for as little as 2½d. an acre and sell it for 10s. an acre.(12) Under the new Act, they believed they could control the rate of alienation and set the prices and conditions on the sale of their land.

(10) T. Gibson, The Maori Wars. The British Army in New Zealand 1840-1872. Wellington, 1974, pp.184-186.

(11) HBH, 20 Oct. 1866, p.2.

(12) K. Mooney, History of the Country of Hawkes Bay, Hastings, 1974, p.4.

Other reasons for the renewed sale of land can only be hypotheses in the absence of Maori records. Under the provisions of the 1865 Act, the blocks of land that passed through the Court became vested in ten owners. As the chiefs were invariably included in those ten, they once again felt they were in control of the basis of the Maori community - the land. These chiefs were easy prey to shopkeepers who sold them all manner of European goods on credit and for cash obtained from the sale of seemingly limitless blocks of land. As their tastes for luxury developed, the chiefs found many willing land buyers to provide the necessary cash and so the transactions went on. The Maori and European at that time in the 1860's were on better terms as the bitterness over the land wars faded and the European legislators passed the Native Representation Act and the Native Schools Act in 1867. Something approaching harmony existed for the most part between the two races and predisposed the Maori towards equitable transactions with the European.

The Native Land Court began work in Hawkes Bay in February 1866 and was immediately inundated with work. In 1867, Judge Munro wrote to Fenton telling him that:

In the latter place [Hawkes Bay] certificates of title have been issued for upwards of 290,000 acres of land, and the Natives are still sending in applications as fast as they can find money to pay for the surveys. I may safely state that at no distant period every acre of land in that Province will be held under grant from the Crown. (13)

The shrewdness of the Maoris was already apparent as Munro further noted that they received large yearly incomes from the vast blocks of land they leased and that '... having thus abundant means of purchasing whatever they require, they do not appear to devote much time to cultivation as a means of subsistence, and only grow what is requisite for their

(13) Munro to Fenton, 27 June 1867, AJHR 1867, A-10, No. 4, pp.9-10.

own consumption'.(14)

The number of acres to which title was ordered by the court was accurately recorded and may be compared with other areas:

PROV.	Auck.	Well.	H.B.
1 Nov '65 1 Nov '66	729,496	4,403	44,750
1 Nov '66 30 June '67	228, 277	18,925	194,624
1 July '67 30 June '68	544,401	38,026	106,157
1 July '68 30 June '69	548,163	81,058	148,024
1 July '69 30 June '70	168,981	439,225	117,154
1 July '70 30 June '71	215,911	40,277	229,624
1 July '71 30 June '72	688,081	135,205	70,838

Source: AJHR 1872, Vol II, F-7.

Considering the area of Hawkes Bay, it is obvious that the court was very popular with a steady demand on its services. The figure for 1870-71 was abnormally high because of the big blocks of land Southern Hawkes Bay Maoris took before the court. In all by June 1872, title had been ordered to

(14) *ibid.*

911,171 acres and of this, 395,995 acres was sold to Europeans. (15) Bearing in mind that by 1864, the Crown had purchased 1,545,808 acres (16) and the total area of the province was about 2,700,000 acres, the Maoris were left with about 750,000 acres, of which the Crown bought another 337,356 acres (17) between 1864 and 1875. Fenton's words were indeed prophetic.

In their initial satisfaction with their expectations of the new Land Act, the Maoris reckoned without the rapacity of some of the settlers and the Hawkes Bay land transactions of the 1860's were condemned by many Europeans, especially those in other provinces. Influential settler pressure in the House had prevented the implementation of Fenton's proposal that all private dealings with Maori land prior to the court's award should not only be void as in the 1862 Act but illegal. (18) When one looks at the list of people illegally occupying Maori land before 1864 (19) notably G.S. Cooper, A.H. Russell, Rev. S. Williams, J.D. Canning, J.D. Ormond, T. Tanner and even the Hawkes Bay Provincial Council itself, it is not difficult to see why such a move was opposed. Soon after the court commenced work, these people who occupied land illegally set about rectifying matters by encouraging the Maori owners to take their land to the court, obtain a Crown title and then enable the occupiers to convert their extra-legal leases into legal ones.

The effects of the 1865 Land Act soon became apparent as the Native Land Court continued operations. These effects have been well covered by other writers (20) so need only to be mentioned briefly. Mr Waterhouse explained in the House

(15) See Appendix 3.

(16) Wilson, pp.205-206.

(17) *ibid.*

(18) Ward, A Show of Justice, p.185.

(19) See Appendix 2.

(20) Ward, A Show of Justice; Coleman; Smith, The Maori People and Us; M.P.K. Sorrenson, 'The Purchase of Maori Lands, 1865-1892,' Unpublished M.A. Thesis, Auckland University 1955.

in 1870 that '... underhand attempts have been made to force lands through the Native Land Court in opposition to the will of the bulk of the owners of the land'.(21) Individuals with only trivial interests in blocks of land were persuaded to take land before the court, despite the opposition and indignation of the majority of the owners as Chief Judge Fenton would only let evidence that was presented in court be taken into account, other Maori owners would have to go before the court if they were to lay claim to their land.

Often the court settings were poorly-advertised and the first some Maori owners knew that their land had been sold was when the new owners arrived to occupy it.(22) To make matters worse, the court sittings were usually held in central locations, forcing Maoris to travel many miles and requiring them to stay in towns during the often drawn-out court hearings. Consequently, they ran up huge debts to lawyers for legal expenses, to storekeepers for goods and grog and these debts, combined with surveying expenses, meant that Maoris often had to sell the land newly-passed through the court to meet their expenses.(23)

It was the ten-owner concept of blocks of Maori land that caused for the Maori community, the most undesirable results of the 1865 Land Act. As ten individuals only were listed on the certificate, they were seen by the Europeans as the sole legal owners of the land so it was not surprising that the settlers concentrated their efforts on these ten

(21) NZPD, Vol. 9, p.366.

(22) Waka Kawatini in a statement said that he had not been at court when blocks he was interested in passed through and consequently he received no money for them when they were sold. AJHR, 1871, Vol. I, A-2A. Appendix to Colonel Haultain's report on the working of the Native Land Court Acts; Also Ward, A Show of Justice, p.213.

(23) Sorrenson, 'The Purchase of Maori Lands, 1865-1892', pp.54-56.

in order to take possession of the land. It was usually those named on the certificate who received the rent or payment for the land and vast numbers of owners saw the land go without their consent or without receiving any payment for it.

The ten owners were usually chiefs and would have been expected by the hapu to protect Maori interests and sell only a part of the land. The land hungry and often unscrupulous Europeans however soon applied pressure to these owners. The tales of how Europeans trapped the Maori owners into selling their land by giving them large credit accounts and then demanding repayment are widely-known and are well summed up by T.H. Haultain in his report on the Native Lands Acts:

Unscrupulous and dishonest persons have encouraged their extravagance and vices to get them into debt, have charged exorbitant prices for the goods they have supplied and have taken advantage of their ignorance or intemperance to receive mortgage over the lands or portions of them; which was but a sure preliminary to transfer on their own terms. (24)

Some of the disreputable storekeepers were even willing to break the law in order to trap the Maori into running up debts. They encouraged the Maoris to consume liquor, despite the 1846 Sale of Spirits Ordinance which forbade the sale of liquor to Maoris. The Hawkes Bay Maoris' intemperance became well known. In 1870 Colonel Whitmore remarked in the House that:

... it was most noticeable that the Natives were selling their patrimony for rum.... He had frequently, when riding down from his own place, met drays heavily laden with barrels of rum, and he had asked from settlers in the locality, who happened to know, what it was, and they had said 'Oh! it is only another swindle!' Two or three days afterward, he would hear of some 20,000 acres of land belonging to a tribe having been drunk away at some pa. (25)

(24) T.H. Haultain, AJHR, 1871, Vol. I, A-2A, Papers relative to the working of the Native Land Court Act and Appendices relating thereto.

(25) NZPD, Vol. 9, p.365.

Only one year after the initial proceedings of the Land Court in Hawkes Bay, the situation amongst the Maoris had deteriorated badly enough for Resident Magistrate Cooper to write to the Native Secretary warning him of the possible outcome of events. The chiefs he reported take credit without stint from merchants and tradesmen. Some of the principal landowners were in debt for thousands of pounds and that then 'the pressure is put on them... and they have begun to sell their land in every direction'.(26) He went on to say that the Government needed to save the Maori from himself as he had contracted the incurable habit of luxury and idleness and a future of pauperism was inevitable for the Maori race.(27)

Fenton displayed the opposite view and exhibited the lack of concern and understanding for the Maoris prevalent amongst European settlers:

The intemperance and waste so noticeable amongst the Maori landlords of Hawkes Bay are matters much to be regretted; but in my judgment it is not part of our duty to stop eminently good processes because certain bad and unpreventable results may collaterally flow from them; nor can it be averred that it is the duty of the Legislature to make people careful of their property by Act of Parliament, so long as their profligacy injures no one but themselves. It is well that all the money squandered by the Maori landlords is spent in the place whence it is drawn. Education will cure the evil, for drunkenness is the vice of the uncultivated and brutish man.(28)

Fortunately for the Maori, the Government took a slightly more sympathetic attitude to his plight. Under the 1865 Act, the judges were supposed to subdivide blocks and name ten owners to each of the smaller blocks and a clause in the 1866 Native Land Amendment Act ordered judges to take

(26) Cooper to Richmond, 14 Aug. 1867, AJHR, 1867, A-15.

(27) *ibid.*

(28) Fenton to Richmond, 11 July 1867, AJHR, 1867, A-11.

note of future needs of the Maori people and to make part of each block sold inalienable.(29) Both these provisions were largely ignored so in 1867 J.C. Richmond, realizing the vulnerability of the Maori, had the 1867 Native Land Act passed. This was designed to prevent the abuses of the 1865 Act. Clause 17 required the Court to determine all the owners of a block of land and though only ten names went on the certificate, all the others were to be recorded in Court records. Further, until the land was subdivided, the owners were not able to either sell or mortgage it, although they could lease it for up to twenty-one years.

Had this Act been strictly enforced, much of the bitterness that swelled up in the hearts of the Maoris as they saw their lands rapidly diminishing by the end of the sixties could have been avoided. Many of the Hawkes Bay Maoris had not heard of the Act and even Henare Tomoana, usually fairly aware of European laws, did not know of the provision of clause 17 until three years later.(30) The payments for land and rent still went to the ten named on the certificate and in most cases, they spent it themselves and the hapu saw little or none of it. The Maoris themselves, with many of them willing to take dishonest advantage of their neighbour were partly to blame as Fenton later explained '... having once decided the class of claimants to which an estate belonged, the court became powerless to discover more than those recognized claimants chose to disclose'.(31)

If the 1867 Act did not rectify the abuses of former Acts and if Europeans were aware of the decline in the Maori

(29) Ward, A Show of Justice, pp.213-214.

(30) AJHR, 1871, Vol. I, A-2A, Papers relative to the working of the Native Land Court Act and appendices relating thereto.

(31) Fenton to McLean, 28 Aug. 1871. AJHR, 1871, Vol. 1, A-2A, p.10.

situation, why did the Maoris still continue to sell land? At that stage in 1868 land was still plentiful, the wholesale alienation of their heritage had not become apparent to the chiefs and many of them had not yet been called upon to repay the credit they owed. The chiefs had developed a taste for luxury and their reputation for extravagance and indolence had spread throughout the country. The Maoris spent large sums of money on projects of every sort with no thought of eventual payment. Pa all around the district held costly hui, consuming large quantities of alcohol and food. Chiefs with a penchant for European goods bought buggies and horses and there are tales of chiefs riding out of Napier in their new buggies with their lamps shining brightly - in broad daylight. Even Karaitiana indulged in this extravagance. He and Henare had a 'Maori Club' built in Napier to accommodate Maoris visiting town at no cost. It was modelled on the local European club and cost much to build and run.(32)

Hawkes Bay Maoris were not willing to give up the luxurious life to which they had become accustomed and settle down to a more mundane working existence. They had only to ask the storekeepers and they received goods - payment was not mentioned but yet another figure was added to the slate. Most importantly, the Maori still thought he was only alienating the right to use the land but that the ownership of the soil remained with him - that the 'shadow' had passed but that the 'substance' remained.(33)

As the Hauhau had struck fear into the hearts of settlers some two or three years previously, so too did Te Kooti and his followers as they attacked European and Maori alike in parts of the East Coast, Hawkes Bay, Taupo and the Bay of Plenty in late 1868 and 1869. The

(32) Mooney, p.13.

(33) Smith, The Maori People and Us, p.53.

possibility of attack and settler demands for extra finance for military protection momentarily turned attention away from land to thoughts on how best to defeat Te Kooti. Settler resentment was focussed on the Central Government as it appeared to ignore them and devote its effort of defeating Titokowaru on the West Coast.

This resentment was well expressed by the Hawkes Bay Herald when it wrote:

... the Natives at Pa Whakaauro, Pakowhai and Wairoa are all seeing to the fortification of their respective paha, so convinced are they that evil is in store for them. In truth, Native Affairs have a very menacing character - a fact which is recognized by all except the paternal government under which we have the happiness to dwell. (34)

With seemingly little help forthcoming from the Government, Maori and European banded together to defeat Te Kooti. Large numbers of Ngati Kahungunu under Renata Tomoana, Tareha, Karaitiana and Te Hapuku joined forces with Whitmore and travelled as far afield as Ngatapa in Gisborne and Turanga-Taupo in Taupo in their efforts to defeat the common foe. (35) Although ultimately unsuccessful in their attempts to capture Te Kooti, the Hawkes Bay Maoris nonetheless had proved their loyalty and won the gratitude of a large number of settlers.

It is not clear why the Maoris chose to fight alongside the Europeans against Te Kooti but some possibilities may be advanced. As was the case earlier with the Hauhau, Hawkes Bay Maoris had much to lose materially if they opposed the European and were defeated. But it was more than that. Te Kooti attacked and killed Maoris as well as Europeans and thus was both feared and resented by the Ngati Kahungunu. They were fearful for the safety of their hapu and resentful that the interloper - a Tuhoe - should dare to invade their

(34) HBH, 29 Sept. 1868, p.2.

(35) Gibson, pp.209-236.

territory. Further, the Maoris had always maintained a distinction between loyalty to the Queen and their troubles with the colonial Government. (36) When the trouble with Te Kooti arose, the Maoris held a large meeting at Pakowhai at which they condemned Te Kooti, expressed their determination to stick to the Europeans, declared unwaivering loyalty, and 'gave three hearty cheers for the Queen'. (37)

The major offensive against Te Kooti finished in late 1869 with his retreat into the Urewera. Once more land and land grievances became the focal point of Maori attention. The first indications of renewed bitterness came during the latter part of 1869 with Karaitiana's address to the General Assembly. The tenants of the Heretaunga Block had started to apply pressure to the Maori grantees to sell their share and shopkeepers were pressing Karaitiana for payment of debts. Similarly pressure was put on other Maoris to sell land and the realization of their position was rapidly becoming apparent. Karaitiana vehemently attacked the Native Land Court as the reason for all the troubles of the Maori people. His criticisms show up his ignorance of clause 17 of the 1867 Land Act as he was concerned that one person could alienate the land. He concluded by asking the Assembly '... to immediately take some action with regard to this thing [the Native Land Court] which destroys men...'. (38)

In 1870, Karaitiana went to Auckland to see Native Minister McLean to lay Maori grievances before him. Among other matters, he wanted reimbursement for the expenses

(36) The Maoris wrote denying they were fighting against the sovereignty of the Queen and that they wanted an investigation. Letters to the Queen and the Governor from Karaitiana, Tareha Te Moananui, Renata and 167 others. AJHR 1861, E-1E, pp.3-4.

(37) HBH, 30 Sept. 1868, p.1.

(38) Karaitiana Takamoana, AJHR, 1868, A-22, see Appendix 4.

incurred by the Maoris in the campaign against Te Kooti. (39) McLean sent him back to Hawkes Bay to see Superintendent Ordmond, who instead of giving Karaitiana financial aid, helped Thomas Tanner to bring a writ against him over the Heretaunga Purchase. This purchase has been described fully by Sorrenson (40) and as he claims, is fairly typical of land transactions in Hawkes Bay after the 1865 Land Act. It was at this time around 1870 that the storekeepers were in full cry, demanding payment of credit and forcing Maoris to give up their lands by foreclosing on mortgages. As Henare Tomoana cried 'The tradesman comes down on our heads like the monkey of a pile driver, which crushes us by its weight and force'. (41)

By this time, not only Maoris but some Europeans had become alarmed by the deterioration of Maoris and the underhand methods employed to obtain Maori land. The 1869 Land Act decreed that grantees were to be tenants in common, that the court was to define the interests of each individual grantee and only the majority in value could alienate or dispose of the land. (42) As well as Government concern, individuals were worried about the methods of land alienation, fearing the consequences that could arise.

In 1869 William Fox received letters from Europeans stating their anxiety over land. One letter described how a Government interpreter tried to bribe a chief into signing

(39) Memo by Sir William Martin, AJHR, 1871, Vol. 1, A-22.

(40) Sorrenson, 'Land Purchase Methods and their effect on Maori Population, 1865-1901' in Journal of the Polynesian Society, Vol. 65, 1956, pp.183-199; see also Mooney, pp.12-17.

(41) AJHR, 1871, Vol. I, A-2A. Papers relative to the Native Land Court Act and Appendices relating thereto, p.5.

(42) AJHR, 1891, Vol. II, Session II, G-1A, No. 4, p.11.

a mortgage by offering her £100 plus grog. Further he hoped that '... the Government will timely see to this kind of work; an immense deal of it has been and is being transacted here which will assuredly bear bitter fruits'.(43) Another letter from Interpreter F.E. Hamlin to Fox expressed concern at the alienation of Maori lands 'under the deceptive cloak of mortgages'. He accused Frederick Sutton, a shopkeeper and interpreter Morgan of deliberately trying to '... disinherit the Natives of their possessions and also to deprive them of their yearly rents.... The effects of this iniquitous and baneful traffic has yet to be felt by this province...'.(44)

Even the Hawkes Bay Herald, usually so quick to condemn the Maoris and promote settler interests had this to say on the return of Donald McLean in 1870:

We do, however, ask him to mark the epoch of his return by some wise efforts to stop that indiscriminate alienation of Maori lands now going on around us, which is at once a scandal and a danger to our community.(45)

By 1870 the voluntary trade in land was almost at an end as the Maoris reacted to the dubious methods employed by many of the Europeans endeavouring to buy Maori land. Not all settlers were guilty, but unhappily for the reputation of the province, many of the more prominent settlers were. As the Maoris were literally hunted out(46) and forced to sign over their lands to pay debts or go to prison, their bitterness grew. They began to look beyond petty hapu differences and see in their former rivals possible allies in a new battle - to retain what land they had and if possible, to regain the land they had lost.

(43) Cooper to Fox, 21 Oct. 1869 Ormond Papers, Box A, No. 394, Folder 2.

(44) Hamlin to Fox, 20 Sept. 1869, Ormond Papers, Box A, Folder 2.

(45) HBH, 26 May. 1870, p.2.

(46) This was particularly true of the Heretaunga purchase when the tenants 'pursued' the grantees - e.g. Tanner went to Wellington to see Tareha in the House and Manaena was forced to hide his 20 stone frame in a tree for 2 hours to escape Tanner and F.E. Hamlin. He said 'I was tired of being hunted; they were like bush dogs hunting bush pigs'. AJHR, 1873, Vol. III, G-7, Hawkes Bay Native Lands Alienation Commission, p.33.

THE MOVEMENT TAKES SHAPE

The discontent felt by some Maoris as the realization of their situation began to dawn on them grew into widespread bitterness. The Ngati Kahungunu became preoccupied with the land question. From a few scattered malcontents expressing concern, a popular and recognizable movement amongst Maoris took shape so that by the end of 1872, the European both in Hawkes Bay and in the rest of the colony was well aware of Maori grievances over land.

Initially, Maori complaints were confined to scattered outbursts by prominent chiefs as the discontent lacked any sort of cohesion. Tareha Te Moananui had been elected to the House of Representatives in 1868 for the Eastern Maori Electoral District and as such, was an important voice for the Ngati Kahungunu. Little if anything is known about his election but his prominence as a chief and his friendship with the other powerful chiefs around Napier would have been enough to ensure his election. Tareha was a moderate and he and Te Hapuku had been the first of the Ngati Kahungunu chiefs to take an oath of allegiance to the Queen.(1) It is not surprising therefore that Tareha had offered himself for election to a European institution. If the European representatives expected him to sit in awe and confusion in the strange, parliamentary atmosphere however, they were mistaken as Tareha soon made his presence felt.

From his maiden speech in August 1868 to his last in 1870, Tareha was preoccupied with the land question. In his first address, he complained that the Native Land Court was '... not being carried on in a clear manner'.(2) All his other speeches dwelt on land, criticizing Europeans and unfair land transactions and demanding an inquiry into the

(1) HBH, 10 Oct. 1865, p.2.

(2) NZPD, Vol. 2, pp.270-271.

Hawkes Bay Situation. (3) In his penultimate speech, the House was actually discussing the Thistle Ordinances Bill when Tareha arose and protested:

Why is time wasted in talking about thistles. There are very important matters to be attended to by the Assembly.... it is not the thistle that has taken possession of my land. No it is the European. They have taken the land belonging to the Maori. They are buying it with rum. Therefore, I say, turn your attention to making laws dealing with important subjects connected with this Island with reference to what affects Maoris and yourselves. (4)

As well as on a national level, Maori land protests were slowly being perceived by the European at a local level. In 1868, Government Interpreter George Fannin had observed at a Maori meeting at Pakowhai 'I might say that excepting Karaitiana's natives and perhaps Renata's, there was a great want of cordiality shown by the Natives generally present'. (5) By 1870, the rumblings were sufficiently loud for Superintendent Ormond to heed them and he wrote to McLean 'From what I can gather from some of the Natives I have seen, there is considerable feeling gaining ground among some of our Natives - I fancy the loss of their lands must be at the bottom of it. There is nothing much in it at present - still it is one of those things that want watching'. (6) Obviously the first signs of Maori dissatisfaction on a tribal level hinted at what was to come and the perspicacious European viewed the situation with trepidation.

It is difficult to measure accurately the depth of Maori ill-feeling at the time as one has to depend greatly on the observations of the Pakeha, both biased and unbiased for information. There are however two sources that one can consult to gauge the intensity of Maori feeling. The first

(3) NZPD, Vol. 6, pp.115-116, 245; Vol. 7, pp.512-513.

(4) NZPD, Vol. 8, p.148.

(5) G.T. Fannin to McLean, 5 Oct. 1868, McLean Papers, Vol. 9, p.45, W Tu.

(6) Ormond to McLean, 11 Aug. 1870, McLean Papers, Vol. 34, pp.35-36, W Tu.

The first of these is Native Department records of letters(7) sent in by Maoris who had complaints they wanted to bring to the notice of the Native Minister and the second is the Schedule of Petitions presented to the Legislative Council and the House of Representatives.(8) Both of these sources are detailed enough to give an accurate record of the volume and nature of Maori grievances and as such, warrant careful attention.

Prior to 1869, the Maori register(9) records only four letters from Hawkes Bay Maoris and of these, three were from Karaitiana. If the Maoris were concerned about their land in the early to mid 1860's, they did not let the Native Department know about it, at least not in writing. In 1869 however, the situation changed and in the next four years ending August 1872, the Native Department received forty-six letters of complaint from Hawkes Bay Maoris.(10) Almost all the letters protested about fraudulent land dealings and demanded redress from the Department.

It is not clear how many of the specific grievances were remedied but demands for a Commission to examine Hawkes Bay land transactions were met in late 1872. In the final analysis one can only speculate on why the volume of letters increased so dramatically at that time. Literacy was

- (7) Although the letters have been destroyed, National Archives holds registers of these letters and these registers contain the name and tribe of the sender, plus a description of the letters' contents.
- (8) These schedules are listed in the journals of the Legislative Council and the House of Representatives.
- (9) National Archives, Maori Affairs Records, No. 41 Maori Register of Inward Letters, 1865-1868.
- (10) National Archives, Maori Affairs Records, Nos 42 and 43, Maori Register of Inward Letters, 1869-1871, 1872.

probably increasing amongst the Maoris as more of the children attended schools. Te Aute College had functioned briefly in the 1850's and St Joseph's Providence had been established in the mid 1860's for Maori pupils. A number also attended European schools. There were also an increasing number of Europeans who could speak and write Maori and the Maoris made good use of their skills. As the letters came from Maoris all over Hawkes Bay, one could also guess there was a groundswell in Maori dissatisfaction and this, coupled with the familiarity of the Native Minister Donald McLean to most Hawkes Bay Maoris, could account for the development.

Following a similar pattern, no petitions were presented to the Legislative Council or the House of Representatives on behalf of Hawkes Bay Maoris before 1870. Between August 1870 and October 1872 however, there were nineteen petitions considered by the Select Committee on Native Affairs and the Petitions Committee of the Legislative Council. (11) The subject of all the petitions was land - requests for the abolition of the Native Land Court, alteration of the Native Land Acts, disputes over ownership and boundaries and demands for an inquiry into Hawkes Bay land transactions. Renata's petition in Appendix 6 is an example of the usual form the petitions took.

The petitions, coupled with the representations of the Maori Members of the House, had quite a significant effect as Maori complaints were brought to the attention of the legislators of the colony. The Select Committee reports usually referred specific complaints to the Native Department but in mid 1872, petitions requesting a commission to inquire into land transactions met with favourable consideration and the commission was gazetted soon after. The great number of

(11) See Appendix 5.

petitions as the Maoris made use of their new-found weapon soon had many Europeans worried and they agreed with Locke that:

It need not be pointed out the great expense and trouble petitions of the nature of the /Land disputes/ will put the country to, more especially if Natives get paid for their time, when it is clear they have no foundation for the grievance, and also that such a course will lead to attempts at the repudiation of all past and present transactions.(12)

Nevertheless, Maoris had found an effective, constitutional means of protest and they were not about to let it slip away as the importance of European methods of protest was now becoming apparent to them.

All Europeans were certainly not without conscience and particularly at a national level, some attempts were made to stem the abuses arising from the operation of the Native Land Acts. In 1870, the Native Frauds Prevention Act which had a two-fold aim became law. First, it was to prevent the maladministration of land vested in trustees, so that the trustees who really held land on behalf of a whole community, could not alienate land against the interests of the trust. Secondly, Commissioners were to be appointed to decide if transactions were fair and equitable, to ascertain that no part of the consideration was payable in liquor or arms, and to see that partners to the consideration understood the nature of the transaction.(13)

The intentions of this Act are admirable and if it had been fully effective or retrospective, the troubles that were to arise in following years could have been avoided. In many of the cases later examined by the Hawkes Bay Native Lands Alienation Commission, it was obvious that alcohol had

(12) S. Locke, JLC 1871; Petitions Committee, Minutes of Evidence, 31 Oct. 1871.

(13) AJHR, 1891, Vol. II, Session II, G-1A, p.11.

had been involved in the transaction but no action was taken. In Hawkes Bay, the impartiality of the Trusts Commissioner himself was suspect. Hanson Turton, an old friend of McLean's was appointed to the post and his sympathies are made clear by this letter to McLean:

For the past 12 years, they [his family] have always looked on you, not only as my friend, but as my Patron; and so you have been, and I have never been backward to acknowledge it. Amongst all your friends you have never had one who has written or spoken more than I have done in support of what I knew or imagined to be your proceedings or wishes in reference to Native Affairs. (14)

Turton's partially was later quite plain in his dealings with McLean's enemies, particularly Henry Russell.

The first signs of organized Maori resistance to further land sales appear in early 1871 in two letters from Ormond to McLean. He complained that Locke was making no progress in purchasing 70 Mile Bush and that he was '... not sure about Karaitiana - he is a cunning beggar - Locke thinks he is all right but I have doubts and believe if he chose he could settle it'. (15) A week later, he noted 'Karaitiana is to talk to you about 70 Mile Bush tomorrow - he is a cunning wretch and is as I thought at the bottom of all the difficulty in the purchase. Locke is no match for him'. (16). What is unusual about Karaitiana's interference is that 70 Mile Bush is in Central Hawkes Bay, well away from Karaitiana's sphere of influence so apparently the various hapu were beginning to form a loose group to prevent further alienation of land.

In response to the hardening Maori opposition, McLean ordered Colonel T.M. Haultain in July 1871 to furnish a report on the operation of the Native Land Acts. Included

(14) Turton to McLean, 8 Aug. 1872, McLean Papers, Vol. 58, Na Mu.

(15) Ormond to McLean, 12 April 1871, McLean Papers, Vol. 36, pp.179-181, W Tu.

(16) Ormond to McLean, 18 April 1871, McLean Papers, Vol. 36, pp.189-191, W Tu.

in the report were statements by Hawkes Bay chiefs Henare Tomoana and Waka Kawatini. Tomoana complained that Native Land Court judges refused to have land made inalienable even when requested to do so by the Maori owners. He also told of the great pressure brought to bear on Maoris to sell their land in order to pay debts. In the Heretaunga purchase, of the £1700 paid to Maori owners, only Arihi actually received cash in hand as all the rest went to pay off debts contracted by the owners. At that time, Tomoana owed £1300 and his land was mortgaged to secure it. (17) Waka Kawatini had lost land because he was not in court when his land passed through. When the land was later sold, he did not receive a penny for it. Even in the Heretaunga block, he only received £100 when he should have got at least £1000. The balance had supposedly gone to liquidate debts which Kawatini claimed did not exceed £200. (18)

Although the Maori stories were occasionally exaggerated, real grievances nevertheless existed. Haultain reported that serious defects existed and chicanery and fraud were causing much dissatisfaction. He noted Hawkes Bay Maoris' expensive habits:

... money and credit is spent in rot and debauchery. Some principal men are impoverished, the tribes defrauded and the land gone.... The Natives are greatly dissatisfied and blame not in any way their own imprudence and dishonesty but the operation of the law, and the cupidity of the Pakeha. (19)

After listing minor objections to the Native Land Court Acts such as the partiality of Government interpreters, the heavy expenses outside the court and the lack of power of the assessors, Haultain wrote with some satisfaction:

(17) Henare Tomoana, 31 May 1871, AJHR, 1871, Vol. 1, A-2A p.37, Appendix to Colonel Haultain's Report on the working of the Native Land Court Acts.

(18) Waka Kawatini, *ibid.*, pp.37-38.

(19) AJHR, 1871, Vol. 1, A-2A, Papers relative to the working of the Native Land Court Acts and Appendices relating thereto, p.5.

Efforts are being made also by those who have felt the evil, to prevent the further sales of the lands, by reserving them wherever they can, and by nominating as grantees only those who are known to be opposed to permanent alienation. (20)

Much attention was focussed on the situation in Hawkes Bay in mid 1871 as Haultain's inquiries progressed. Judge Munro of the Native Land Court reminded Fenton of the unique situation in Hawkes Bay and how the physical nature of the land contributed in a large way to the abuses that arose. The runholders had occupied big blocks and the Maoris got large rentals from these. It was simple enough to divide the money but subdivision of the land would have entailed increased survey expenses. Thus the land after it had been through the court, was not sub-divided and was entrusted to ten claimants, who although in the eyes of the tribe were only trustees, were in the eyes of the law absolute owners. Munro then stated 'I need not enlarge on the abuses to which such a state of things has opened the door'. (21)

The most perceptive and penetrating, if somewhat surprising, observation however came from Judge Fenton in August 1871:

The objections to the present system which are urged by such men as Wi Tako, constitute, in my opinion, its greatest condemnation. Shrewd men like him have not failed to observe that in the destruction of the communal system of holding land is involved in the downfall of the communal principles of the tribe, and the power of combination for objects of war or depredation. When a man is comfortably settled on his farm, he is not ready to follow his chief in an agitation which promises nothing beyond a little excitement and jeopardizes all he has got; and the feeling represented by Tako will doubtless spread as the power to give it any injurious operation will diminish....(22)

(20) *ibid.*, p.5.

(21) Munro to Fenton, 12 May 1871, *AJHR*, 1871, Vol. 1, A-2A, pp.14-16.

(22) Fenton to McLean, 28 Aug. 1871, *AJHR*, 1871, Vol. 1, A-2A, p.10.

What Fenton noted and criticized was becoming most obvious to the chiefs. Fenton's objection to the system was mainly that it destroyed the power of 'sensible' chiefs such as Wi Tako and Te Hapuku and that this was undesirable. The chiefs could see that the Maori social system was disintegrating - the system was largely based on the land and its possession and as the land disappeared, the effect was most pronounced on the rangatira class. If the chiefs were to save their remaining authority, something had to be done and that was to stand fast together and prevent further alienation of the land.

By the beginning of 1872, Hawkes Bay Maoris had formed themselves into two loosely-united factions, both opposed to further land sales and both seeking redress for existing grievances. How these two groups wanted to achieve these two aims were however very different. On one side were the Napier chiefs - Karaitiana, Henare Tomoana, Renata Kawepo, Tareha Te Moananui and others - and on the other side were the Central Hawkes Bay chiefs led by Henare Matua. For the moment, the bitterness was not enough to cement the two factions together and each planned its method of attack in a different manner.

Karaitiana Takamoana, leader of the moderate faction, had been elected to the House of Representatives to succeed Tareha in 1871. A little more is known of Karaitiana's election in that he in fact opposed Henare Matua for the Ngati Kahungunu nomination. Karaitiana won easily on a show of hands and perhaps this defeat accounts a little for Matua's later opposition to Karaitiana. As with Tareha, Karaitiana was an influential chief with powerful friends. Also he had served the Europeans well in two wars and had received a sword of honour from the Queen. He had shown a willingness to negotiate with the European and his election for Eastern Maori would have been a popular one with Maori and European alike.

Although Karaitiana, like other Maori Members of the House, did not speak English very well, he made good use of his position to attack dishonest Europeans and shady land transactions. In September 1871, he berated the Europeans:

... You accuse the Maoris on account of their ignorance and you say their ignorance is the cause of the evil that reigns. I say, no; the cause lies with yourselves, and because you have not extended to us your knowledge ... The knowledge the Maoris have obtained from you in that matter /to sell land/ is the destruction of the people and the taking away of their lands.(23)

He went on to propose an increase in Maori Representation, both in the House of Representatives and in the Legislative Council as a means of promoting justice for the Maori.

Karaitiana and his supporters were pragmatists, well versed in the ways of the European. Both Karaitiana and Tareha Te Moananui had sat in the House of Representatives and they, as well as Renata and Henare Tomoana, had fought for the European against Te Kooti. As a result, they had gained the respect of many influential Europeans so that there was a distinct possibility that their grievances would be listened to. An example of Karaitiana's pragmatism and the European respect he had gained was well illustrated in 1871, when the Hawkes Bay Herald the outspoken bastion of European conservatism, said in an editorial on Karaitiana's suggestion that English should be taught in Native Schools that this was praiseworthy and that Karaitiana was '... a really acute and clearheaded Maori...'.(24) In view of all this, Karaitiana's faction was moderate, preferring to gain redress by European means and favouring the setting up of a Parliamentary Commission.

Henare Matua and his supporters on the other hand, were regarded as extremists. In contrast to Karaitiana and

(23) NZPD, Vol. 10, p.471.

(24) HBH, 29 May 1871, p.2.

company, the Central Hawkes Bay Maoris were much more isolated and had less contrast with the European. Hence the logical solution to the problem for Henare Matua was isolation from European interference, rather like that of the King Movement. Henare was by no means ignorant of the ways of the European - he had opposed Karaitiana for the nomination as Maori Member for Eastern Maori and had, like Karaitiana, sent letters to the Native Department and organized petitions to be presented to the House.

Matua actually held formal office as an Assessor in the Native Land Court with a salary of £100 per annum. In 1865 Ormond has recommended him to McLean as an Assessor 'as one, if not the best man we have for such an office in our part of the district'. (25) Not much is known about Henare's experiences as an assessor but it was probably these experiences, along with his increasing concern over fraudulent land dealings that led to his desire to withdraw from European contact. At first he wanted to increase the number of Maori representatives in the House of Representatives but by late 1871, he was concerned that the Maori Members were powerless. In the Land Court, the Maori Assessors were virtually ignored and without power and this was usually most frustrating for concerned people such as Henare. All his experiences would have reinforced his belief that a Maori could wield no influence in the European system.

There were other reasons for the void between Karaitiana and Henare Matua. Although members of the same tribe the distance both physical and kin, was great. In pre-European days, hapu had often fought each other. Mistrust, suspicion and rivalry common between Maori communities had built up over many decades and had to be overcome before any agreement

(25) Ormond to McLean, 17 Jan. 1865, McLean Papers, Vol. 45, Na Mu.

could be reached. Although Matua possessed great influence amongst Central and Southern Hawkes Bay and Wairarapa Maoris, he was not well known in Napier and was initially regarded by both Maori and Pakehas as being of lesser importance.

It was not long before Matua's presence was felt. In November 1871, Ormond wrote to McLean about 70 Mile Bush:

The Natives have taken possession of Ross' theodolite and chain and keep the same Old Abraham of Tokoraite assisted by Henare Matua's brother and people did this - I propose to send Locke up with Karaitiana to get back the instruments and re-start the survey - they will I think get the message - but if not we ought not to allow a few miserable wretches like the Natives in question to take the law into their own hands - a little show of firmness wd. stop the Henare Matua opposition and as it is unlawful it wd. be quite justifiable to take the necessary measures. (26)

A few months later, the Hawkes Bay Herald reported that Henare Matua and his committee had developed a system for repudiation. They would find a flaw in the title of one of the grantees, the other grantees would then be persuaded to sign and say the share of the individual embraced the whole block thus repudiating the transaction. (27) Obviously, Ormond's advice to McLean to show a little firmness to stop Matua's opposition was not heeded. Even if it had been, the Maori discontent was so deep seated that attempts to quell it by force would surely have been resisted with force.

During the early part of 1872, the two factions co-existed without coming together to formulate a united plan of action. In July however, Henry Robert Russell, soon to be vilified as the malignant cause behind the Maoris, stirring them to repudiation, urged Henare Matua to meet with Karaitiana, Matua, perhaps sensing the futility of two separate forces, often at odds with each other, agreed and on 10 July, a huge meeting was held at Pakowhai. The

(26) Ormond to McLean, 20 Nov. 1871, McLean Papers, Vol. 37, p.243 W Tu.

(27) HBH, 19 June 1872, p.2.

meeting, attended by 500 Maoris lasted two days and was marked by drawn-out and often bitter debate.

Henare Matua argued against cooperation with the European to find a solution to the land problem. He pointed out that the Maori representatives in Parliament were not listened to and had gained nothing. The Europeans he said, had taught them only 'heavenly words' instead of 'earthly knowledge'.(28) As to uniting, he was ready to do so if they would bring all their grievances to him to get them redressed, but never would unite with them as long as they were friends of the Government: he would never drop his antagonism to the Government'.(29) The meeting continued in similar vein with Matua attacking the European whilst Karaitiana, Renata and other moderate chiefs continued to propose schemes that would enable the Maoris to effectively negotiate with the European.

Eventually it was decided that two or three chiefs should accompany Karaitiana to Wellington to advise him and 90 was subscribed for this purpose. The meeting ended on rather a discordant note when Renata reproached Henare Matua for continuing to oppose the intentions of Karaitiana and his side to meet with the European and told him that he '... thought you had come here to lay aside your opposition... you had better go your own way...'.(30) All was not lost however as Matua had reluctantly conceded that '... he did not wish for war and if Karaitiana Takamoana could obtain justice by his methods, then he would give in to him...'.(31) Although no real unity had been achieved, the two sides had come together and aired their differences. Matua had agreed to cooperate if Karaitiana could achieve some real result. Shortly after the meeting, one of the Maori demands was met in the form of the Hawkes Bay Native Land

(28) JLC, 1872, Appendix No 11. Enclosure in No 2. Summary of Speeches, pp.4-7.

(29) *ibid.*

(30) *ibid.*, p.7.

(31) *ibid.*, p.4.

Alienation Commission and thenceforth, albeit with occasional disagreement, Karaitiana and Matu worked together towards their common goal.

During the latter part of 1872, as the movement settled into a recognizable shape and started to exert an influence on Maori land going before the Land Court and the Trust Commissioner, Europeans began to fear the consequences. In June 1872 Ormond informed McLean that:

On the opposite side /to the Maori repudiators/, nearly the whole European population is engaged and strong feeling is excited - country settlers by the dozen have thronged Turton's court during the last inquiry. The settlers say simply this that the first attempt by the Natives to take any action to assume rights to lands parted with will be met by force and I believe it will. (32)

A number of Europeans had much to fear and amongst these were some of the most influential men in the province. They had been highly suspicious of any movement by the Maori to oppose further sales of land formerly now, with the emergence of an organized group, not only with an effective means of preventing further alienation but also with the intention of using European methods to bring about inquiries into land transactions of the past, they feared for the security of their land titles. The Hawkes Bay Maoris had served notice that they were emerging from their 'ignorance' and they planned to use every legal method at their disposal to obtain justice for what they saw as the fraudulent dealings of the previous decade.

(32) Ormond to McLean, 10 June 1872, McLean Papers, Vol. 38, p.297. W Tu.

EUROPEANS TAKE UP THE CAUSE

Mid 1872 marked a significant point in the history of the Repudiation Movement. Henry Robert Russell entered the fray and the next half decade was to bring a bitter struggle between him and the Repudiationists on one hand and influential European landowners on the other. Also against the Repudiation Movement was ranged the bulk of the European population which was fearful that Maori discontent might lead to a repeat of the troubled times of the early 1860's in the Taranaki and elsewhere in the North Island.

Henry Robert Russell is an enigmatic character, maligned and disliked by many of his peers and consequently, he has tended to receive a 'bad press' from some historians.

(1) Russell was a well-to-do Scot who took up land in Hawkes Bay around what is now Waipukurau in the early 1850's. By 1856, Russell and his brother had acquired some 2,400 acres around Waipukurau. (2) In 1860, Russell obtained another 1075 acres (3) and by 1870, he had amassed a further 22,325 acres. (4)

Russell possessed a very imperious manner and was very conscious of his position as a leading Hawkes Bay settler and landowner. In 1867, he founded a 'model' village at

- (1) Notably Coleman, p.102., M.D.N. Campbell, 'The Evolution of Hawkes Bay Landed Society, 1850-1914' Unpublished Ph.D Thesis, Victoria University, 1972, and Sorrenson, 'The Politics of Land', The Maori and New Zealand Politics. Talks from a NZBC Series with additional essays, ed. J.G.A. Pocock, Auckland, 1965, attribute Russell's motives to political ambition.
- (2) Wilson, p.223
- (3) Hawkes Bay Government Gazette, Vol. 1, No. 12, January 1860.
- (4) M. Macgregor, Early Stations of Hawkes Bay, Wellington, 1970.

Waipukurau where he leased sections for 99 years and decreed there was to be only one towns person of each occupation. Because of his manner and disposition to play the local squire, Russell was known as 'Lord Henry' throughout Hawkes Bay. To further reinforce his feelings of self-importance, he was appointed the Central Government Agent for the East Coast to succeed Donald McLean in 1869. From 1862 to 1885, he was a Member of the Legislative Council.(5)

Russell's reasons for taking up the repudiationist's cause have usually been interpreted as self-seeking - an attempt to find an effective way of attacking his political enemies in Hawkes Bay. It has been said that he hoped that the trouble over repudiation would lead to Government investigations of Maori land transactions in Hawkes Bay and that any findings would have disastrous effects for his arch foes - D. McLean, J.D. Ormond, T. Tanner, G.S. Cooper, F. Sutton and others.(6)

As well as using the movement to attack his political opponents, it is also claimed that Russell was seeking to feather his own financial nest.(7) While the former is probably true, the latter is not necessarily so far as has been pointed out, Russell made no substantial losses.(8) It is difficult to see how he could have profited out of the movement other than being granted part of any settlement obtained by Maoris through the court.

There are two aspects of Russell's involvement in the movement that have not been examined. First is the Maori indebtedness to him, and the second is Russell's genuine humanitarian concern for the Maoris.

(5) Dictionary of National Biography, Vol. 2, p.265.

(6) Campbell, p.62.

(7) Coleman, p.102.

(8) Campbell, p.60.

The amount of money owed Russell by local Maoris was substantial and it is more than likely that Russell had an eye to how the Maoris could repay him. Russell kept meticulous books. The Mount Herbert ledgers from 1867 to 1879 contain entries detailing money he lent to Maoris.(9) By 1872, these debts totalled thousands of pounds. A number of prominent names appear among his debtors - Arihi, Te Hapuku, Karaitiana Takamoana, Henare Tomoana, Henare Matua, Tareha Te Moananui and Renata Kawepo - in short, nearly all the leading chiefs of Ngati Kahungunu in Hawkes Bay.

It is this financial aspect, as well as Russell's other actions that lead one to believe that there was also a humanitarian concern. He continued to lend money to Maoris right through the 1870's, in spite of the setback that was to result from the Hawkes Bay Native Land Alienation Commission and the decline of the Repudiation Movement in late 1876.(10) Between April 1872 and January 1877, Russell spent £2781 on 'Native Affairs' and this did not include the personal loans already mentioned.(11) It was most unlikely Russell could recoup these administrative expenses, even if court cases were successful.

Not much is known of Russell's earliest involvement with Hawkes Bay Maoris. His sympathy for them in 1860 was obviously not great as he wrote to McLean that most of the Maoris of his district were 'Runanga people' and there was '... considerable alarm and excitement among the Maoris hereabouts'.(12) He remarked that a Resident Magistrate was needed who could '... by degrees weaken

(9) See Appendix 6, Ledgerbooks A and G.

(10) See Appendix 6.

(11) *ibid.*

(12) H.R. Russell to McLean, 15 April 1860, McLean Papers, Vol. 19 W Tu.

the Runanga influence'.(13) Russell must have been in constant contact with local Maoris and others however, through his position as Government agent and also by virtue of his homestead's situation - at the junction of important Maori tracks.(14) The volume of travellers was so great that Russell was obliged to build an accommodation house.

The first recorded occasion of Russell's intervention on behalf of the Maoris came in 1870. He expressed his concern to a Native Land Court judge and the Native Minister about licensed interpreters, whom he claimed had a double capacity as land agents and interpreters resulting in a clash of duty and interest.(15) He took the matter further in the Legislative Council Chamber the same year when he asked '... if every care will be taken that such appointments [as licensed interpreters] shall only be conferred upon persons duly qualified, and of undoubted respectability and integrity?'(16)

Russell also called in the same year a new clause to be added to the Native Lands Frauds Prevention Bill:

That in all cases in which the Natives of any tribe shall complain to the Trust Commissioner to the effect that any sale of lands in which they are interested has been fraudulently or illegally made, it shall be the duty of the said Commissioner to inquire into such complaint....(17)

This is somewhat surprising and points further to the enigmatic nature of Russell's character as he himself became involved in disputes and appeared before the Trust Commissioner on two occasions. This was despite his letter to Judge Fenton saying 'I am glad to say that the Native Fruads Prevention Bill has checked to a considerable

(13) *ibid.*

(14) Macgregor, p.143.

(15) Russell to Fenton, 7 Feb. 1870, Ormond Papers, Box A, Folder 3.

(16) NZPD, Vol. 9, p.478.

(17) NZPD, Vol. 9, p.455.

extent the scandalous transactions which have made Hawkes Bay so notorious'.(18)

The first dispute was a complex one involving the making over of Te Hapuku's land on trust to Russell for a number of years. The dispute involved McLean and Ormond as well as Russell with counter-accusations flying amongst them. Turton, the Frauds Commissioner, despite his dislike for Russell and desire to please McLean(19) found there was no evidence that Russell '... has acted or intended to act in a manner prejudicial to the interests of Te Hapuku and therefore exonerate him from the charges which are contained in the report'.(20)

During the case, some interesting correspondence illustrating Russell's concern for Maori welfare came to light. Russell wrote to H. Sealey that certain parties were trying to get land on terms not favourable to the Maoris and that land sales before the blocks went before the Native Land Court would lead to '... much injustice to many of the owners and to spread ill-felling among them'.(21) James Grindell stated that Russell had written instructing him '... to get as much of the land made inalienable as possible.... This was to prevent the land-sharks rushing in and making bargains with some of the co-grantees without the consent of the others'.(22)

Russell's second appearance before the Frauds Commissioner was not so successful. Ranged against him were

- (18) Russell to Fenton, date', AJHR, 1871, Vol. 2, G- No. 7, Report of the Trusts Commissioner under the Native Frauds Prevention Act.
- (19) See above, Chapter 3, p.41.
- (20) J.L.C., 1871, Appendix, Evidence of the Select Committee upon Council Paper No. 97, p.142. See also AJHR, 1871, Vol. II, G-No. 7.
- (21) Russell to H. Sealey, 11 June 1871, Ormond Papers, Box A, Folder 7.
- (22) JLC, 1871, Appendix, Evidence of the Select Committee upon Council Paper, No. 97.

J.G. Gordon, A.H. Russell, J.N. Williams, T. Tanner and Ormond, owners of part of the infamous Heretaunga Block. They objected to a certificate being endorsed on a deed of lease between Arihi, Heraka Te Aroatua and Russell. Turton found the lease was fraudulent on the part of both sides to the prejudice of the third persons (Gordon and others), and that the transaction was contrary to 'equity and good conscience'.(23)

It was on 6 June 1872 that Russell became associated openly with Maori grievances. His motives were still suspected by a number of Maori chiefs however. Henare Tomoana spoke bitterly against him and advised the meeting at which Russell was to speak '... to have nothing whatever to do with Henry Russell, or any European. In the end, he will drop us like a stone'.(24) An argument erupted between Russell and Tomoana with each accusing the other of 'two-handedness' and Russell alleging that Tomoana only spoke as his did because Hamlin a Government interpreter had appeared.

Russell's public attack on Henare Tomoana and Government interpreters was a continuation of his belief that interpreters were too interested financially in land transactions to give fair advice to the Maoris. In view of G.S. Cooper's letter to Premier William Fox complaining about interpreters offering bribes(25) and the decided affability of interpreters Fannin and Hamlin towards McLean, Ormond and others, Russell's distrust was at least partially warranted. In June, the Herald remarked when Russell engaged E. Maunsell, a Wairarapa interpreter, that this was

(23) JLC, 1872, Appendix No. 10, Report by the Native Lands Frauds Commissioner, No. 2, p.12.

(24) HBH, 10 June 1872, p.2.

(25) See above, Chapter 2, pp.34-35.

a compliment to local interpreters as there was none '... on whom he could depend, none would lend themselves, we suppose, to the work of bringing about a war of races'.(26)

Despite his clash with Henare Tomoana, Russell clearly explained his motives and the nature of his work, which was:

... to investigate all mortgages and conveyances to land, and, where it appears that wrong has been done to the native owners by such transactions, to endeavour, by peaceable and legal means, to obtain redress.... It is no part of my work to assist any native to repudiate the just debts he owes to Europeans, or any mortgage or conveyance which has been given a fair and just consideration.(27)

Other chiefs besides Henare Tomoana however, were uncertain of Russell's real reasons for involvement. Tomoana reiterated his previous comments on Russell at a meeting later in June. When replying to Russell's claim that his actions were a 'work of love', Tomoana said that Russell's work '... was no better than that of the Hau Hau'.(28) His doubts were echoed by Karaitiana Takamoana who remarked that Russell and Henare Matua '... were working together in a bad work'.(28A) The debate continued through to the July meeting of the emerging movement when Matua defended himself, pointing out that it was not his wish that Europeans should handle Maori affairs and that Russell had come to him of his own accord.(29)

William Colenso continued the attack against Russell, claiming Russell was working for revenge and that '..... no good had come to any of those natives who were his friends'.(30) Matua, who was advocating that every

(26) HBH, 14 June 1872, p.2.

(27) HBH, 11 June 1872, p.2. See also JLC, 1872, Appendix No. 11, pp.8-9, Enclosure in No. 3.

(28) HBH, 19 June 1872, p.3. (28A) *ibid*,

(29) JLC, 1872, Appendix No. II, Enclosure in No. 2.

(30) *ibid*.

transaction since the Treaty of Waitangi should be investigated, said that he believed what Russell had told him was right and that perhaps 'Mr Russell and Mr Colenso had had some quarrel'. (31) Whatever Colenso, Karaitiana Takamoana and Henare Tomoana had claimed Russell's stocks must have been high as he was appointed, with Henare Matua, as a trustee for the purpose of re-opening questions of sales, leases and mortgages. (32) Locke's assessment of Russell's influence was that:

... the movement that is now going on here, if taken up by the Government, can all be turned in a right direction. Henry Russell must be stamped out, the Government take up the grievances feigned or real or whatever they may be and take the reins in their own hand. (33)

The opposition to Russell's involvement from European population in Hawkes Bay was immediate and vitriolic. Ormond stated 'That wretch H.R. has been as active and vicious as ever lately.... a movement is getting up to turn H.R. out of the Club which ought to succeed - certainly the part he took in the Heretaunga business (34) proves him to be a thorough blackguard and unfit to be associated with by Gentlemen...' (35) Hanson Turton also found it necessary to inform McLean that '... 23 members of the club have signed a request for Mr Russell to resign, on account of ungentlemanly conduct; and the Secretary has written to him accordingly. Should he decline to exercise his option of resigning, he will be expelled'. (36)

A meeting in the Napier Oddfellows Hall was attended by about 400 people who were '... very orderly when no one

(31) *ibid.*

(32) Locke to Native Minister, 16 July 1872, *JLC*, 1872, Appendix No. II, p.4.

(33) Locke to McLean, 10 July 1872, *McLean Papers*, Vol. 39. W Tu.

(34) See above, Chapter IV, p.55.

(35) Ormond to McLean, 17 June 1872, *McLean Papers*, Vol. 38. W Tu.

(36) Turton to McLean, 22 June 1872, *McLean Papers*, Vol. 58, Na Mu.

attempted to speak in favour of H.R. Russell, but any hint in that way was met with a storm of hisses'.(37) The meeting demanded Russell's dismissal from the Upper House and as a J.P. : 'Why should such a sneaking disturber of the public place hold such high positions, to the disgrace and contempt of all sensible people'.(38) Little defence was made of Russell and his motives - perhaps the kindest public comment came from the Hawkes Bay Times which remarked that the attempt to blackball Russell was a '... petty attempt at persecution' and that Russell could show that '... perhaps dealings with the natives were not always as straight as they should have been.... Russell by private enterprise had done a lot of good for the province'.(39)

In view of the storm that was brewing, Russell felt constrained to defend himself. In June he wrote:

I may state that I have never, at any former time, taken, nor am I taking, part in any dispute between the Government and the Natives.... I never interfered hostilely to the Government, but have always advised the dissenting Natives to come to terms.... The newspapers here, instigated and hired by interested parties, are endeavouring to create sensation against me, by pretending that the Native mind is excited to a dangerous degree.... surely neither the Natives, nor anyone who chooses to take up their cause, are to be debarred from trying to obtain redress for wrongs, either financial or real, in a legal or peaceable manner. The discontent in the Native mind is not with the Government, but simply with some twenty individuals, I believe at most, of whose land dealings they complain. Some of the individuals are influential, and, by misrepresentation of my conduct in every way, are endeavouring to create a bad feeling in the minds of the European population against the Natives, which might lead to trouble.(40)

It is difficult to determine whether Russell was speaking the complete truth although there is nothing to suggest that he was endeavouring to upset genuine land

(37) W. McLaine to McLean, 21 June 1872, McLean Papers, Vol 58, Na Mu.

(38) *ibid.*

(39) Hawkes Bay Times, 2 Oct. 1872, p.2.

(40) Russell to Colonial Secretary, 13 June 1872, JLC, 1872, Appendix No. II, p.8, No. 3.

transactions. Most of the trouble arose because a number of the questionable land deals, or at least the ones that Russell questioned, were those of influential settlers - McLean, Ormond, Tanner, Sutton, S. Williams, J.N. Williams and A.H. Russell - in short, many of the 'Twelve Apostles' who had bought the Heretaunga Block. To adequately assess the relationship between Russell and these influential Europeans however, it is necessary to look back to the period of the 1860's when the first signs of conflict appeared.

From the early sixties, McLean, Ormond, and other landowners had been extremely sensitive about their transactions in Maori land. They and several other prominent settlers had been accused openly of illegally occupying Maori land and protecting themselves by virtue of the office they held. In 1861, Superintendent Fitzgerald wrote to the Colonial Secretary that 'Little sympathy was to be expected with the Maori in the Provincial Council, where the majority were sheepowners who leased land themselves. In addition to which Mr Donald McLean is well known to be himself one of the greatest trespassers and occupiers of native land in the Province....' (41)

Letters to the Herald also attacked the Provincial Council landholders. 'It is clear to everyone that those now in office and who monopolize the places of power, emolument, and trust, do so with no other end in view but to aggrandize themselves...' (42) The writer went on to accuse Ormond of being an illegal squatter and referred to the land held by the 'iniquitous twelve'. (43) Another writer, QED, alleged that '... ten or a dozen conspirators, facetiously called Apostles' were illegally occupying the Ahuriri Plains and

(41) Fitzgerald to Colonial Secretary, 14 Jan. 1861, cit. Wilson, p.213.

(42) HBH, 29 July 1865, p.2.

(43) ibid.

that McLean had done nothing about the matter. The Provincial Council had raised only a 'miserable protestation' because it was composed of sheep farmers and the question '... will be naturally and intentionally forgotten'.(44)

Relations between Russell and what came to be known as the 'Land Ring' were amicable through the fifties and early sixties. At that stage, anxiety over the Maori situation in view of the wars in the Taranaki gave the Europeans something to think about rather than rivalry over land. There is correspondence amongst the McLean Papers from Russell and from Ormond about Russell showing their cordial relations. In 1863, Russell invited McLean up to the races(45) and in 1866, Ormond informed McLean that he was meeting Russell off the 'Ashley' at Napier.(46)

Most correspondence at that time concerned the Maori situation inland. 'From H. Russell's letter to me /Ormond he is in a thorough panic fright and he speaks of others as sparing his feelings.... His Lordship pictures our homes in the hands of ruthless savages. In fact I am very glad I am out of the neighbourhood of his enervating dolefulness...'(47) Later he remarked that 'His Lordship is a curious character - as you know, a few days ago, he was in a state of panic. When I saw him on my way up, he was full of a days summoning /Russell was the District Magistrate' which he was going to hear against the Natives around him'.(48) Ormond's rather derogatory reference to Russell as 'his Lordship' was not necessarily indicative of his feelings - he at various times in his correspondence with McLean called Thomas Tanner a donkey, A.H. Russell a booby, William Colenso Barrabas, J.S. Curling an idiot and G.S. Whitmore an ass - and at least three of these were good friends of his.

(44) HBH, 3 June 1865, p.2.

(45) Russell to McLean, 12 March 1863, McLean Papers, Vol. 20, W Tu.

(46) Ormond to McLean, 25 April 1866, McLean Papers, Vol. 20, W Tu.

(47) Ormond to McLean, 28 May 1863, McLean Papers, Vol. 21, W Tu.

(48) Ormond to McLean, 8 June 1864, McLean Papers, Vol. 22, W Tu.

The first signs of acrimony between Russell and Ormond and McLean became apparent in 1866. It is interesting to note that E.W. Stafford's second Ministry had been in power since October 1865. McLean and Ormond in the House of Representatives were strongly opposed to his Ministry, supporting William Fox, while Russell in the Legislative Council supported Stafford and opposed Fox. The settling of the European protagonists on opposite sides of the political fence was becoming clearly defined and was to manifest itself over the following two decades.

In late 1866, Ormond wrote to McLean saying Russell was stirring local inland people against McLean but that 'The fact is Russell is hated everywhere and his silly boast of having made you carry out his plans has riled people'. (49) He soon after made his feelings about Russell quite plain:

It is only that infernal fool Russell who has been annoying people by telling them he had done it. /set up the District Court/ I got 2 or 3 letters abusing me most fearfully for abandoning all my old friends and allowing his Lordship's diction to prevail. Of course I was as innocent as the unborn babe. I shd say to you always be very cautious with Lord Henry, or anything he proposes - he is a very dangerous fellow - he must talk to everyone about anything he has a hand in, and he is a good mischiefmaker - I don't fall out with him simply because I never associate myself with him - but the jealousy the other settlers have of him is very great. (50)

The antagonism went deeper when Russell opposed the Provincial Council's handling of the campaign against the Hau Hau and enlisted the aid of Stafford to thwart Ormond and McLean. Ormond, as Superintendent, wrote bitterly to McLean that 'Undoubtedly, without the antagonism of Lord Henry and Whitmore, we should have had /Captain/ Frazer back, and a force on the East Coast, and that would have

(49) Ormond to McLean, 30 Nov. 1866, McLean Papers, Vol. 26.W Tu.

(50) Ormond to McLean, 6 Dec. 1866, McLean Papers, Vol. 26.W Tu.

dealt with the enemy before this'.(51) Russell succeeded in having Whitmore take charge of campaign much to Ormond's disgust '.... both Russells... jeering at what is being done and glorying in Whitmore's coming to assume the thief command - the miserable wretches. Their spite is only equalled by their cowardice'.(52)

There was of course great interest in the fight against Te Kooti. Ormond, piqued at having control of the campaign removed from the hands of the Provincial Council, followed progress carefully and reported back to McLean, every move made by Whitmore or Russell. At the same time, he made his political opposition to Russell quite plain. "I hear that Lord Henry who is in constant communication with Stafford is working away against me and that he has only just begun'.(53) Ormond's dislike for Russell, and no doubt McLean's also, was reinforced when Stafford's Ministry withdrew the Government Agency from McLean and temporarily gave it to Russell - 'What a pass the country is coming to when such a panic stricken ass as he, is trusted with the peace of the district'.(54)

With the dying down of the Hau Hau trouble in 1870, it was not long before Russell again was brought to McLean's attention by the ubiquitous Ormond. This time, the question was over native land and 1872 witnessed the first stirrings of the future bitter struggle between Russell and his repudiationists and McLean and the notable settlers.

Most of the reports on Russell's early involvement with the Maoris came from newspaper reports, correspondence between Ormond, McLean and others and from sources such as

- (51) Ormond to McLean, 7 Dec. 1868, McLean Papers, Vol. 48, Na Mu.
- (52) Ormond to McLean, 2 Dec. 1868, McLean Papers, Vol. 29 W Tu.
- (53) Ormond to McLean, 15 Jan, 1868, McLean Papers, Vol. 30 W Tu.
- (54) Ormond to McLean, 5 April 1869, McLean Papers, Vol. 30 W Tu.

the Appendices to the Journals. Ormond's partisanship has already been established. The 'Land Ring' obviously realized the influence of newspapers and the need to gain favourable publicity. The Hawkes Bay Herald sided with McLean and continued to do so throughout the seventies, no doubt aided by substantial financial donations.(55)

Ormond showed his cunning in 1871 when he told McLean that he would support the editor of the new paper, the "Daily Telegraph" by backing his attempt to gain a commission militia as this might '... assist in keeping him quiet. It/Daily Telegraph is a wretchedly edited affair but is taking our side and is fairly supported and will if continued Wood /the editor of the Hawkes Bay Herald much harm - of course I stick to Wood who deserves it for he has behaved very well to us all through'.(56)

Ormond was not quite so happy six months later when a 'rascally article' appeared in the Daily Telegraph which had him most vexed. He said though that it 'is the first time this Paper has given any trouble although as you suppose it has been difficult to keep two Papers so antagonistic on the same side'.(57) The Daily Telegraph must have become impossible to control because in October 1871, Fannin informed McLean that he should not trust any of its staff because 'they were partly retained by the Russell-Stafford clique. Everything they can do, they do against you and Mr Ormond and in fact against the Government as a whole'.(58)

The Hawkes Bay Herald however remained firmly within the control of the 'Ring'. In February 1872, Ormond wrote

- (55) In 1871, Ormond, McLean, A.H. & W.R. Russell, The Bishop of Waiapu and others donated £50 each to the HBH to fight a libel case against Russell. Ormond to McLean, 6 Aug. 1871, McLean Papers, Vol. 11 W Tu.
 (56) Ormond to McLean, 8 Feb. 1871, McLean Papers, Vol. 36 W Tu.
 (57) Ormond to McLean, 21 July 1871, McLean Papers, Vol. 37 W Tu.
 (58) G.F. Fannin to McLean, 2 Oct. 1871, McLean Papers, Vol. 37 W Tu.

to McLean, telling him that the Herald had proposed that he should take the whole responsibility for the libel case brought by Russell on the grounds that Ormond had supplied the information. Ormond replied that '... if I made myself responsible for all the information I have given them in the past years, I shd have a great many actions to defend and of course declined to do anything of the kind'. (59) This confession by Ormond throws much doubt onto the veracity of reports that had and were to appear in the Herald over the years and means its reports on the Repudiation Movement should be treated with some care.

In March 1872, a significant twist was added to the Russell 'Land Ring' dispute as Russell turned his attention to other matters - notably the encouragement to Maoris to question former land transactions. As Ormond put it, Russell became 'unusually active' and as he spoke to meetings of Maoris and, according to the Reverend Samuel Williams, urged Maoris to repudiate everything they could. (60) Ormond eyed the stirrings with concern and voiced this concern to McLean '... the Natives inland are in a state of ferment at the proposals of repudiation urged upon them and one sees clearly the power of mischief that the one or two unscrupulous bad men have with the Natives'. (61)

Ormond had good cause to be concerned with the land wars in the Taranaki and Waikato, the earlier Runanga Movement and attempts at repudiation in Hawkes Bay and the wars against Te Kooti and the Hau Hau still fresh in his mind. Yet how much was repudiation the work of Henry Russell and those politically opposed to McLean and Ormond? That was the way Ormond viewed the situation and he was a very influential man. He chose however, in his preoccupation with Russell,

(59) Ormond to McLean, 29 Feb. 1872, McLean Papers, Vol. 38. W Tu.

(60) Ormond to McLean, 6 March 1872, McLean Papers, Vol. 38. W Tu.

(61) Ormond to McLean, 4 May 1872, McLean Papers, Vol. 11. W Tu.

to ignore the continual rumblings from such influential Maoris as Karaitiana Takamoana and Henare Tomoana, who had decided to act upon grievances before Russell arrived on the scene.

It is difficult to assess exactly what Russell's real motives were and his role in the Movement. Undoubtedly his opposition to McLean, Ormond and others may have been part of his reason for taking up the cause. Ormond's correspondence certainly showed that great bitterness existed between them.

Russell however remains an enigmatic character. It would seem he was motivated by more than just revenge. He certainly was not out to make money - indeed he spent a considerable amount that he had no hope of recouping. Perhaps as he claimed, he genuinely wished to help the Maoris and regain for them what was rightfully theirs. Whatever his reason, Russell did not 'start' the Repudiation Movement. He may have fanned the hot embers of anger and helped to revive flagging Maori spirits. Most of all, through his knowledge, position and money, he opened many doors and helped to guide the Movement, giving it an effective and powerful voice over the next half decade.

TO THE HUSTINGS AND THE BENCH

European settlers in Hawkes Bay were alarmed by the June meetings of the Maori repudiationists and in response to these, the settlers held their own meetings. Arguments flared and there emerged a grim determination to prevent the Maoris from making wholesale repudiations of past land transactions. If there was determination on the European side to retain the land so too was there determination on the Maori side to use whatever means were available in an effort to regain land they believed had been unjustly taken from them.

Initially at least, settlers such as Ormond, Tanner and Sutton viewed Russell's activities with some contempt, with Ormond believing Russell to be going mad. (1) Their trepidation grew however as reliable informants such as Samuel Locke reported from inland Central Hawkes Bay that:

Henry Russell is working night and day to upset all the past transactions in land since the Lands Act came into force.... This is a much more serious question than the upsetting of two or three titles. It will - if not stopped - with a firm hand - lead to a Repudiation League among the Maoris. (2)

Reports flowed into Native Minister McLean, giving often inaccurate accounts of what occurred at meetings of Maoris. Locke and Ormond were his chief informants, keeping him abreast of Russell's activities and the State of Maori opinion in the Province. The picture they sketched was one of apprehension as they realised the common sense of purpose of the Maori people was becoming stronger and growing beyond the control of even the hitherto 'loyal' chiefs:

- (1) Ormond to McLean, 6 May 1872, 27 May 1872, McLean Papers, Vol. 38. W Tu.
 (2) Locke to McLean, 27 May 1872, McLean Papers, Vol. 38. W Tu.

... they /Karaitiana, Noa and Renata/ tell me privately they cannot hold their people who are enticed by the bait of the promise Russell has circulated among them that they will get back all their land.... I am inclined to believe it is getting beyond the control of the chiefs and is likely to end in absolute collision before we have done with it. The truth is that the repudiation party have the entire support of all the Natives south of Paki Paki right down to Wairarapa.(3)

As the excitement amongst the Maoris increased, so did the anxiety of the settlers. The Hawkes Bay Herald carried worrying reports of the situation:

The one exciting topic of interest in the Native mind, in this province, is the wholesale repudiation of their past transactions, whether with private Europeans or with the Government.(4)

The paper went on to attack Russell and his attempts to incite the Maoris and then it pondered on the results of the agitation which, it thought, could spread over the whole island engendering hostility between the two races. Evidence of this hostility had been displayed when:

Several of the Natives stripped themselves naked and performed a haka, indicative, it is said, of their intention to carry out, to all lengths, the course on which they had entered.(5)

The increasingly tense situation in Hawkes Bay did not go unnoticed by the Central Government. In response to pressure from a number of sources, such as petitions, letters and debates in the House, the Select Committee on Native Affairs had looked into Maori complaints and had seen papers relating to repudiation. The Committee laid before the House 'Papers Relative to the Alleged Excited and Dangerous State of the Natives in Hawkes Bay'.(6) As a result of this evidence, of the pressure from Hawkes Bay

(3) Ormond to McLean, 10 June 1872, McLean Papers, Vol. 38. W Tu.

(4) HBH, 11 June 1872, p.2.

(5) ibid.

(6) JLC, 1872, Appendix No. 11, pp.1-10.

settlers, and of the knowledge that the Movement was already spreading, (7) the House of Representatives agreed to set up a Commission to inquire into land transactions in Hawkes Bay.

The Hawkes Bay Native Lands Alienation Commission was gazetted in December 1872 (8) and was, despite the hopes of the General Assembly, destined to fail, from the Maori point of view, before it had met for the first time. It was clear from Justice C.W. Richmond's opening remarks, that Maori grievances would not be settled:

It was not the duty of the Commission to decide any dispute, nor to determine the title to any land. The Commission could only recommend to Parliament measures that would prevent the future occurrence of similar grounds for complaint. (9)

In all, the Commission sat for three months to hear some three hundred complaints. The result was a great disappointment for the Maoris and the Repudiation Movement. Richmond, while criticising the Native Land Court and the Native Land Acts, thought the Maoris on the whole had been treated fairly. Judge F.E. Maning, believing the Maoris to have been improvident and wasteful, was of the opinion:

... that the movement amongst the Hawkes Bay Natives is founded much more upon a desire to repudiate as far as possible all they have done in the alienation of land than in a wish for redress of particular grievances. (10)

The Maori Commissioners, Hi Kairo and Te Wheoro were much more sympathetic. Their section of the report attacked

(7) W. Waiapu to McLean, 17 Oct. 1872, McLean Papers, Vol. 57, Na Mu Waiapu informed McLean that Karaitiana had written to Poverty Bay Maoris, putting ideas of repudiation into their minds.

(8) Hawkes Bay Provincial Gazette, Vol. 13, 13 Dec. 1872, No. 36.

(9) AJHR, Vol. 3, 6-7, Hawkes Bay Native Lands Alienation Commission.

(10) ibid.

the credit system for goods bought by Maoris, the inadequate explanations given to Maori owners concerning mortgages and the system whereby the interpreters were employed by the storekeepers and land buyers and thus were bent on assisting the Europeans and not the Maoris. This part of the report however was lost in the mainstream and seemed to count for nothing when compared with the reports of the European Commissioners.

The Commission received bad publicity from the Hawkes Bay Herald, probably at the instigation of Ormond who wanted any dubious land dealings to receive minimum publicity. The Commission the paper claimed, was groping its way '... through the chaos of irrelevant gossip and falsehood, of which the Native evidence to so large an extent consists'. (11) The Maoris, the paper continued '... want not so much an investigation but the restitution of the lands they have parted with. They have eaten their cake and yet they want to have it again'. (12)

Probably the most important result of the Commission had little to do with its report. It was rather the emergence of John Sheehan as a Champion of the Repudiation cause and who, with Henry Russell, was to become a powerful advocate of Maori grievances.

John Sheehan was a lawyer from Auckland who had been on the Auckland Provincial Council since 1869 and who had been elected to the House of Representatives as the Member for Rodney in 1872. He was a provincialist and a strong supporter of Sir George Grey or more significantly, an opponent of Sir Julius Vogel and the Centralists. This placed him firmly in the opposite political camp to McLean, Ormond, W.R. Russell, the Hawkes Bay landed settlers who were

(11) HBH, 15 March 1873, p.2.

(12) HBH, 22 Jan. 1873, p.2.

linked with a group of Auckland businessmen and politicians including J.S. Macfarlane, Daniel Pollen, G.M. Waterhouse, Frederick Whitaker and Thomas Russell. It was this group that Grey and his followers attacked as wishing to promote the incipient growth of a ruling class in the new colony. (13) Further, this politico-business group wished for a return to free trade in Maori lands with the unrestricted right for European speculators to negotiate leases or transfers of Maori lands. (14)

In view of Sheehan's strong dislike of social inequality and the emergence of a landed ruling class in the young colony, it was not surprising that Henry Russell was able to persuade him to go to Hawkes Bay to act as lawyer for the Maoris. Sheehan had exhibited a warm concern for Maori Welfare in previous years. In his maiden speech, he had been critical of the disparity in the treatment meted out to loyal and unfriendly Maoris and believed that Maoris should have recourse to the methods available to Europeans in order to alleviate their grievances. (15) Sheehan also displayed a understanding approach to the need of the Maori for the security of their language and culture. He stated:

Notwithstanding all predictions to the contrary, it would be many years before they would be done with either the Native Race or the Native language. (16)

As with Russell, it is difficult to judge Sheehan's motives in becoming involved with the Repudiation Movement. Perhaps one can be a little harsher and ascribe Sheehan's motives more to self-interest. There is little doubt that

- (13) J.M.R. Young, 'The Political Conflict of 1875', Political Science, Vol. 15, 1963, p.63.
- (14) R.C.J. Stone, 'The Maori Lands Question, and the Fall of the Grey Government 1879', New Zealand Journal of History, Vol. 1, No. 1, April 1-67, p.156.
- (15) NZPD, Vol. 12, pp.12-13.
- (16) NZPD, Vol. 14, p.155.

he was swayed by political ambitions and a desire to score points off McLean and the Government at every opportune moment. Sheehan, being New Zealand-born and the first of the new breed of New Zealanders, was genuinely anxious to avoid the establishment of a class system in New Zealand and he hit out vigorously at those settlers such as Ormond and his political allies who sought to perpetuate the British class structure.

Sheehan's performance as Native Minister can also be used as a yardstick to judge the altruistic intent of his actions. As he did almost nothing for Hawkes Bay Maoris and indeed tried to introduce a new method of land purchase that would facilitate the buying of Maori land, it could be argued that a genuine desire to help the Maoris would be amongst the lowest ranked of Sheehan's motives.

Sheehan, unlike Russell, did profit quite substantially from the Repudiation Movement, to the tune of £13,162 15s 6d from April 1873 until 27 June 1878.(17) It is thus a distinct possibility that his concern was sharpened by the prospect of profitable returns for his services. Whatever Sheehan's reasons however, he threw his lot in with the repudiationists and by his efforts, especially in the House of Representatives, he kept the Hawkes Bay situation and the light of the movement shining brightly in the eyes of the colony until he became Native Minister in the Grey Ministry of 1877.

Sheehan made an immediate impact on the Hawkes Bay scene with his attacks on McLean and Ormond at the hearings the Commission. Russell wrote happily to C.N. Richmond that Sheehan was conducting the Maori cases and that 'the whole Native population was entirely with him'.(18) Justice

(17) Mount Herbert Ledger Book, 1874-77, Vol. C.

(18) H.R. Russell to J.C. Richmond, 7 March 1873, Richmond-Atkinson Papers, ed. G.H. Scholefield, 2 vols, Wellington, 1960, Vol. 2, p.345. Scholefield incorrectly attributes this letter to W.R. Russell.

C.W. Richmond was also impressed with Sheehan's performance stating 'His Sheehan's address is very good - his self-confidence perfect (I sh'd say) but without disagreeable assumption'. (19)

With the conclusion of the Commission's hearings in Napier, it was hoped that the discontent of the Maoris and their desire to repossess their lands would die away. It quickly became apparent however, that this was not to be. Locke wrote to McLean that:

... the agitation is not ended. Secret meetings are being held for the purpose of keeping up the excitement, and getting up fresh petitions to Parliament. (20)

It is unfortunate that most accounts of the meetings held by the Maoris and attended by Russell and Sheehan have to be drawn from the Hawkes Bay Herald which showed its bias against the Repudiation Movement quite blatantly. Even C.W. Richmond had been moved to write:

.... Locke very much disapproves of these silly assaults made upon Sheehan in the Hawkes Bay Herald.... I told Sheehan I thought he had only done his duty. The folly of this attempt to foster a personal quarrel upon counsel is apparent. (21)

As was shown previously, (22) the paper relied very heavily on reports from Ormond and he of course, tailored them to suit his own ends.

Soon after the Commission had ended, there was a large meeting of Maoris at Paki Paki to chart the future course for the redress of grievances. Much confusion, deliberately fostered by Ormond through the pages of the Hawkes Bay Herald, has arisen over the happenings of the meeting. Russell's

(19) Journal, C.W. Richmond, 2 March 1873, Richmond-Atkinson Papers, Vol. 2, p.343.

(20) Locke to McLean, 15 April 1873. McLean Papers, Vol. 40. W Tu.

(21) Journal, C.W. Richmond, 9 March 1873, Richmond-Atkinson Papers, Vol. 2, p.346.

(22) See above, Chapter IV, pp.63-64.

version of it claimed Sheehan had advocated the renunciation of old quarrels to achieve unity and he had advised them to cease drinking and contracting debts and to engage lawyers and interpreters when dealing with Europeans.(23) It was also resolved that a petition should be got up for a second Commission of Enquiry into Native land transactions.(24)

The Hawkes Bay Herald later published an unauthorized version of Sheehan's speech which ended 'Agitate for the Commission, petition for the Commission, and collect large funds for your loving friend Johnny Sheehan'.(25) This amused Ormond who sent two copies of it to McLean, telling him:

..... I amused myself one evening with writing another version /besides Russell's/ which is being translated and will be also circulated among the Natives. Of course, I am not known or seen in it but I think it will have its effect. Send one copy up to Auckland and get it put into the Southern Cross.(26)

Ormond's plan to discredit Sheehan, whom he thought a 'little blackguard' and an 'active mischievous little scoundrel, without a shadow of principle',(27) was reasonably successful as the Hawkes Bay Herald reported that there was bewilderment over the various versions of Sheehan's speech which was 'very bad talk indeed'.(28)

The Hawkes Bay Herald continued to compound its reputation for unreliability, from an historical point of view, by publishing any rumour that was damaging to Sheehan

(23) W.J. Parker, 'John Sheehan, Native Minister and Colonial; a Political Biography 1844-1885, of New Zealand's First Colonial-born Cabinet Minister, Unpublished M.A. Thesis, Auckland University, 1963, p.39.

(24) HBH, 17 April 1873, p.2.

(25) HBH, 3 May 1873, p.2.

(26) Ormond to McLean, 7 May 1873. \ McLean Papers, Vol. 40. W Tu.

(27) *ibid.*

(28) HBH, 13 June 1872, p.2.

or Russell without attempting to verify them in any way. In May 1873, the paper reported that a shepherd had pulled a knife on Russell when demanding payment for services that Russell had refused to pay for. The paper was forced to retract where the shepherd wrote denying the story.(29) The paper was again forced to retract the untrue statement that Karaitiana had made over his property in trust to Russell and Sheehan.(30) It was the Hawkes Bay Herald's predilection for continually publishing anything bad it happened to hear about Russell and the repudiators that led to the movement's bad name and its being regarded with suspicion and distrust by the people of Hawkes Bay.

The paper refused to admit that there was any real truth in Maori grievances or that the Maoris would ever have been led to protest without Russell's interference. Later in 1873, when the Auckland Evening Star had dared to criticize 'the Hawkes Bay Land Sharks', the Hawkes Bay Herald rushed in to take up the cudgels in defence of Ormond and the others. Sheehan and Russell it claimed, had:

... instilled doubt and suspicion into the minds of all natives who have parted with land; to lead them to think they had been cheated right and left by the European purchasers; and to inflame their minds to such a degree as to render an outbreak a thing of possible occurrence at any moment.(31)

Any move on the part of local Maoris which appeared conciliatory was greeted in a patronising, satisfied manner. The decision of a meeting of Maoris at Pakowhai to declare their loyalty to the Government and their friendliness to the Europeans was commented on:

(29) HBH, 22 May 1873, p.2, 28 May 1873, p.2.

(30) HBH, 11 July 1873, p.2., 12 July 1873, p.2.

(31) HBH, 4 Sept. 1873, p.2.

On the whole, the sensitiveness to European opinion is about the most satisfactory symptom which our Native friends could display. It affords some ground for hoping that the evil lesson taught them, as we believe by the lawyers, of giving false evidence, in courts of justice, may yet be unlearnt by them. (32)

To the disappointment of the Hawkes Bay Herald, this 'show of sense' by the Maoris did not appear to be permanent and in fact, it appeared the Movement had gained much sympathy elsewhere. Resident Magistrate H. Wardell wrote to McLean from the Wairarapa that:

Much sympathy is felt by Natives in this district with the proceedings of Henare Matua and his party at Napier, and I think it very probable that similar questions will before long be agitated here. (33)

Resident Magistrate Nesbitt informed McLean from Poverty Bay:

Great dissatisfaction is evidenced at the nature of land tenure, and much anxiety to have it altered. There is also a disposition lately apparent to repudiate former bargains in the disposal of their land. This tendency has, I think originated in consequence of communications with Napier. (34)

While the seriousness of Maori grievances was largely ignored or dismissed by settlers in Hawkes Bay, the general dissatisfaction with nature of the alienation of Maori land and the operation of the Native Land Court in many other parts of New Zealand as well as Hawkes Bay had come to the attention of various influential persons throughout the country. C.W. Richmond had stated that the:

Natives had abundant cause of complaint in the state of the law as administered by the Native Land Court....

(32) HBH, 4 July 1873, p.2.

(33) A. Wardell to McLean, 10 June 1873, AJHR, 1873, Vol. 3, G-1, No. 16, p.14.

(34) W.K. Nesbitt to McLean, 12 June 1873, AJHR 1873, Vol. 3, G-1, No. 15, pp.13-14.

Section 23 of the Act of 1865 is now entirely discredited.(35)

As a result of the widespread discontent and confusion, the Native Land Act of 1873 was passed, whereby the tenure of Maori land was individualized and each member of the hapu was awarded a 'proportionate share', with his name being recorded on the memorial. Hitherto, only the names of ten owners, nominated by the hapu, had been listed on the certificate of title although the names of all the other owners were listed in Court records. While the ten owners were legally able to alienate the land with the consent of all the owners, the desires of the latter were in practice, ignored. The new system meant that the land could not be sold without an individual's consent in the future but it also imposed a right unknown in Maori society and led to a great pressure being placed on the individual to sell his share. Although the effect of this Act was not felt during the period of the Repudiation Movement because of the general determination to sell no more land, the Act became the source of many future difficulties with Maori land as holdings became fragmented and fractionated.

While there was little spectacular action such as the Native Lands Alienation Commission earlier in the year, late 1873 and 1874 saw Sheehan and Russell working doggedly away, examining titles to land and past transactions, with Sheehan preparing cases to take to the Supreme Court. John Rogan commented to McLean that Sheehan had called in Poverty Bay, with some success obviously as Rogan reported 'an organization has been at work somewhere that seems to bias them [Poverty Bay Maoris] against courts and the present Government.(36)

As Sheehan and Russell plugged away at Native Affairs

(35) Journal, C.W. Richmond, 29 Sept. 1873 Richmond-Atkinson Papers, Vol. 2, p.353.

(36) J. Rogan to McLean, 9 Aug. 1873, McLean Papers, Vol. 41. W Tu.

in the House and Council, the local Maori chiefs were active as well. McLean was told by Ormond:

About the Native feeling here I am sorry to hear it is anything but satisfactory.... Letters are being sent off in every direction to Taupo, Poverty Bay, Bay of Plenty, everywhere where they have connections, telling the Natives not to sell land to the Government and saying that all the laws passed by the Assembly have for their aim getting hold of the lands of the Natives for the Government. (37)

Ormond went on to say that the Maoris were going to appeal to the Queen and that he feared that the Repudiation Movement was not done with nor likely to be for some time.

The Maoris from Hawkes Bay and the East Coast continued to bombard the House with a large number of petitions on a number of topics including the appointment of a further Commission to inquire into grievances, complaints about the Native Land Laws, specific land grievances, Maori exclusion from further land laws and two asking that the number of Maori representatives be increased. (38) Despite nearly all the reports of the Select Committees that considered the petitions being unfavourable, the Maori petitioners did not seem to be deterred and petitions continued to flow in. Some petitions were however given favourable consideration and the Maoris were spurred on by these and the fact they were constantly keeping their grievances in the eye of the representatives in Central Government.

The widespread fever in regard to repudiation seemed to subside in the wake of the Native Lands Alienation Commission. It was replaced by a more determined and reasoned attempt to methodically upset fraudulent land transactions. This new league which evolved from the larger movement was called

(37) Ormond to McLean, 8 Oct. 1873, McLean Papers, Vol. 41. W Tu.

(38) See Appendix 8 for full schedule of petitions from Maoris presented to the Legislative Council and the House of Representatives, 1873-1878.

the Komiti. It was led by a nucleus of chiefs among whom Karaitiana Takamoana and Henare Matua, probably the two chiefs most familiar with European institutions. The influence of this komiti quickly made itself felt.

McLean received worried reports from Resident Magistrates in Wanganui, Wairarapa and Wairoa. R.W. Woon reported from Wanganui that Henare Matua had addressed a meeting there, urging local Maoris '... to look to the law, alone for redress for their imaginary grievances' and to cease selling any land. The majority, he said, were impressed with Henare Matua's report and active support had been promised.

(39) From the Wairarapa, H. Wardell informed McLean that '... a large section of the Natives here regard Henare Matua as their leader in political matters...'.(40)

Locke, on a visit to Wairoa wrote:

The Natives here... have got into a slothful, discontented drinking state, which has been taken advantage of by designing Natives travelling from other parts of the country, telling the people that they can upset all sales, leases, mortgages etc, and persuading them to join what is called the Komiti, for this purpose, and also for the purpose of obstructing the pakeha and the general improvement in the country.(41)

Late in 1874, the Repudiation Movement established its own newspaper, Te Wananga which was edited by John White. White had been an interpreter in the Native Land Office, a Resident Magistrate on the Upper Wanganui River and was generally much respected for his translation of Maori manuscripts. Te Wananga was published weekly with columns in both Maori and English at a cost of 6d per issue.

(39) R.W. Woon to McLean, 10 June 1874, AJHR, 1874, Vol. 2, G-2, No. 13, pp.14-18.

(40) H. Wardell to McLean, 4 June 1874, AJHR, 1874, Vol. 2, G-2, No. 15, p.22.

(41) Locke to McLean, 30 May 1874, AJHR, 1874, Vol. 2, G-2, No. 14 pp.18-21.

Te Wananga was seen by its financial backers Henare Tomoana and Henare Matua as an alternative Maori newspaper to the Government-backed Te Waka Maori, (42) which they attacked as an organ of McLean and the Government. It was, Te Wananga claimed, '... a mere hireling and parasite of the powers that be' and it envied Te Wananga because the repudiationist paper could get by without Government assistance. (43)

Te Wananga's attack on Te Waka Maori was probably well justified as the latter tended to give full coverage only to McLean and then providing only favourable coverage. In 1871, James Grindell, the Editor had written to McLean saying:

I sent you a Waka on Saturday. You will see I had to curtail their speeches and put down only the most harmless parts. My notes are voluminous but it would not do to publish all they said about being tricked and cheated out of their lands etc by the Pakeha....(44)

Te Waka Maori ceased publication in July 1877 when a Government subsidy of £400 was cut on the grounds of political misuse and following successful libel prosecutions by Russell and Sheehan with costs totalling £6000. (45)

Te Wananga itself was initially free from European interference and prided itself on being genuinely Maori. The Hawkes Bay Herald wrote of it not long after its first issue:

It has the merit, at any rate, of being to all appearance, a genuine native product, brought out together without Pakeha intervention.... Altogether, we think we have said enough to show that the Wananga is well worth the ten shillings in advance which is asked for as the

(42) See Appendix 9, Broadsheet on first issue, 1874.

(43) TW, 25 Nov. 1876, No. 43-44, Bk 3, pp.426-428.

(44) J. Grindell to McLean, 26 June 1871, McLean Papers, Vol. 36. W Tu.

(45) T.M. Hocken, A Bibliography of the Literature Relating to New Zealand, Wellington, 1940, pp.543-544. See also below, Chapter VI, pp

yearly subscription.(46)

The Hawkes Bay Herald was not so pleased however as the influence of Russell on the paper began to show through in late 1875. In November of that year, Te Wananga launched a vitriolic attack on the Hawkes Bay Herald claiming that it was 'contemptible in character, and... instigated by certain parties deeply interested in the matters which this paper [Te Wananga] so freely comments' and it continued on to say the Herald was written to dishearten Maoris and prevent their taking disputes before the Courts.(47)

The battle between the Repudiators and the 'Land Ring' moved into the law courts and the political arena in 1875. Sheehan, much to the disgust of the Hawkes Bay Herald which remarked on his return to Hawkes Bay that there was to be more 'Maori litigation going on or shortly to be stirred up' (48) was deeply involved in preparing cases to go before the Supreme Court. In April, Ormond remarked that proceedings had commenced in the Heretaunga and Mangateretere cases and two or three other cases were due to be heard at the next sitting of the Supreme Court. He was, he said, working for a delay as it appeared to him 'that if we can check the proposed proceedings, that the Natives will tire of it.'(49)

Sheehan's agents took a number of cases to the Court of Appeal(50) and in December 1875, gained an important decision relating to the interests of deceased grantees with the court declaring void a number of deeds that were agreed after the 1869 Act. The success of the movement in this legal dispute had an immediate sobering effect on the

(46) HBH, 16 July 1875, p.2.

(47) TW, 20 Nov. 1875, No. 29, Bk 2, pp.370-1.

(48) HBH, 25 May 1875, p.3.

(49) Ormond to McLean, 15 April 1875, McLean Papers, Vol. 42. W Tu.

(50) See Appendix 10, for cases taken to the Supreme Court and Court of Appeal.

Europeans and a heartening one for the Maoris. As Ormond so aptly put it:

Last night we had by wire the decision of the Court of Appeal on Mangateretere. It is very bad news for this district - no end of properties are in the same position as Sutton's case... The worst of it is the encouragement the decision will give to the Natives to continue their repudiation attempts. In Sutton's case, I believe it is absolute ruin to him. (51)

Politically, Sheehan, Russell and Karaitiana continued to oppose McLean, Ormond and the Government in the House and in the Council. Sheehan's fiery speeches in the House provoked vehement replies from McLean and Ormond. In one criticism of McLean, he said:

There is no appeal from his decision -
there is no control of his finances -
there is no investigation of his administration;
and that is my definition of despotism pure and simple. (52)

He continued his attack on Ormond as 'political boss' of Hawkes Bay and on McLean as Native Minister in a notice of motion in the House:

That this House regrets to hear of the scandalous dishonest dealings of certain Europeans in the acquisition of Native Lands in the Province of Hawkes Bay, and of the fact that high offices of the Government have been either connected therewith or were cognizant thereof; and considers that such transactions are a stain upon the good name of the colony. (53)

This abuse according to Ormond was of no value and harmed Sheehan's reputation but Te Wananga for the other side, applauded Sheehan warmly.

The rivalry between the two factions was perpetuated in the election for Eastern Maori in early 1876. In this election, Aotene Porourangi, a Ngati Porou, who was backed

(51) Ormond to McLean, 2 Dec. 1875, McLean Papers, Vol. 42. W Tu.

(52) NZPD, Vol. 18, p.149.

(53) NZPD, Vol. 19, p.208.

by McLean, Ormond and the Government, stood against Karaitiana Takamoana, backed by Sheehan, Russell and the Grey opposition. Despite Ormond's earlier advice to McLean to look after the Maori seats and asserting that '... there shd be no difficulty in returning all four Native Members right' (54) the election went in Karaitiana's favour.

McLean was not about to let the matter rest easily however. Because a number of Ngati Porou voters had been unable to record their votes at KawaKawa, the validity of the election was questioned in a petition from Henare Potae acting on the suggestion of Captain Read who in turn was linked to McLean. A Select Committee sat on the issue, finally deciding, after much conflicting evidence, that the number of Maoris who might have voted for Aotene Porourangi at KawaKawa would not have altered the result and Karaitiana was duly declared elected. (55) McLean had made a concerted and overt attempt to rid himself of at least one repudiationist thorn in his side but he failed and he was to be plagued by the Repudiation Movement until his death in January 1877.

The two year period following the Hawkes Bay Native Lands Alienation Commission was witness to the consolidation of the Repudiation Movement. It had succeeded in spreading its message to a number of surrounding districts from Poverty Bay to the Wairarapa and Wanganui and even in 1875, Resident Magistrate Woon was reporting that:

Some dissatisfaction still exists... consequent upon the action taken by Henare Matua, who has led them to believe that they have been victimised in their former sales of land to the Government,

(54) Ormond to McLean, 12 Nov. 1875, McLean Papers, Vol. 42. W Tu.

(55) AJHR, 1876, Vol. 2, I-3, Reports of the Eastern Maori Election Committee, pp.1-22.

and has succeeded in setting them against our Courts...
(56)

Henare Matua and Henare Tomoana had enjoyed surprising success in other districts in persuading Maoris of other tribes to give support to the Repudiation Movement. Henare Matua had been particularly influential in the Wairarapa and the Wanganui and his success had been anxiously noted by the Resident Magistrates in those districts. Henare Matua's success could be attributed partly to his mana as a chief in his sub-tribe of the Ngati Kahungunu at Porangahau in Southern Hawkes Bay but also to his ability as an orator and his familiarity with the European System. The plans he had, the methods he urged Maoris to adopt in protest at the loss of their lands were not too extreme and were acceptable to Maoris made acutely aware of the consequences of opposing the European by force of arms.

Henare Tomoana, like his half brother Karaitiana Takamoana and the other great chiefs in Hawkes Bay, could also rely heavily on his mana as a chief of the Ngati-Hori in his attempts to influence Maoris outside Hawkes Bay. Henare Tomoana enjoyed further prestige through his relationship to Karaitiana Takamoana and also his affiliation with politicians such as Sir George Grey. Henare travelled to Wairoa and Poverty Bay and such was his impact on the latter district, that the local deputy returning officer at KawaKawa thought Henare has influenced a large number of voters sufficiently to go outside traditional tribal lines and vote for Karaitiana. (57)

While local chiefs Tareha Te Moananui, Henare Matua and Henare Tomoana worked in the districts and went about

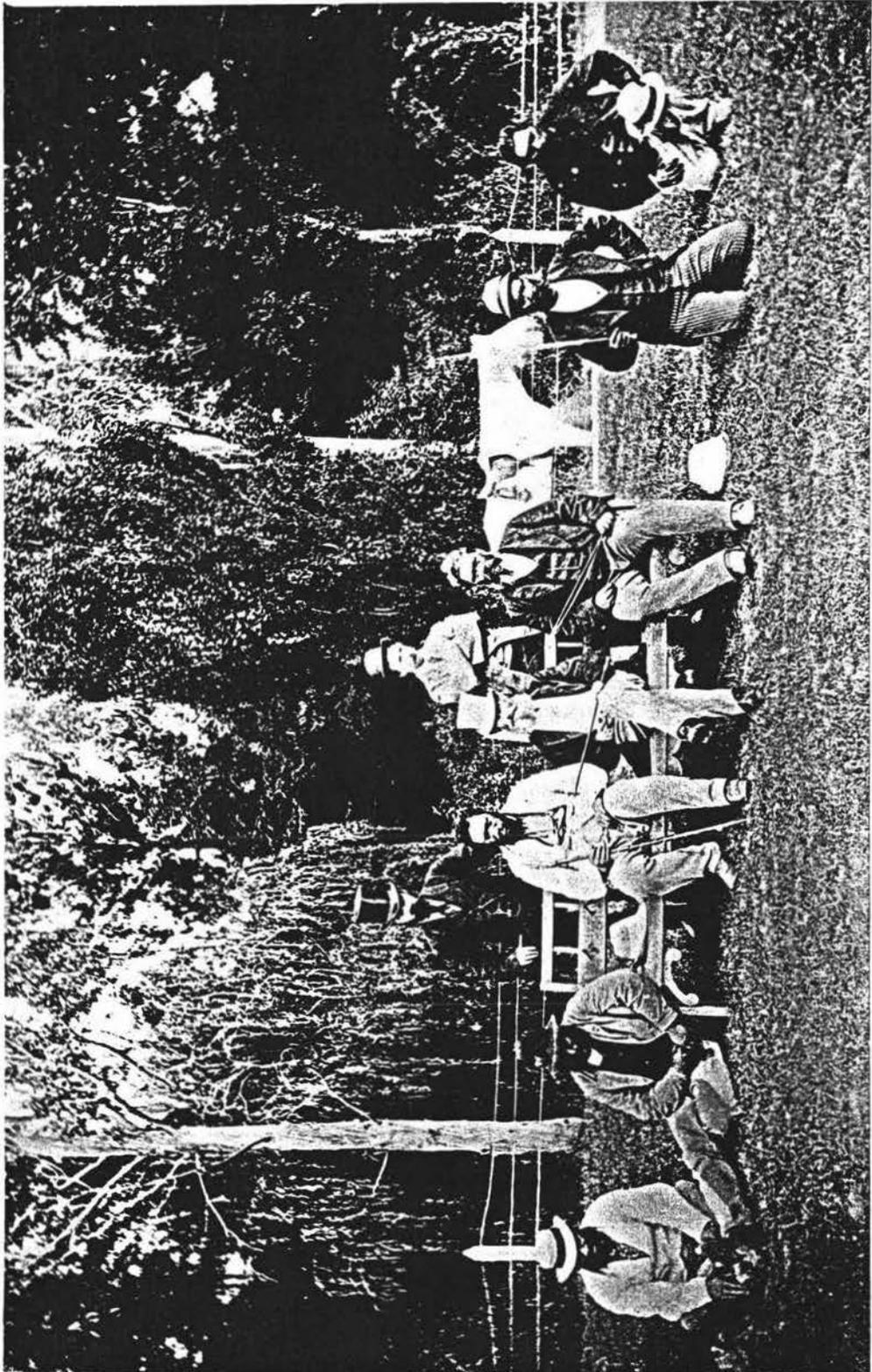
(56) R.M. Woon to McLean, 21 May 1875, AJHR, 1875, Vol. 2, G-1, No. 9, pp.11-14.

(57) F.W. Campbell, AJHR, 1876, Vol. 2, I-3, Reports of the Eastern Maori Election Committee, p.12.

setting up Te Wananga, Karaitiana Takamoana, John Sheehan and Russell directed their energies at attacking their enemies in the House and through the Courts of Law. Sheehan and his agents prepared a large number of cases and saw the year out with an important victory at the Court of Appeal.

This two year period of the Repudiation Movement is probably the most important in terms of depth of feeling on a wide front and the apparent determination to meet the European on his own ground. There is little doubt that the huge mass of Maori discontent was to some extent harnessed and guided by Sheehan and Russell who partly used the Movement to achieve their own ends. Without them, the Movement may well have remained localised and split by factions over tribal and sub-tribal differences.

Even allowing for European manipulation in welding factions and suggesting directions of attack, the movement could only have taken the direction and achieved the successes it did with the whole-hearted agreement of the Maori people and the recognition of the need to adapt to European ways by Hawkes Bay chiefs. Because Hawkes Bay had Tareha Te Moananui and Karaitiana Takamoana who had already been Members of the House of Representatives, because of the loyalty that Hawkes Bay Maoris had always given to the throne and perhaps because of the lessons learned from the harshness of the European in victory, Hawkes Bay Maoris were quick to grasp the methods offered to them by the Europeans as the best means for solving their grievances.



'Repudiation Party at the home of the Hon. H.R. Russell, February, 1876'. Russell is flanked by Karaitiana (on his right) and Henare Tomoana (on his left). Sheehan is standing behind Russell on his right.

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STAGNATION AND DECLINE

After 1875, the Hawkes Bay Maoris became increasingly apathetic about the Repudiation Movement. By 1878 it was obvious their cause was irretrievably lost and the movement petered out. At a superficial glance, the Movement appeared to be as strong as before with the enthusiasm of the chiefs undimmed. But as the prospects of material gain remained unfulfilled and grew more remote even they became affected by the disillusionment of the rank and file. The final blow came when their long-time champion Russell ran out of money and motivation and even more importantly, when their salvationist Sheehan became Native Minister under Grey in late 1877, and achieved, as far as Hawkes Bay Maoris were concerned, absolutely nothing for them.

The period 1875-1876 was something of a plateau, characterised by occasional notable victories which brought with them a flush of enthusiasm. These brief periods of buoyancy and excitement were however usually quickly followed by times of seemingly little activity and increasing apathy.

The Hawkes Bay Herald recognised this general waning of enthusiasm amongst the Maori people at large and recorded this with great satisfaction at regular intervals. In late 1875, it noted:

Since the debate on Mr Sheehan's motion, we hear there seems to be a general breakup in the repudiation party. The unfortunate natives are beginning to see at last that they are being deceived... They are very bitter and very much disappointed about this at present, but in the end, no doubt, the lesson will do them good. (1)

(1) HBH, 12 Oct. 1875, p.3. The motion referred to is above, Chapter V, p.81.

Again in late 1877, it wrote 'as a matter of fact, it seems to us that, in its worst features, Repudiation is rapidly becoming a thing of the past'.(2) The paper's usual theme accompanying its prognoses was that the Maoris had become disillusioned as they realised that the Europeans in the movement were only trying to obtain land for themselves.(3)

While the Hawkes Bay Herald continued to attack the Repudiation Movement and equated its aims with the advocacy of murder, forgery, adultery and the abolition of the decalogue,(4) it is interesting to note that besides Te Wananga, other papers had at least some sympathy for the movement's aims. The Hawkes Bay Herald decried the Napier Daily Telegraph, charging it with having '... come out on several occasions unmistakably as Messrs Russell and Sheehan's organ'.(5) Even had the Daily Telegraph been the mouthpiece of Sheehan and Russell as Te Wananga undoubtedly was, it would have done no more than redress the balance tipped so heavily in favour of the 'Land Ring' by the Hawkes Bay Herald's wholehearted espousal of their cause.

The criticism of the 'Land Ring' by the Daily Telegraph was echoed by newspapers outside the Hawkes Bay province and Te Wananga. The Auckland Star and the Otago Daily Times attacked the powerful political clique, accusing it of having swindled the Maoris out of their lands and that it had 'prostituted official administration to personal aggrandisement'. The papers also insinuated that juries were too scared to bring in a judgement against the 'Land Ring' and that the Press was also under the thumb of the 'robber-gang'.(6)

(2) HBH, 26 Sept. 1877, p.2.

(3) HBH, 9 July 1875, p.3, 16 Nov. 1875, p.2, 9 May 1876, p.5.

(4) HBH, 13 July 1875, p.2.

(5) ibid.

(6) cit., TW, 11 Sept. 1875, No 19, Bk 2, p.206; 5 Jan. 1878, No. 1, Bk 5, p.5.

The contemptuous criticism of the Hawkes Bay situation by newspapers outside the province is quite interesting. It can perhaps be explained by assuming that the editors sympathised with Grey and his party on the national scene and thus the papers were prepared to use the unsettled Hawkes Bay situation as a weapon against Vogel and the Centralists. The House of Representatives was forced on a number of occasions to listen to the personal, vitriolic attacks of the European protagonists on each other and members protested often that they did not wish to be subjected to internal Hawkes Bay politics again.

Throughout 1876 and 1877, Te Wananga continued its campaign against the 'Land Ring' in answer to the writings of the Hawkes Bay Herald which blandly dismissed all aspects of Maori grievances as being without foundation. Te Wananga endeavoured to correct the false impressions conveyed by the Herald, explaining that it laid the blame for the '... unclean trade in Native lands at the feet of the rulers, legislators and churchmen'. (7) The Maori newspaper also rejected the accusations of the Hawkes Bay Herald that it was fomenting rebellion but claimed that it had prevented it as it had counselled desperate Maoris '... robbed of their lands by wholesale frauds to gain redress by legitimate means'. (8)

In colourful language, Te Wananga also attacked the officers of the Native Department who were a '... hoarde of greedy adventurers who form the Body Guard of Sir Donald McLean... do their masters work and pleasure by descending to the lowest depths of intrigue and deceit...' (9)

(7) TW, 18 Dec. 1875, No 33, Bk 2, pp.431-432.

(8) TW, 11 May 1876, No 15, Bk 3, pp.190-191. Also 26 Jan. 1878, No. 4, Bk 5, pp.338-339.

(9) TW, 30 Sept. 1876, No 34, Bk 3, p.354.

It appears that Te Wananga's attack on McLean's influence on the policy and personnel of the Native Department is not without foundation(10). The importance of having sympathetic officers was certainly clear to Ormond who had already remarked on the desirable situation of having 'good' Maori members. He reminded to McLean:

Are you taking care as to who shall succeed Turton? He is leaving almost directly and it is very important to have a good man in his place as Frauds Commissioner.(11)

Despite a general dampening of enthusiasm amongst Maoris, the Movement continued to operate on a number of fronts besides Te Wananga. The most important of these from the point of view of Maori participation were meetings. These meetings were on a grand scale and as well as large attendances by Hawkes Bay Maoris, Maoris from other districts could be counted in the numbers.

A number of themes run through these meetings. As expected, there was a common desire to end all land sales and to stop all surveys of land. But there were also discussions on increasing the number of Maoris in the House of Representatives and on the evils of the Native Land Court and Native Land legislation. One often discussed topic was that of the abuse of alcohol and determination was expressed to rid the Maori people of the vice of drunkenness. Considerable thought was given to how this could be accomplished as many Maoris believed that it had been the fondness for intoxicating liquor in the past that had led to their being imposed upon and losing their lands. In order to attain the advantageous position of the European, it was decided at a meeting at Pakowhai in late 1875 that it was necessary for the Maori people to become a sober race.
(12)

(10) McLean's influence on the Native Department is well covered by Ward, A Show of Justice, pp.251-263.

(11) Ormond to McLean, 21 April 1876, McLean Papers, Vol. 42. W Tu.

(12) TW, 8 Jan. 1876, No. 1, Bk 3, p.462.

It is useful to examine in some depth a number of the larger meetings to see exactly who was attending and what, besides repudiation, was of importance to the Maoris at the time. At a meeting at Pakowhai in December 1875, which was attended by delegates from all over Hawkes Bay and from Mohaka, Taupo, Otaki, Rangitikei, Whangaehu and Wanganui, the following resolutions were discussed and passed:

1. Who should be the Member of the House of Representatives for the East Coast? The meeting agreed to vote for Karaitiana.
2. Who should they appoint to guide the Maori people? Sir George Grey was agreed upon.
3. That the Maoris of New Zealand should become Good Templars.
4. That Maori Members of the House of Representatives should control the tribes by whom they were elected.
5. That a tribe so voting should have a voice in the policy acted upon by the member.
6. That the meeting express an opinion in regard to Te Wananga. (13)

It was apparent the discussions at the Maori meetings had taken a distinctly political turn and it was recognised that the turning out of the Government and the rise to power of a Grey Ministry might be the best way of achieving their aims with regard to repudiation.

A most important meeting was held at Waiohiki in March 1876, at which twelve hundred Maoris were present, with deputations from every tribe from Wanganui to Taupo to the East Coast and Wairarapa. The meeting was addressed by Henare Matua and Henare Tomoana and it was resolved that:

(13) TW, 8 Jan. 1876, No. 1, Bk 3, pp.467-469.

1. The present Government was entirely unworthy of support.
2. The Maori people should look to Sir George Grey as their leader and director.
3. That the Native Land Court should be abolished.
4. All sales of land and mortgages should cease.
5. The trade in spirits should be done away with.
6. Maori representation in the General Assembly should be increased.
7. Petition Parliament that the Government should not exercise rights of ownership over Maori land. (14)

The political tone of this meeting was continued at the meetings that were held at regular intervals throughout 1876 and 1877. The topics concerned political matters and there were also specific discussions on certain grievances or to note particular successes. One significant addition to the agenda of the meetings at Pakowhai in June 1876 and again at Omahu in March 1877 was the proposal to set up a Maori Parliament. This was considered by not only chiefs from Hawkes Bay but also from the Ngati Raukawa (Manawatu and Rangitikei), Ngati Porou (Poverty Bay), Ngati Upokoiri (Ruahine), Ngatihineru (Tarawera) Ngatiawa (Whakatane) Ngati Kahungunu (Wairoa and Wairarapa as well as Hawkes Bay) and Ngatiapa (Manawatu).

It was agreed that a Maori Parliament should be set up, where all the tribes of the Islands would be one and where they would assemble annually to discuss the grievances of the Maori race. (15) This idea forshadowed the Kotahitanga of the 1890's by some fifteen years and although the

(14) TW, April 1876, No. 12, Bk 3, p.154; 15 April 1876, No. 13, Bk 3, pp.168-170.

(15) TW, 22 June 1876, No. 19, Bk 3, pp.234-236; 29 July 1876, No. 20 Bk 3, pp.245-246; 6 July 1876, No. 21, Bk 3, p.255; 29 July 1876, No. 24-25, Bk 3, p.277.

suggested Parliament never met, the realization of its desirability and its importance by a large number of chiefs from tribes of the lower half of the North Island indicated old tribal differences were slowly being buried for the common good.

As 1876 progressed, McLean was continually inundated with letters from Ormond, keeping him closely informed of the Hawkes Bay situation, at least as Ormond perceived it. He noted frequently that the local Maoris were becoming disillusioned as no money had been forthcoming from any suits and Ormond was of the opinion that the Movement was about to break down from want of means. (16) Russell's financial affairs also held great fascination for Ormond and he carefully recorded Russell's attempts to arrange credit and to lodge his account with different banks.

The state of Russell's finances and his failure to obtain funds from a number of banks are significant from two points of view. The first is to demonstrate the influence of people such as Ormond over the local business community. He wrote to McLean:

I shld think therefore his affairs must be desperate. His home agents will not honor /sic/ his drafts nor wd any bank here advance on his paper. I can't tell you in a letter the trouble I have taken over this business - repeatedly just when he thought he had arranged funds I have stopped it. (17)

This admission of Ormond's underlines the impossible odds that the Repudiation Movement in Hawkes Bay had faced since its inception with the most powerful sectors of the community ranged against it.

The second significant factor relating to Russell's increasingly impecunious state was the drying up of funds

(16) Ormond to McLean, 24 March 1876, McLean Papers, Vol. 42 W Tu.

(17) Ormond to McLean, 6 May 1876, McLean Papers, Vol. 42. W Tu.

that were feeding the movement, particularly the legal side of the movements activities and also the newspaper, Te Wananga. The almost continuous outpouring of money was obviously of great concern to Russell and his letters from the middle of 1876 onwards, make constant mention of expenses and the need to conserve funds. In early 1877, he wrote to H.D. Bell, a lawyer 'I must be down with the Natives to reconsider rather heavy costs... It is a rank swindle but it has cost a great deal of money first and last'. (18) His exasperation became even more evident some months later:

I have already written Mr Sheehan in the most stringent manner urging him to see that I receive a considerable payment from Henare Matua especially to whom I have advanced largely. I also urged him to get them to pay all former expenses as well as the more recent ones and to ask a good round sum both for ourlay by the office and for work legal due. I hope he will not fail in this, as I am tired of perpetual advances and allowing these people to squander all the money they get. (19)

Besides advancing money to the lawyers for their fees, Russell was also paying much of Te Wananga's way. In June 1877, he told its editor that '... it is absolutely necessary to put the Wananga on a better footing. It is an emormous expense.... I think it should have been your effort to make it pay.... The paper is all outlay and little if anything comes in'. (20) Despite the paper's financial troubles however, with the temporary demise of Te Waka Maori, Russell realised its importance as the only Maori language newspaper of the time as a vehicle for the propaganda of the movement. He was most concerned that the paper should be full of newsworthy items that would maintain a high level of interest in the paper, and to that end, he wrote a large number of leading articles himself for publication.

(18) Russell to H.D. Bell, 12 Feb. 1877, Russell Letterbook, pp.161-162.

(19) Russell to H.T. Knight, 24 April 1877, Russell Letterbook, pp.203-204.

(20) Russell to J.S. White, 11 June 1877, Russell Letterbook p.319.

As 1876 drew to a close, there occurred two events both connected with Sir Donald McLean, which made a strong impression on the Repudiation Movement and which, with a number of other factors, hastened its decline. The first of these was the resignation of McLean as Native Minister and the second his death in early 1877. McLean had become to the movement a symbol of the European evil system that had stripped them of their lands. It was his department that administered the Native Laws and that terrible institution seemingly at the root of their troubles, the Native Land Court.

Te Wananga had maintained a flow of invective against McLean, calling him a '... taniwha whose head and hands were of gold, but whose feet were of clay' (21) and claiming '... The man and his whole system has been found to be a monstrous sham and imposture'.(22) On McLean's resignation, Te Wananga wrote:

At last the welcome end has come. The clay legs of the Maori Dragon have been broken by public opinion and the once powerful political body lies prostrate in the dust. Sir Donald McLean has resigned...(23)

In January 1877 shortly following his retirement, Sir Donald McLean died and with his death, a great deal of the wind was taken out of the sails of the movement. The object of so much of its animosity had vanished. Te Wananga in its obituary claimed it had nothing against McLean as an individual and wrote 'The grave closes upon all private and personal feuds - and we do not desire to speak one bitter or unfriendly word of the dead'.(24)

(21) TW, 16 Sept. 1876, No. 32, Bk 3, p.340.

(22) TW, 23 Sept 1876, No 33, Bk 3, p.346.

(23) TW, 9 Dec. 1876, No 47-48, Bk 3, pp.450-451.

(24) TW, 5 Jan. 1876, No 1, Bk 4, pp.3-4.

McLean's tangi was attended by about nine hundred Maoris and their number included Renata Kawepo, Tareha Te Moananui, Henare Matua, and Henare Tomoana. Karaitiana, the Hawkes Bay Herald noted, '... was the only chief of any degree of prominence who absented himself'. (25) The reasons for Karaitiana's absence are not clear but his half-brother Henare Tomoana did attend. The general tone of the speeches was typical of the atmosphere usually pervading a tangi. All spoke of sadness, a strong sense of loss and most importantly, a desire to bury the misunderstandings of the past. The speech of Henare Matua which echoed the words of other chiefs, characterise the feelings of Maoris present:

As those who have spoken before me have said, so do I say, this is a day for sorrowing and sweeping away those troubles that beset us. If you, Ormond and Locke, think this is the day for establishing a truce, that our feelings of opposition should be buried, well and good... Private feuds should be forgotten. (26)

Ormond in reply, referred to the desire to bury the difficulties of the past and accepted these expressions as sincere, saying 'I look forward to find an early opportunity of settling the difficulties that exist'. (27) Ormond's speech and wish of the chiefs to put their misunderstandings in the past appear to have been quite genuine. The fight had gone out of the Maoris. Little money had been forthcoming from any of the legal cases yet their debts to the lawyers had been mounting. Suddenly with the death of McLean, the focus of their discontent who had spent so much of his time in distant Wellington and who had become a convenient scapegoat, had gone. From this point on, Maori interest on repudiation had genuinely paled and in effect, the fight was left to Russell and Karaitiana Takamoana.

(25) HBH, 28 Jan. 1877, p.5.

(26) HBH, 19 Jan. 1877, p.2.

(27) ibid.

The year 1877 was significant for the amount of litigation undertaken by Sheehan and his agents, and a newcomer to the Repudiation Scene, William Rees, a lawyer from Auckland. Rees had already clearly shown his opposition to the Government when he had succeeded in having Te Waka Maori's grant of £400 struck off the estimates. Russell brought in Rees in early 1877 as his relations with Sheehan had soured somewhat. He had written:

I can't hear anything satisfactory from Sheehan who is always promising to do but never does. I am very chagrined at the misses which his little delays occasion. (28)

Further, Russell was concerned both at the expenses that occurred while there were delays, at the large amount of work that was to be done with little of it being brought to a conclusion and at the deleterious effects the delays were having on the morale of the impatient Maoris. Russell believed that if Rees could clear off much of the outstanding work 'I think we may fairly extend the field of our operations /to Poverty Bay, Wairoa and Gisborne/'. (29)

Throughout the year, Russell wrote constantly to the movement's lawyers, instructing them about various cases. He was most hopeful of success, commenting 'The Ring is greatly discouraged and show symptoms of breaking up and everyone trying to settle his own matter... McLean's fall removed the most powerful obstacle to our ultimate triumph...'. (30) Russell was certainly not without his problems however, as the general lack of enthusiasm on the part of the Maoris had begun to make itself clearly felt. Even Karaitiana was downhearted as Russell told Sheehan:

(28) Russell to H.T. Knight, 27 Nov. 1876, Russell Letterbook, p.57.

(29) Russell to Rees, 12 Jan 1877, Russell Letterbook, pp.121-123.

(30) Russell to ? Jan. 1877, Russell Letterbook, p.144.

I hope Karaitiana is not going to break down. He has been surly for a long time now. If the Mangateretere could be pushed thro' to a final decision, we should stand on a much more favourable footing with the Natives than at present.(31)

The Movement was not without its successes however and in March, the Supreme Court gave a decision which was by far the most favourable then experienced by the movement. A European settler James Watt, was ordered to pay £17,500 to the Maoris in order to make good the title to his land. The Hawkes Bay Herald as usual cried out in alarm fearing '... that wholesale attacks will be made right and left on Hawkes Bay land titles, and that many an innocent holder who has given a good price for his estate will be in jeopardy'.(32) Even this success however did little to buoy the dejected Maoris and there might well be some truth in Ormond's accusation during the Hawkes Bay Native Land Purchase debate later in the same year, that much of the money went to pay outstanding legal fees.(33)

The movement had further cause for great celebration later in the year for an apparent triple triumph. The first of these was the withdrawal by the Government of the 1877 Native Land Court Bill which aimed at promoting the sale of Maori lands by restricting Crown land purchasing and allowing free trade by private purchasers. Coupled with this was Russell's successful libel suit against Te Waka Maori. To toast these triumphs, 'A Native Dinner' was held in Wellington and attended by Sir George Grey MHR, W.L. Rees MHR, Sir Robert Stout MHR, G.S. Whitmore MLC, H.R. Russell MLC, J. Sheehan MHR, E. Wakefield MHR, J.P. Joyce MHR, E. Barff MHR, Karaitiana Takamoana MHR, for Western Maori, Henare Tomoana, Henare Matua, Te Hapuku, Renata Kawepo, Takarangi, Kerei Tairaroa, MHR for Southern

(31) Russell to Sheehan, 31 May 1877, Russell Letterbook, pp.299-301.

(32) HBH, 16 March 1877, p.5.

(33) NZPD, Vol. 25, p.304.

Maori, Wi Tako, MLC, Hoani Nahe, MHR for Western Maori, and Karaka Tawiti, MHR for Northern Maori. (34)

At this stage, the Repudiation Movement was brought firmly to the attention of the House again with a protracted debate on the purchase of Maori land in Hawkes Bay (35) and a debate on the merits of Te Waka Maori (36). The debate was not particularly edifying with the same often repeated arguments again flying across the debating chamber, to the exasperation of a large number of members. While the debate on Hawkes Bay was not particularly significant in the events that followed, the debate on Te Waka Maori was. The Government, against the express wish of the House, had continued to subsidise the paper and many members were angered at the blatant disregard for the processes of democracy.

In October 1877, the third part of the triple triumph and the event that had been awaited so long by Russell and Sheehan and which had promised so much and was to result in so little, happened. The Government under Atkinson fell and Grey became the Premier with Sheehan as Native Minister. To Russell, it was his dream come true:

Our party is still in power, and this will much facilitate my bringing to a successful end those Native matters which have engaged me so much for many years... I have the satisfaction to know that I was the chief means through my libel case, of driving the late Government from Office, and with the loss of power they can no longer protect the 'Land Ring' of Hawkes Bay who are being rapidly brought by me to justice. (37)

In a number of ways however, Sheehan's position as Native Minister was to be more of a hindrance than a help to whatever hopes the movement had of success. As Minister,

(34) TW, 22 Sept. 1877, No. 38, Bk 4, pp.376-378.

(35) NZPD, Vol 25, pp.298-339, pp.340-400.

(36) NZPD, Vol. 26, pp.1-83, pp.90-118.

(37) Russell to I.L. Baker, 16 Nov. 1877, Russell Letterbook, pp.416-447.

his first act was to dissociate himself from the movement so that he might deal with the Maori question dispassionately. As he explained himself 'One of the first results of his taking office was, that he told the Natives that he must sever his connection with their cases, and have no personal interest in their claims'.(38) The movement thus lost Sheehan's legal services and Russell was forced to endeavour to draw all the loose ends together so that Rees and Bell could deal with all the pressing cases.

Sheehan's association with the Repudiation Movement proved harmful to him. Despite Sheehan's protestations that his association had only been that of a lawyer to a client, in the opinion of many people Sheehan had shown where his allegiances really lay and some of the mud thrown at him by Ormond was bound to stick. These accusations that Sheehan had only been out to feather his own nest by making political capital out of his criticism of McLean and earning large legal fees were to some extent true and once Sheehan had attained the ends he sought, the means he had used to carry him to his goal, were abandoned.

Sheehan as Native Minister was confronted by far wider issues than he had been as an opposition member, concerned only with particular aspects of Maori Affairs. He became deeply enmeshed in his Ministry's Native Land policy. This policy was aimed at a new land purchase system by which Government officers would purchase land then sell it to private buyers. Native titles were to be individualised and would be determined by 'independent and intelligent chiefs of the different tribes'.(39) Sheehan spent much of his time travelling around the country, meeting Maoris and

(38) NZPD, Vol. 29, p.643.

(39) Parker, p.124.

ran into serious financial troubles of his own. He was pressed for the overdue repayment of interest on a £7500 loan at 8% that he had taken out with the New Zealand Loan and Mercantile Agency Company in May 1874 and he also had to pay an extra 2% as a penal rate.(42) The payment of the interest and principal of this loan was to plague Russell for the next year and a half and eventually the Company put Russell's Little Bush property up for sale as payment of the loan.

With Sheehan otherwise occupied, Russell exhausted and discouraged, Rees having taken himself off to Poverty Bay the movement was virtually at an end. Te Wananga soldiered on until the end of the year, defending and praising Russell, continuing to attack the 'Land Ring' condemning the Native Land Court as 'one of the greatest mistakes which the Assembly of New Zealand has ever made'(43) and opposing any change to the Maori electoral laws. Bereft of funds, support and finally a tangible and attainable goal, Te Wananga published its last issue on 21 December 1878.

From the time the first signs of decay were noticeable in the movement in 1876, it experienced a gradual decline from the plateau of 1875-1876. The Maori community was the first to lose its eagerness for redress as delays occurred and periods of inactivity thwarted its hopes. As debts mounted, their spirits sank even lower. The apathy that gradually replaced the enthusiasm finally spread to the Maori chiefs and the death of Donald McLean, meant that for the Maoris at least, the cause was lost.

The Europeans, namely Russell and Rees, clung tenaciously to the movement for another year or so, no doubt inspired

(42) New Zealand Loan and Mercantile Agency Company, Minutebook No. 2, Feb. 1874-June 1874, p.20 and pp.445-446.

(43) TW, 11 May 1878, No. 19, Bk 5 pp.211-212.

by the occasional and even quite substantial successes. But as time passed and the long-term goals attained, the movement faltered. What had promised so much for so long was suddenly seen to be hollow and disappointing. The realisation that even allies in places of power could not bring about the redress sought was too much for even the most dedicated repudiationists of them all - Henare Matua, Karaitiana Takamoana and Henry Robert Russell.

The guiding hand of the European made itself firmly felt in years following 1875 as the movement trod a political and litigious path. Without them, the movement would have remained localised in Hawkes Bay, concentrating on meetings and petitions to voice grievances. It is because of this strong European influence however that it is difficult to obtain a clear understanding of feelings of the prominent Maori chiefs on the direction the Movement took. Apart from Karaitiana who echoed the feelings of the provincialists in the House, the other chiefs remain rather shadowy in character. One thing is clear however, their hearts were no longer in the movement and without their support, the Repudiation Movement's demise was assured.

CONCLUSION

The Repudiation Movement has its origins in the 1850's when European settlers arrived in Hawkes Bay and the Crown began to purchase land. In spite of their refusal to take up arms against the Government during the wars of the 1860's and Te Kooti's campaigns, Hawkes Bay Maoris held very real grievances over the land issue. This discontent continued to simmer until it finally boiled over in the meetings of 1872, when the 'movement' took on a recognizable shape.

Until then, there is very little evidence of any European influence in the nascent movement, although Henry Russell began discussing complaints with Maoris in the region from 1870. After the Hawkes Bay Native Land Alienation Commission of 1873, the aggression and the energies of the Maoris were channelled by Russell, Sheehan, Karaitiana and other chiefs into a number of 'political' strategies designed to redress their grievances over former land sales. Success, however, was very modest. The enthusiasm of the Maori population at large subsequently waned until the movement consisted of little more than its European spokesmen along with Karaitiana and Takamoana. By 1878, its demise was complete.

To a considerable extent Hawkes Bay Maoris shared the same anger as Maoris elsewhere who were also losing their lands through the Land Court, thanks to the often unscrupulous tactics of the more monied and influential settlers. Yet in Hawkes Bay, Maoris adopted their own particular way of trying to solve the problem. The 'political' nature of the Repudiation Movement, and the attempts to work within the broad framework of the European politico - judicial system were probably largely due to the influence of Henry Russell and later John Sheehan. Without their inspiration and assistance, it is most unlikely that the protesting Maoris would have wanted, or have been able,

to initiate the sophisticated court proceedings. Russell in particular was successful in holding together the factional interests of Henare Matua and Karaitiana Takamoana to give the movement strength through unity or kotahitanga. Yet Hawkes Bay Maoris were not totally unfamiliar with aspects of the European political machinery. They had for years been in the habit of sending letters to the Native Department and petitioning the House of Representatives. Furthermore, both Tareha Te Moananui and Karaitiana Takamoana had sat in the House of Representatives.

It was also patently obvious to many Hawkes Bay Maoris how disastrous any armed opposition was likely to be, particularly once Te Kooti had been defeated. For all these reasons the Repudiationists adopted the tactics of a pressure group rather than the solutions that had been, or were to be, adopted by such leaders as Te Ua, Te Kooti and Te Whiti. Even without Russell and Sheehan at the helm it is unlikely that Maori dissatisfaction in Hawkes Bay would have been expressed other than by such activities as rounds of meetings, petitions, and speeches by Karaitiana in the House. What is clear, is that Maoris were willing to embark upon, and saw salvation in, the legislative course proposed by their European allies.

The motives of the European protagonists in the movement can never be adequately assessed. Sheehan's involvement along with William Rees was probably more self-interested than Russells. Both Sheehan and Rees as lawyers made a considerable amount of money through legal fees and their association established their reputations. Russell obviously did not profit from the movement and in fact lost quite substantially. His loans to the local Maoris were heavy and doubtless he hoped some money could be recouped by successful court cases. Russell however probably felt more warmth and compassion towards the plight of the Maoris than did the other two and even in his

writings, there is no suggestion that he did not believe the Maoris to have been ill-treated. Russell's concern must have seemed genuine to Maoris such as Henare Matua and Henare Tomoana as he won them over and united them, despite their initial misgivings and suspicion.

That Rees, Sheehan and Russell used the movement for their own political self-advancement, there is little doubt. They were all provincialists and strongly opposed to the Centralist Party of Vogel, to which the McLean, Ormond faction belonged. The link between the Centralists, the Hawkes Bay runholders and the politico-business group headed by Pollen and Whitaker in Auckland was clear and it was to the destruction of this group that the European repudiators were dedicated. Being Aucklanders, Sheehan and Rees were particularly opposed to the Auckland section of the alliance while Russell had embarked upon a personal crusade aimed at the destruction of the 'Land Ring'. Sheehan, Russell and Rees used the Hawkes Bay situation as a weapon to strike the Government with at every opportunity and eventually achieved their goal with the fall of the Atkinson Ministry.

Many of the criticisms Sheehan and Russell made about Ormond, McLean and their cohorts were well justified. The land transactions involving Maoris had in many cases been unscrupulous and had been acquiesced and participated in by the ruling class in Hawkes Bay. They had used for their own ends people that should have been impartial - Native Department officers, the Provincial Government of Hawkes Bay, the local newspaper, local businessmen and it is claimed even the judiciary. It is not surprising therefore that Repudiation Movement became such an effective weapon with which to attack what Sheehan and Russell, and many others saw as a corrupt Government.

If the Europeans achieved the political victory they sought out of the Movement, what then did the Maori gain

from it? In terms of land and money, they gained practically nothing. No land was actually returned to them and what money they did gain from settlements was quickly used to pay debts and legal fees. Even this was not enough however and a number of Maori chiefs, most notably Renata Kawepo remained in debt for some years.

The Maori people gained very little that was tangible from the movement. What they did get was a steam valve which allowed them to give full vent to their feelings without resorting to violence. They gained a knowledge of European methods and institutions and an appreciation that these could, if used correctly, perhaps work for Maoris as well as Europeans. The experience gained by Henare Tomoana was put to good use as he went on to become a Member of Parliament following Karaitiana's death and later a Legislative Councillor. Probably most importantly the movement welded Maoris around a common cause, made them forget past differences and achieve a unity of purpose, helping to lay the foundations for the kotahitanga of the 1890's.

The decline of the Repudiation Movement can be largely attributed to the dwindling in Maori enthusiasm from about 1876 as the fires of anger died and prospects of wealth and success became more remote. While success punctuated the movement however, some hope for the future flickered, especially in the breasts of the chiefs who had a better understanding of the European political process to which the movement had turned in 1876. European involvement ceased when Sheehan became Native Minister and found his criticisms from the opposition benches had been far easier than administering the Native Department from the Treasury benches. As Sheehan turned to the policies of his Ministry at the expense of Hawkes Bay, Russell too lost interest as his financial situation worsened, old Maori supporters turned on him and his health and energy faded. With the demise of

Te Wananga in late 1878, the Repudiation Movement was no more.

Paradoxically in the strength of the Movement lay its greatest weakness. As the Europeans began to dominate the Movement and use it for their own ends, the focus of the Movement centred on its political activities. The Movement became the means to an end and not an end itself. It did not extend to a wider cultural/religious level and this resulted in a lack of culture and emotional identification on the part of its Maori supporters. Unlike the King and Kotahitanga political movements and the Ringatu and Ratana religious sects, a wide and long lasting personal identification with the Repudiation Movement was absent. As a result, the Movement was limited and explains why Maoris got little that was lasting out of the Movement and why its demise was so sudden and complete.

In its time the Movement was reviled and feared by the Europeans, their fear being fostered by the deliberate twisting of the movement's true objectives by the 'Land Ring' through the Hawkes Bay Herald. Because of the movement and the publicity it achieved, the questionable land practices of many Europeans in Hawkes Bay have been unveiled for history to judge. Whatever the 'Land Ring' claimed and in spite of the adoption of the Movement by Europeans seeking further goals, the movement was in essence not aimed at the wholesale repudiation of land transactions of the 1860's. It was, in the words of its mouthpiece:

... to compel those who have acquired land by fraudulent pretensions to make a fair and equitable compensation to those from whom any land may have been acquired by false means. (1)

(1) TW, 27 July 1878, No. 30, BK 5, pp.370-371.

TABLE OF EARLY LAND PURCHASES IN HAWKES BAY

Source: Wilson, J.G., History of Hawkes Bay, Wellington, 1939, pp. 205 - 206.

<u>Block</u>	<u>Date of Purchase</u>	<u>Area in Acres</u>	<u>Price</u>
Waipukurau	4.11.51	279,000	£ 4,800
Ahuriri	17.11.51	265,000	£ 1,500
Claim on Ahuriri	21.11.55		£ 20
Mohaka	5.12.51	85,000	£ 1,000
Tautane	3. 1.54	70,000	£ 1,000
Claim on Tautane	3. 8.57		£ 1,000
Claim on Tautane	11. 3.58		£ 500
Rangitoto	6. 1.54	5,000	£ 300
Kahuranaki	9. 1.54	22,000	£ 1,100
Okawa	17. 1.54	16,000	£ 800
Claim on Okawa	5. 3.58		£ 50
Ruataniwha	14. 2.55	500	£ 100
Ngaruroro	14. 2.55	5,000	£ 200
Matau-a-mau (Kidnappers)	28. 3.55	30,000	£ 2,000
Tutaekuri	11. 4.55	1,000	£ 200
Mataruahou (Napier)	13. 4.55	640	£ 50
Te Mata	13. 4.55	16,000	£ 1,000
Claim on Te Mata	29. 9.58		£ 800
Waipureku (Claim)	13. 8.55	200	£ 130
Otapahi	28. 8.55	6,000	£ 200
Te Totara	22. 3.56	35,000	£ 1,300
Ruataniwha South	22. 3.56	35,000	£ 1,200
Aorangi	20.11.56	38,000	£ 2,000
Maraekakaho	3. 1.57	30,000	£ 1,000
Manga-a-Rangipehe	15. 4.57	10,000	£ 650
Otarangi	4. 7.57	50,000	£ 1,000
Moananui's claim on Aorangi, Maraekakaho, Manga-a-Rangipehe, Otarangi			£ 1,300
Ruahine Bush	13. 7.57	100,000	£ 3,040
Porangahau	3. 8.57	130,000	£ 3,000
Puahanui	3. 8.57	12,000	£ 1,300

<u>Block</u>	<u>Date of Purchase</u>	<u>Area in Acres</u>	<u>Price</u>
Karanema's Reserve	5. 3.58	4,000	£ 800
Arawapanui	19. 4.59	12,000	£ 390
Eparaima Bush	26. 5.59	500	£ 150
Ruataniwha North and Ruahine	27. 6.59	130,560	£ 3,700
Hapuku's claim on Ruataniwha North	11. 8.59		£ 400
Hapuku's claim on Ruahine	11. 8.59		£ 3,340
Rohui's claim on Ruahine	24. 8.59		£ 400
Waihi's claim on Ruahine	24. 8.59		£ 100
Haurangi's claim on Ruahine	25. 8.59		£ 540
Mohaka Reserve	5. 7.59	100	£ 100
Kaweka Reserve	6. 7.59	50,000	£ 130
Moeangiangi	7. 7.59	12,000	£ 310
Porangahau (Middle and South)	18. 7.59	60,000	£ 300
Waro-o-Manawakana	11. 8.59		£ 56
Omarutairi (Takapau)	12. 8.59	4,000	£ 450
Oero Reserve	13. 8.59	308	£ 50
Kereru	15. 8.59	5,000	£ 600
Pourerere Reserve	15. 5.62		£ 280
Wairoa	5. 4.67		£ 800
Pukahu	10. 7.67	1,905	£ 3,600
Whangawehi No. 2	23. 4.68	1,112	£ 630
Mohaka - Waikari No.1	8. 5.68		£ 150
Hikutoto	25.11.69	339	£ -
Mohaka - Waikari No.2	13. 6.70	20,000	£ 400
Tamaki (Seventy Mile Bush)	16. 8.71	250,000	£16,532
Mangaitainoka - Mohaka	5. 5.75	17,000	£ 540
Mohaka	20. 5.75	47,000	£ 1,300
Mahia	? ? 64	16,000	£ 2,200
Nuhaka	? ? 64	10,000	£ 3,300
		<hr/> 1,883,164 <hr/>	

LISTS OF PERSONS ILLEGALLY OCCUPYING MAORI LAND OVER WHICH
NATIVE TITLE HAD NOT BEEN EXTINGUISHED IN HAWKES BAY

Source: AJHR, 1863, E - 16, pp. 10 - 12.

AJHR, 1864, E - 10, pp. 4 - 7.

<u>Name</u>	<u>First Year of Occupation</u>	<u>Acreage</u>	<u>Rent p.a.</u>	<u>Value of Stock</u>
Annabel J	1860	6,000	£ 45	£ 650
Bee F	1853	6-7,000	£120	£ 2,070
Collins E	1856	600	£ 5	Nil return
Cooper G S	1860	350	£ 36	£ 6,898
Cross C G	1858	4,000	£ 60 inc to £90	£ 5,000
Glenny J	1861	1,200	£ 26	£ 600
Gollan D	1852	70	£1 inc to £3	£21,400
Grant A	1862	10,000	£100	£ 2,500
Hamilton G D	1861	13,000	£100	£ 2,000
Morrison J	1860	6,000	£ 45	£ 350
Nairn Bros	1861	200	£ 5	
Peacock J & G	1861	10,000	£120	£1,500
Ray J	1857	10,000	£102	£ 3,500
Douglas- Wallace R	1854	11,000	£136	£ 4,000
Chapman & Synnot	1861	12,000	£330	£ 3,000
Birrick J L	1861	10,000- -15,000	£5p mth 1yr, £1 inc. p.a.	£ 1,000
Ellington W	1859	Area of homestead	£ 3	Nil
Shirley T		Area of homestead		Nil
Breingan R	1861	9	£11 10s	£45
Lowry T	1856	25,000	£340	9,000 flock 80% of 200 herd ewe lambs of 50 ewes
Torr J	1861	2,000	£10 1st yr; £1 inc p.a.	£ 2,400
Chambers J	1857	3,000 1,200	£ 55 £ 60	£ 1,500

<u>Name</u>	<u>First Year of Occupation</u>	<u>Acreage</u>	<u>Rent p.a.</u>	<u>Value of Stock</u>
Lockwood W	1855	1	£ 4	£ 150
Reed F	1861	10	£ 5	£ 100
Bartlett W	1846	25	1 share in 11 of all oil (whale)	£ 100
Fannin E & W	1860	7,000	£ 40	£ 800
Atward W	1856	5	£ 5	2 steers, 1 horse, 1 cow
Sturm F W	1852	3-4,000	2 heifers p.a.	£ 216
Spooner F	1854	2	£ 4	£ 150
Carroll J	1854	100	£ 5	100 cattle
Morris W	1841	4,000	£ 70	£ 1,000
Watt J & Walker G		20,000		
Campbell J		5,000		
Riddell R & W		12,000		
Hamlin F & H & Stopford M		15,000	£220	
Douglas & Davies		20,000	£ 80	
Towgood & Briggs		10,000		
Condie G		5,000		
Parsons J		5,000		
Gully C J		1,800	£ 80	
Begg S		8,000	£150	
Russell A H & W R		40,000		
Brown A & C		15,000	£300	
Williams J N & Herrick J		10,000		
Rich W		350		
Parker W & H		350		
Sherson J		500	£ 90	
Heslop J		1,500	£150	
Kennedy A		500	£ 50.	
Stuart J & J		900	£ 90	
Provincial Government		5	£ 5	
Clive Township		2,000	£150	
Tanner T, Williams S, Russell A H & W R, Ormond J Russell T P, Braithwaite J B, Gordon J & J, Rich W		20,000 (Heretaunga Plains)	£750	

<u>Name</u>	<u>Acreage</u>	<u>Rent</u>
McLean A	30,000	
Birch A & S	10,000	
Hargreaves	8,000	
Morrison	6,000	
Roy	10,000	
Bell M S	10,000	
Mason	8,000	
Gordon J	300	
Cooper W	5,000	
Mackenzie	824	
Rich W	8,000	
Douglas & Davis	8,000	
C M S School (Te Aute)	5,000	
Gidney S	80	
Knight J	5,000	
Ormond J D	10,000	
Hamilton Wilkinson	8,000	
St Hill A	15,000	
Crosse	8,000	
Hallett J, Alley, Shirley, Ford, McHardy, Batey, Knox, Powdrell, Dolbell	20,000	(Pah Kowhai Flats, Ahuriri Plains)
Cooper G S	1,200	
Russell H R & T P	213	
Cruickshank & Grant	10,000	

PURCHASERS OF MAORI LAND, TITLE TO WHICH HAD BEEN GRANTED
BY THE NATIVE LAND COURT, 1865 - 1874

Source: Koch, A., Lithographic Map, 1874, Department of
Lands and Survey, Napier.

<u>Name</u>	<u>Area in Acres</u>	<u>Locality</u>
Kinross J G	3,573	Omarunui
Johnston S	824	Tamumu
Williams Bros	197	Moturoa
Ormond J D & Fleming J	4,849	Eparaima
Nelson Bros	2,047	Mangateretere East
Williams R P	1,253	Mangateretere West
Gordon Bros	326	Rungaika
Richardson & Troutbeck	694	Pahou
Fleming J	783	Purimu
White J	72	Waipuna
Rathbone W	171	Haowhenua
Watt & Farmer	5,070	Te Awa-a-te-Atua
Condie Bros	10,908	Petane
Campbell H, McLean D, Watt & Farmer	11,726	Te Mangaroa
Rathbone & Todd	1,386	Te Kura
Tanner and others	19,385	Heretaunga
Ormond J D	14,226	Mangangarara
Couper W	613	Kohinarakau
Watt & Farmer	3,043	Kakiraawa
Russell H R	207	Waipukurau
McLean D	19,119	Ngatarawa
Bell M S	1,052	Tautane
Maney R D	137	Korokipo
Catholic Mission	303	Whataanga-anga
Burnett Bros	1,805	Wharerangi
Taylor J	1,092	Moeangiangi
Hamlin M	146	Kikutoto
Heslop J	1,520	Ohikakarewa
Bennett J	1,330	Rahuirua
Rathbone, Russell and others	140	Tatae-Omahu
McHardy A	1,242	Pakowhai

<u>Name</u>	<u>Area in Acres</u>	<u>Locality</u>
Douglas & Hill	2,385	Te Wharau
Rich F D	22,700	Matapiro
Douglas & Hill	2,860	Ngawahakatatara
Kelly J	220	Kahumoko
Williams S	26,235	Otamauri
Williams Bros	456	Poupoutahi
Douglas & Hill	3,496	Tautitahi
Douglas & Hill	5,973	Te Mahanga
Campbell H	5,490	Pekapeka
Canning J D	9,347	Tahoraiti
Carroll J	148	Awatere
Watt Bros	10,408	Tawapata
Watt Bros	3,071	Whangawehi
McDougall J	9,265	Raukawa
Grant A	16,045	Kaitoke
Ormond J D	4,588	Otawahao
Ormond J D	12,008	Oringi Waiaruhe
Hamilton D G	30,750	Mangatoro
Williams S	780	Roto-a-tara
Williams S	3,960	Pukekura
Braithwaite	225	Omarunui
Warren Bros	906	Mangapuaka
Jeffard R P	332	Te Whaka-anga-anga
Maney R D	1,126	Waipiropiro
Walker N	5,983	Owhio
Russell Bros	30,312	Tunanui
Watt Bros	854	Te Moutere
Burton G	8,820	Hereheretau
Carroll J	4,898	Tukemokihi
Carroll J	4,538	Tukemokihi
Duff Bros	5,580	Kahuitara
Powdrill J	1,333	Te Matuku
Powdrill J	1,932	Huramua
McHardy A	622	Te Puninga
Canning J D	16,761	Mangaorapa
Canning J D	12,070	Manawa-angi-angi
Carter E	2,412	Opouiti
Burton G	1,407	Te Whakaki
Carroll J	1,068	Ohuia

<u>Name</u>	<u>Area in Acres</u>	<u>Locality</u>
Glenny J	3,667	Te Mahanga
Watt Bros	6,444	Te Awapata
Rathbone W	1,226	Otane
Williams Bros	4,055	Patangata
	<hr/>	
	395,995	
	<hr/>	

KARAITIANA'S ADDRESS TO THE GENERAL ASSEMBLY, 1869

Source: AJHR, 1869, A - 22.

O friends! Here am I sending the thoughts which I have discovered. This is not from any cause of complaint or strife or for the purpose of creating evil, but for the purpose of pointing out the reason why trouble exists with regard to our side - the side of the Native Race.

Let me here speak of one thing - a disapproval by me of this institution, the Native Land Court. Its fault is this: listening to the false statements of men who have no just claim to the land. Friends, this is a very bad practice. Our Maori custom is much preferable to this.

This is another thing, the regulation of Crown grants. The fault in that is this: do you listen! Where there are one hundred or more men (as claimants), the Court only admits of ten being inserted in the Crown grants, while the one hundred are thrown carelessly out of their land. This is the fault of that regulation.

Another fault of the Crown grant is, the European invites the man to whom the Crown grant belongs to drink spirits, and that the Maori then says 'I have no money'. Then the European says, 'Your money is your Crown grant - your land is your money'. I look upon this as being a cruelty to the Maoris (so that they may cease to have any land).

I had a word to say to the Judges who were at the second sitting of the Court in Napier. I said to them: 'O my friends, if the man who has the Crown grant sells the land, will it go when it has been sold by him?' The Judges replied to me, 'It will not go, unless the whole of the men whose names are in the Crown grant consent; then it will go'. Then I knew that the Land Court was a good thing, and I thought, verily this is a permanent measure.

Shortly afterwards another measure was adopted. The land went by the sale of one man. Do you continue

to listen? I will never suffer my land to go upon the sale by one man whose name is inserted in my Crown grant, because this is a lame system. Does it proceed from the lawyers or from the Judges of the Court?

Friends, I was not formerly a man who wished to sell his land to the European. I proceeded to the Court that it might be permanently settled that the land should not be sold, but it appears that it can be sold.

Friends, this is regulation which destroys men. I am not able to write out the numerous matters which are troubling us. All that I will intimate to you is this: Let the (one) man who is in the Crown grant be prevented from selling, so that it may be seen whether the Natives are to be as friends to you or what, or whether they are to be cast carelessly aside through these measures of the European.

Friends I am now requesting you to immediately take some action with regard to this thing which destroys men, that it may be put an end to, and that man may be saved. Enough.

From your loving friend
Karaitiana Takamoana

APPENDIX VSCHEDULE OF PETITIONS PRESENTED TO THE HOUSE OF REPRESENTATIVES AND THE LEGISLATIVE COUNCIL, 1870 - 1872.

Sources: Schedules of Petitions, JHR, 1870 - 1872
JLC, 1870 - 1872
AJHR, 1872, vol. 3, A - 11, pp. 3 - 5.

16 August 1870. From Henare Matua and 115 others of Hawkes Bay. Presented by Mr Rolleston.

'Complaining that they are likely to be reduced to great destitution by the manner in which dealing with their lands is carried on, and praying for the establishment of a tribunal to which they can apply to have such dealings investigated'.

No report.

20 September 1871. From 148 Natives residing in the Wairarapa District. Presented by Karaitiana Takamoana.

'For the reorganisation of the Native Land Court'.

No recommendation.

6 November 1871. From the Maori Committee of Hawkes Bay. Presented by Karaitiana Takamoana.

'Against the passing of the Highway Boards Bill'.

Unfavourable consideration.

6 November 1871. From Te Otene, Te Rangi and 99 others. Presented by Karaitiana Takamoana.

'Against the passing of the Highway Boards Bill'.

No recommendation.

19 September 1871. From 1060 Maoris of the East Coast. Presented by Karaitiana Takamoana.

'For the alteration in the Native Lands Acts which will enable them to subdivide blocks of land, after dealings by way of lease or mortgage may have taken place'.

No report.

11 November 1871. From Nopera and others. Presented by Mr Taiaroa.

'Alleging certain grievances about a block of land called "Eparaima" Hawkes Bay'.

No report.

5 October 1871. From Henare Matua, an aboriginal Native of the hapu Te Rangiwakaewa. Presented by the Hon. H. R. Russell.

'Complaining of the Survey of, the Investigation of the Title to, and the State of, Native Lands in Hawkes Bay'.
No recommendation.

18 October 1871. From Nopere Kuikainga and 23 others. Presented by the Hon. H.R. Russell.

'Claim to lands in the Waikato'.
Recommended to the Government for inquiry.

18 October 1871. From Heta Hungahunga. Presented by the Hon, H.R. Russell.

'On the subject of certain lands at Waipara'.
Referred to the Government for settlement.

18 October 1871. From Hiraka Te Aroatua and 3 others. Presented by the Hon. H.R. Russell.

'Complaining of the sale of certain lands in Hawkes Bay'.
Referred to the Government for settlement.

1 November 1871. From Hirini Karauria Pipu and 12 others. Presented by the Hon. H.R. Russell.

'Relative to certain land called Waipiropiro and asking that it may be returned to them'.
Referred to the Government for consideration.

1 November 1871. From Hori Niania , Te Aroatua and 70 others. Presented by the Hon. H.R. Russell.

'Relative to certain alnds, Tawhao and Te Kakautatahi, and asking that the Crown grants, when issued, may be given to the real owners'.

Referred to the Government for consideration.

1 August 1872. From 544 Natives of Hawkes Bay. Presented by Karaitiana Takamoana.

'For the appointment of a commission to inquire into land transactions in the Province of Hawkes Bay'.

Report of the Select Committee on Native Affairs recommended ' a commission be appointed, to consist of Europeans and Natives to sit in Napier'.

17 September 1872. From 513 Natives of Hawkes Bay.
Presented by Mr Parata.

'For the appointment of a Commission to inquire into questions affecting the alienation of Maori land in Hawkes Bay'.

Report by the Select Committee on Native Affairs recommended a full inquiry by a Commission.

17 September 1872. From Tikaurenga and 171 Natives of Wairarapa and Hawkes Bay.

'That the Native Land Court be abolished'.

No recommendation.

1 October 1872. From Henare Tomoana and Renata Kawepo.
Presented by Karaitiana Takamoana.

'For consideration on account of military services performed by the Ngati Kahungunu'.

No recommendation.

1 October 1872. From 172 Natives of Wairarapa and Hawkes Bay. Presented by Karaitiana Takamoana.

'For the adoption of certain propositions for the better settlement of land questions'.

No recommendation.

PETITION PRESENTED BY HAWKES BAY MAORIS TO THE HOUSE
OF REPRESENTATIVES, 1871

Source: Casselberg, J. (ed.), Maori is my Name. Historical Writings in Translation, Dunedin, 1975, pp. 118 - 119.

'To the General Assembly of New Zealand in Parliament assembled, the Petition of the undersigned Maoris of the District of Hawkes Bay':

SHOWETH -

That your petitioners were owners and occupiers of land in the district of Hawkes Bay before the introduction of the Native Land Court, and the said owners of land thought no evil, and were not under any law (as regards land).

That your petitioners bade good-by to their old customs when the Native Land Court was introduced, thinking that prosperity and peace would be the result; and they believed also, that, by a careful division of their lands among the proper owners thereof, they would obtain knowledge and would progress, so that in time they would be equal to the Europeans.

The proceedings of the Court were not clear, for many reasons: Much land has been granted to persons not entitled to the lands ... the persons living among Europeans, who sell goods and are enable to entrap people, were wheedled into mortgaging each one's share on account of credit given ... and the sale was urged before the grantees were aware of what they were doing

Those mortgages and sales were not for money but for goods and spirits.

... Many grantees were ignorant and untaught: they were deceived, and got but little of the proceeds, whether they consisted of goods or spirits, of the land which they sold, They were imposed upon, not knowing that they were parting with their land for ever.

... Your petitioners have been informed that if the Maoris get into trouble, they should apply to the Supreme Court to investigate their grievance and grant them redress; but these Maoris consider that they are in a difficulty: they have no money to pay for the investigation, and they do not know the delays which may occur through the strict rules of the European Courts.

... Therefore these persons pray for the appointment of persons to inquire into the mortgages and sales, within the Hawkes Bay District, of lands which have been dealt with by the Native Land Court...

And your petitioners will ever pray.

Renata Kawepo Tamakihikurangi

And 553 others.

APPENDIX VIIDEBTS OWED TO THE HON. H.R. RUSSELL BY HAWKES BAY MAORIS

Source: Mount Herbert Ledger Books, 1867 - 1879,
Mount Herbert Cash Books, 1867 - 1877.

1867 - 1871

Hamuera Matuwiku	£	15	12s.	8d.
Eparaima Wheraro	£	102	2s.	9d.
Rere Pukapuka	£	91	13s.	6d.
Arihi	£	386		
Hamuera & Roka	£	55	16s.	10d.
Naihi	£	36	9s.	2d.
Henare Wahine	£	53	2s.	10d.
Ropata	£	65	2s.	
Paora Nikahere	£	125	6s.	9d.
Hemi Parai	£	35	5s.	2d.
Rupere	£	479	10s.	4d.
Paniatahuri	£	28	17s.	
Pateriki	£	165	6s.	3d.
Keremenata	£	25	11s.	6d.
Kaha	£	16		
Heta Waipawa	£	118	15s.	3d.
Rowhita Block Grantees	£	137	18s.	7d.
Honai Hokomoko			10s.	
Eraihia	£	14	7s.	6d.
Wipurapura	£	55	4s.	10d.
Patu	£	1	2s.	
Paurini	£	29	9s.	6d.
Nopera Eparaima	£	56	8s.	6d.
Renata (Porangahau)	£	35	16s.	
Pateriki	£	12	5s.	9d.
Henare Tititi	£	26	1s.	3d.
Paora Ropiha	£	38	13s.	
Nouha	£	147	1s.	
Hemi Te Miha	£	62	14s.	7d.
Winiata	£	8	4s.	9d.
Hori Nia Nia	£	233	3s.	
Karaitiana	£	353	2s.	
Te Kuru	£	135	17s.	4d.

Hemi Te Wanga	£	137	11s.	8d.
Tanguru Tukupu	£	5	3s.	
Enia	£	2	1s.	
Horomonu Te Kapu	£	49	19s.	5d.
Tareha (Pa Whakaaairo)			12s.	5d.
Morena Paraire	£	2.	10s.	
Paraone Haki Haki	£	173	18s.	4d.
Tiotina Pukowhai	£	50	15s.	
Rota	£	84	12s.	
Eohu Mataimeka	£	9	13s.	4d.
Hoani Waikato	£	136	19s.	
Horera	£	29	6s.	6d.
Te Pepini	£	17	12s.	6d.
Eraihia	£	27	12s.	
Honita	£	11	11s.	
Erihapete	£	2	9s.	3d.
Enia Te Maka	£	35	15s.	3d.
Hemi Te Uranga	£	118		
Te Hapuku	£	922	5s.	7d.
Manaena	£	184	18s.	2d.
Hine Puketia	£	75	19s.	
Te Towhae	£	7		
Hakaraia	£	2		
Heta	£	69	15s.	3d.
Horopapaia	£	6	4s.	
Ngaha	£	150		
Waito	£	12	7s.	

1872 - 187

Hiraka	£	253	8s.	
Piri Mataweka	£	1	3s.	
Ropata Hoakari	£	2		
Tarumini	£	12	8s.	
Henei Pakibea	£	139	3s.	
Haurangi	£	12		
Hakaraia Toi	£	42	15s.	
Te Ora Ora	£	26	2s.	
Riperata			18s.	
Hou Nea Nea	£	63	11s.	
Moata	£		10s.	

Te Towhare	£	1		
Renata (Te Aute)	£	150		
Nauiki	£	22	15s.	
Uripene Puhera	£	93	3s.	2d.
Ahipene	£	75	16s.	6d.
Nepia	£	15		
Honi Waikato	£	180	3s.	
Nikora			8s.	
Whananga	£	1		
Pene Takapau	£	211	12s.	
Te Kuru	£	165	8s.	9d.
Porikupu	£	37	8s.	8d.
Waka Kawatini	£	20		
Hoera	£	12	2s.	6d.
Eraihia	£	12		
Poniata	£	51	10s.	
Teru Wheraru	£	39	2s.	
Heru Wira	£	22	3s.	
Reihanu	£	1		
Reze Pukapuka	£	91	13s.	6d.
Watene	£	57	12s.	
Hemi Te Miha	£	19		
Poriapa	£	5	4s.	2d.
Mangai	£	47	8s.	6d.
Heta Tiki	£	68	13s.	3d.
Karaitiana	£	623	5s.	8d.
Porikaapa	£	107	10s.	5d.
Albert Hori	£	2	3s.	4d.
Ritimana	£	4		
Eohu	£	8	18s.	
Hetu	£	9		
Patriku	£	1		
Hori Pawhai	£	381	10s.	
Tuki	£	50		
Kingita	£	85	3s.	
Pahora	£	30	12s.	
Matene	£	6		
Rotu	£	108	14s.	1d.
Wi Tatene	£	1		
Te Aute Natives	£	92	17s.	8d.
Henare Matua	£	591	14s.	10d.

Honita	£	37	10s.	6d.
Arihi	£2,294		5s.	10d.

1875 - 1878

Hori Nia Nia	£	161	16s.	
Nepia	£	261	12s.	5d.
Henare Tomoana	£	497	12s.	1d.
Ngaha	£	272	5s.	9d.
Ue Patene	£	61	11s.	10d.
Moata	£	135	15s.	11d.
Haurangi	£	135	2s.	
Hoterina	£	91	9s.	10d.
Rota Porehua	£	218	6s.	5d.
Kingita Tohenga	£	147	3s.	4d.
Hakaraia Toi	£	68	6s.	11d.
Poniaturiha	£	115	15s.	6d.
Hohepa Te Ringanohu	£	28	5s.	
Nepia Hawene	£	16	13s.	4d.
Ratima	£	242	18s.	
Ihakara	£	106	9s.	4d.
Wharekine	£	36	6s.	8d.
Karauria	£	40	6s.	8d.
Te Retiu	£	37	5s.	2d.
Paurini	£	153	5s.	11d.
Anatipa Te Urupa	£	27	16s.	10d.
Taraipene	£	19	9s.	
Miriama Hiria	£	31		
Kirata	£	36	15s.	
Peko	£	107	7s.	
Rawenata	£	113	7s.	10d.
Hone Wharemakeo	£	2	10s.	
Uaka	£	159	15s.	9d.
Mangai	£	145	4s.	2d.
Haierangi	£	31	9s.	6d.
Renata (Te Aute)	£	86		3d.
Pera Wheraro	£	344	16s.	6d.
Ihaka Patiku	£	122	3s.	3d.
Keremenata	£	432	4s.	8d.
Te Kaaho	£	174	16s.	10d.
Te Ora Ora	£	16	18s.	

Henei Pakitea	£	179	16s.	4d.
Hemi Te Uranga	£	186	10s.	
Henare Munroe	£	20	2s.	9d.
Pirika & Ani Kanara	£	56	2s.	7d.
Matine Uae Uae	£	68	13s.	8d.
Ponga Ponga	£	11	18s.	6d.
Poniaturiha	£	115	15s.	6d.
Eraita	£	23	12s.	6d.
Tawharenika	£	35	15s.	
Kaikawa Toi	£	87	10s.	8d.
Ihaka Ngairo	£	10		
Ihaka Pukitara	£	15	11s.	10d.
Hori Tawhai	£	17	4s.	6d.
Ropata	£	17	4s.	6d.
Tipene	£	17	4s.	6d.
Inia	£	57	14s.	9d.
Tongate Kei	£	47	4s.	
Patu Tuhua	£	13	15s.	
Kieta Wharemata	£	27	1s.	9d.
Ihaka Poaka	£	128	4s.	3d.
Matiu Eparaima	£	47		

1879

Waitini	£	5		
Paramene	£	3	4s.	9d.
Porekapu	£	3	1s.	3d.
Ihakara	£	2	12s.	1d.
Henare Tomoana	£	1		8d.
Mangai	£	10	6s.	1d.

Amount spent by H.R. Russell on Maori Affairs (excluding loans to individual Maoris), 1872 - 1874.

Date	Cumulative amount
April 1872 to August 1872	£ 108 6s. 6d.
August 1872 to April 1873	£ 370 13s. 9d.
April 1873 to June 1873	£1,029 12s. 2d.

(This included Sheehan's expenses - 24 Feb. to 25 April - £320 10s. 6d.)

April 1873 to Jan. 1875	£1,201	7s.	1d.
Jan. 1875 to May 1875	£1,287	2s.	
May 1875 to July 1875	£1,805	5s.	2d.
July 1875 to Feb. 1876	£2,087	5s.	3d.
Feb. 1876 to Jan. 1877	£2,781		6d.

These accounts included:

- Lawyers' retaining fees
- Hotel Bills
- Office rentals
- White's salary
- Registration fees
- Stationery
- Interpreters' fees
- Telegrammes
- Lawyers' fees
- Witnesses' expenses
- Coach fares

SCHEDULE OF PETITIONS PRESENTED BY HAWKES BAY AND EAST
COAST MAORIS TO THE HOUSE OF REPRESENTATIVES AND THE
LEGISLATIVE COUNCIL, 1873 - 1878

Source: Schedules of Petitions, JHR, 1873 - 1878,
JLC, 1873 - 1878,
AJHR, 1873 - 1878.

7 August 1873. From 108 Natives of Poverty Bay.
Presented by Mr Taiaroa.

'For the appointment of a Commission to inquire into
grievances connected with their lands, and for an
alteration in the laws affecting Native lands'.
Referred to the Select Committee on Native Affairs.

14 August 1873. From 300 Natives of the East Coast,
Hawkes Bay, Wairoa, Turanga, and Taupo. Presented by
Karaitiana Takamoana.

'For the appointment of a new Commission to inquire into
and decide upon all complaints affecting the alienation
of Native lands in that district'.
Referred to the Select Committee on Native Affairs.

14 August 1873. From 371 Maoris of Hawkes Bay, Wairoa,
Wairarapa and Turanganui. Presented by Karaitiana
Takamoana.

'Complaining of defects in the present Native Land Laws
and praying for fresh legislation on the Subject'.
Referred to the Select Committee on Native Affairs.

25 August 1873. From 25 Natives of Hawkes Bay and
Wellington. Presented by Mr Taiaroa.

'Against the Native Reserves Bill'.
Referred to the Public Petitions Committee.

28 August 1873. From 17 Natives of Wellington and
Hawkes Bay. Presented by Karaitiana Takamoana.

'Against the Timber Floating Bill'.
Referred to the Timber Floating Committee.

27 August 1873. From Renata Kawepo and 24 Others.
Presented by the Hon. Mr Ngatata.

'Relative to the Native Reserves Bill, praying that the

Bill may be allowed to be held in abeyance until the various tribes of the Maori people have had an opportunity of seeing and considering the Bill'.

Referred to the Native Reserves Committee.

29 August 1873. From Renata Kawepo and 16 others.

Presented by the Hon. Mr Ngatata.

'Relative to the Floatage of Timber Bill, praying that their rights may be reserved'.

Referred to the Timber Floating Committee who reported that the Bill was only to be enforced in Auckland.

1 October 1873. From Henare Matua and 29 others.

Presented by the Hon. Mr Mantell.

'Praying that the Maoris may be allowed to devise laws for themselves, to be submitted to Parliament for approval'.

No report.

31 July 1874. From (1) King Mahauariki and 158 others;

(2) Paora Tahuriwakanui and 183 others; (3) Hoani M.

Heretaunga and 89 others; (4) Eruera Te Uremutu and 108 others. Presented by Karaitiana Takamoana.

'That the restriction preventing their disposing of their lands to private individuals be removed'.

Favourable report from the Select Committee on Native Affairs.

31 July 1874. From Tamati Rangianui and 5 others.

Presented by Karaitiana Takamoana.

'For further regulations as to the sale of Intoxicating Liquors in Native Districts'.

Referred to the Public Petitions Committee.

10 August 1874. From Rotohiko Haupapa and 4 others.

Presented by Karaitiana Takamoana.

'That a stop may be put to Government Land Purchase operations'.

Referred to the Select Committee on Native Affairs.

20 August 1874. From 2,496 Natives of the East Coast.

Presented by Karaitiana Takamoana.

'(1) That increased representation in Parliament be granted to the Native Race. (2) That they may not be

held responsible for the debts contracted by the colony.

(3) That the Native Land Acts be repealed'.

Referred to the Select Committee On Native Affairs.

21 August 1874. From Henare Matua and 22 others.

Presented by Mr Speaker (Mr Richardson).

'For a provision for an increase in the number of representatives of the Maori people in Parliament before the next election'. (This petition wanted 20 Maori members from North Island tribes and 4 representing the tribes of the South Island. The petition also disclaimed the public debt as too heavy a burden and also wanted a return to the Treaty of Waitangi, which secured to the Maoris their lands, waters and forests).

The Select Committee on Native Affairs considered that it was too late in the Session to thoroughly investigate the petition and recommended that it be referred to the Public Petitions Committee in the next Session.

30 July 1875. From 11 Natives of Hawkes Bay. Presented by Karaitiana Takamoana.

'For inquiry into their claims to part of the Patutahi Block, Poverty Bay'.

Referred to the Select Committee on Native Affairs.

4 August 1875. From 93 Natives of Hawkes Bay.

Presented by Karaitiana Takamoana.

'For compensation for services against Te Kooti'.

Referred to the Select Committee on Native Affairs.

4 August 1875. From 28 Natives of Ahuriri. Presented by Karaitiana Takamoana.

'Relative to certain reserves in the Ahuriri district which have been taken possession of by Europeans'.

Referred to the Select Committee on Native Affairs.

16 September 1875. From Wi Pere. Presented by Karaitiana Takamoana.

'For the restoration of certain lands of which he alleges he has been deprived by the Government'.

Referred to the Select Committee on Native Affairs.

23 September 1875. From Wi Pere and 178 others.

Presented by Karaitiana Takamoana.

'That regulations be made in respect of lands adjudicated at Poverly Bay in 1869'.

Report by the Select Committee on Native Affairs which referred the matter to the Government for inquiry.

18 July 1876. From Henare Tomoana and 102 others.

Presented by Mr Nahe.

'Praying that Karaitiana be declare to have been duly elected for the Eastern Maori Electoral District'.

Referred to the Eastern Maori Election Committee who considered that Karaitiana Takamoana had been duly elected.

15 August 1876. From H. Rangitakaiwaho and 394 others.

Presented by Karaitiana Takamoana.

'Praying for an annual assembly of chiefs of all tribes, to discuss subjects affecting the Native Race. Also the petitioners wished to increase the number of Maori members in the House and also wanted a better Land Act'. The petition received favourable consideration from the Select Committee on Native Affairs.

19 September 1876. From Henare Tomoana and 33 others.

Presented by Mr Taiaroa.

'Respecting the refusal of Government officers to witness the execution of deeds of sale'.

The Select Committee on Native Affairs recommended that Resident Magistrates should fix times and places when they would witness deeds.

9 October 1876. From Arihi Te Nahu. Presented by Mr Ormond.

'Relative to a petition asking for relief from the Native Lands Frauds Act Amendment Act',

The Select Committee on Native Affairs made no recommendation owing to the lack of time.

12 September 1876. From H. Rangitakaiwaho and 155 others. Presented by the Hon. Mr Ngatata.

'Relative to resolutions come to at a meeting of Native Chiefs at Pakowhai'.

The report of the Public Petitions Committee claimed that the petitioners could legally do most of the things that they had petitioned for. The constitutional changes suggested in Maori representation and the Native Land Court could be brought before Parliament by their own members.

26 July 1877. From Renata Kawepo and 790 others.

30 July 1877. From 234 Natives of a meeting at Omahu, Hawkes Bay. Both presented by Karaitiana Takamoana.

'Submitting resolutions come to at the meeting'.

The petition requested;

(1) An annual meeting of chiefs to discuss everything affecting Maoris and to lay matters before Parliament.

(2) An increase in the number of Maori Members of Parliament.

(3) That the Native Land Laws should be revised.

(4) The 1869 Government should be dismissed.

(5) Maoris should be allowed to serve on juries.

(6) The Government should establish schools throughout the colony.

(7) Chiefs and people should return to the right religion.

Report of the Public Petitions Committee recommended careful consideration by the House as the petition threw light on the opinion of the Natives.

8 August 1877. From Renata Kawepo and 1,022 others.

Presented by Karaitiana Takamoana. On 10 August, a further 10 petitions on the same subject were presented.

'That the Native Land Court Bill be not speedily passed, and pointing out its objectionable clauses'.

Referred to the Select Committee on Native Affairs.

(Bill withdrawn)

21 August 1877. From Te Hapuku and 168 others.

Presented by Karaitiana Takamoana.

'For the investigation into the management of the Te Aute College Estata'.

Report of the Select Committee on Native Affairs considered evidence from a Select Committee of the Legislative Council 1877 and from a Royal Commission on Te Aute Native School 1869. The Committee found no evidence of mismanagement by Reverend S. Williams but

considered his rent should be tripled to £1500 p.a. in 1878.

21 August 1877. From Ihakara Tukumanu and 50 others. Presented by Mr Nahe.

'Submitting resolutions come to at a meeting at Omahu, Hawkes Bay'.

Favourable report from the Select Committee on Native Affairs.

24 August 1877. From Heta Tiki of Hawkes Bay. Presented by Karaitiana Takamoana.

'Respecting grievances over land'.

Report of Select Committee on Native Affairs considered Heta had a real grievance and the matter would be rectified.

14 September 1877. From Renata Kawepo and 16 others. Presented by Karaitiana Takamoana.

'Setting forth that a great wrong will be inflicted upon the Maori people if the Native Land Sales Prevention Bill be passed into law'.

Report of the Select Committee on Native Affairs recommended careful consideration by the Government.

14 September 1877. From Henare Tomoana and 17 others. Presented by Karaitiana Takamoana.

'For redress for wrongs under which they suffer by certain provisions of "The Native Land Act, 1869"'. The Select Committee on Native Affairs recommended the petition for the consideration of the House.

The Select Committee on Native Affairs recommended the petition for the consideration of the House.

18 September 1877. From Henare Tomoana and Renata Kawepo. Presented by Mr Sheeham.

'For themselves and tribe, asking for inquiry into their claims for compensation for services rendered against Te Kooti'.

Unfavourable report by Select Committee on Native Affairs.

20 November 1877. From Renata Kawepo and 11 others. Presented by the Hon. Captain Russell.

'Against the provisions of the Native Land Act Amendment Bill'.

Referred to the Select Committee on Native Affairs.

21 August 1877. From Te Hapuku and 203 others.

Presented by the Hon. H.R. Russell.

'For the better management of the Te Aute College Estate'.

Report of the Public Petitions Committee referred to the report of the Select Committee of the Legislative Council which found that the trustees of the estate had done all in their power to provide for the education of Maori children.

14 October 1878. From Henare Matua and 918 others.

Presented by Mr Taiaroa.

'That some unbiassed and impartial Judge be appointed to try their cases against various Europeans'.

The Select Committee on Native Affairs made no recommendation as the Native Lawsuits Bill was being considered in the House.

Petitions were also received on the same subject from Huru Te Hiaro and 241 Natives of Hawkes Bay and Poverty Bay; from Wiremu Pere and 410 other Natives of Poverty Bay; from Ngatuere Tawhirimatea Tawhao and 198 Natives of Wairarapa; and from Te Poihipi Tukarangi and 832 Natives of Taupo.

BROADSHEET ON THE FIRST ISSUE OF TE WANANGA, SEPTEMBER
1874

Source: Te Wananga, September, 1874. The original is in Maori.

TO THE MACRI PEOPLE OF AOTEAROA, TE WAIPOUNAMU, RAKIURA,
AND TO ALL OF YOU!

Friends:- We wish to announce the setting up of the Te Wananga newspaper especially for the Maori community. Over the years we have lacked a newspaper of our own. The Government-sponsored Te Waka Maori newspaper is no newspaper at all. It is a useless newspaper. What it publishes has no relevance whatsoever to the interests of the people. The Te Wananga newspaper will make up for this deficiency and will keep you informed on all matters of interest to the community so that you may be as informed as is the Pakeha community which is well served by the Press. We feel certain that the Maori community is just as interested as the Pakeha community in wanting to be kept informed on important matters concerning these islands.

The Te Wananga newspaper will keep you informed on Government decisions, Maori Land Court proclamations, important Maori gatherings, Parliamentary debates, Court proceeding's land transactions, sale of livestock, impounding of animals and numerous other matters which we feel will be of interest to the Maori community.

The Pakeha people especially storekeepers, are already taking advantage of our advertising columns for the sale of their goods. We think it right that we should make this known to you and urge you to make use of this service which will be of great benefit to this newspaper.

An edition of the Te Wananga newspaper is published throughout the year. Our annual subscription is £1 2s. 6d. for mail delivery otherwise it is £1. This is a very small fee and should not cause you any hardship.

We urge you, the leaders of the people, to rally support for our newspaper Te Wananga. Your subscriptions are needed. We ask you to furnish us with any information of any of your future gatherings which you consider newsworthy.

If you wish to make a donation please forward it together with the donor's name. Your financial support will ensure the regular weekly publication of this newspaper throughout the year.

With your help we shall be able to keep you informed on matters which affect this country, both local and nationwide.

Do not let it be said that we, the Maori People are ignorant provincials, knowing nothing of what is taking place outside our own community.

Te Wananga, Napier.

Please send your donations to,

Henare Matua, Porangahau.
Henare Tomoana, Pakowhai,
Napier.
Manaena Tini, Pakowhai,
Napier.

KI NGA IWI MAORI

O AOTEAROA, O TE WAIPOUNAMU, O RAKIURA.

KATOA! KATOA!! KATOA!!!

E HOA MA:—He kupu atu tenei na matou, kia koutou mo tenei mea mo te Nupepa mo TE WANANGA, kua mahia nei mo tatou katoa, mo nga iwi Maori. Kahore he Nupepa a nga Maori i enei tau kua pahure nei. E hara hoki te Nupepa a Te Kawanatanga TE WAKA MAORI i te Nupepa. He pukapuka take kore taua pukapuka, a kahore kau he mea i turia ai aana korero, i mea ai ki te iwi. Ko TE WANANGA te Nupepa, hei ako i nga Maori, kia pena ai te mohio o te Maori, me to te Pakeha mohio e ako nei ratou i a ratou, ki a ratou Nupepa tinitini e mahia nei e te iwi Pakeha. I nui ai te mohio, me te akoranga a te Pakeha, i kitea e ratou i nga mahinga a te Nupepa. E mea ana matou, e tino aro ana hoki te whakaaro o nga Maori, e penei pu ana te nui me to te Pakeha ki te rapurapu i nga tikanga, me nga mahi, i nga tini mahi nui e mahia nei i enei Motu. A ma TE WANANGA koutou e ako ki enei mea, maana e whakaatu nga mahi e mahia ana e Te Kawanatanga, me te tuunga o nga Kooti Whakawa Whenua Maori me nga Hui Maori, me nga mahi Paremata, me nga Kooti Whakawa, me nga hoko whenua, me nga hoko taonga, me nga kau, me nga hoiiho kua Paunatia, me nga mea katoa hei ako i te iwi Maori. Tetahi, he nui nga panui a nga Pakeha, me nga Kai-tiaki Toa, mo a ratou taonga e hokona ana ki nga Maori, a me nga utu ano hoki mo aua taonga e whaakina ana e aua Pakeha i taua Nupepa nei i TE WANANGA. Na konei matou i mea ai; he tika ano ta matou kupu kia kiia atu kia kaha mai ano hoki ta koutou mahi, kia nui ai tenei Nupepa a tatou. He mea ta tenei Nupepa a TE WANANGA i nga wiki katoa o te tau. A ko te utu mo te tau kotahi ana tukua TE WANANGA i te Meera. Kotahi pauna, e rua hereni, me te hikipene, ki te mea ia e kore e tukua TE WANANGA ma te Meera, kotahi pauna mo te tau kotahi. He moni iti cnei moni, a e taea e koutou katoa aua moni nei te utu. A he tino kupu atu tenei kia koutou ki nga Rangatira, me te iwi katoa, kia kaha ta koutou tautoko i ta tatou Nupepa i TE WANANGA. Akona nga iwi Maori o ia wahi, o ia wahi, kia tango ai ratou i taua Nupepa, a kia utu ai ano hoki. A me Runanga marire koutou nga iwi Maori, a me korero i a koutou korero kia takoto tika ai te whakaaro mo taua Nupepa mo TE WANANGA. A ki te mea ka puta he moni a te iwi mo taua Nupepa, me tuku mai kia matou, me nga ingoa ano hoki o te hunga na ratou aua moni. Ma konei e nui ai TE WANANGA. a e hono tonu ai te puta i nga wiki katoa o te tau. A ma reira e puta nui ai he rongu korero o ia whenua, o ia whenua, kia koutou ki te hunga e utu ana i taua Nupepa, o nga mahi nui e mahia ana i nga wahi katoa o te ao nei. Kei kiia a mua, e, he iwi kuare tatou te Maori ki nga mahi e mahia ana i nga tini whenua, o Aotearoa nei.

TE WANANGA, NEPIA.

Me tuku mai nga moni,

KIA HENARE MATUA, Porangahau.

KIA HENARE TOMOANA, Pakowhai, Nepia.

KIA MANAENA TINI, Pakowhai, Nepia.

LAW CASES RELATING TO HAWKES BAY MAORIS IN THE SUPREME COURT AND THE COURT OF APPEAL, 1875 - 1878

Source: New Zealand Jurist Reports (NS), vols 1 - 4, 1875 - 1878.

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N.B. Not all cases heard in the Supreme Court and Court of Appeal are recorded in these records.

Court of Appeal, 1875. Appeal from Rewi Haokore to cancel the deed of conveyance to a piece of land. Appeal withdrawn.

Court of Appeal, 1875. Karaitiana vs F. Sutton. The Court decided shares conveyed by mortgage to Sutton after the 1869 Act were void. His share was reduced from 3/8ths to 3/9ths.

Court of Appeal, 1875. Paora Torotoro and Rewi Haokore vs F. Sutton. The plaintiffs' demurrer was successful. This satated that a Certificate of Title under the Act does not, as between immediate parties to a contract, alter their rights and liabilities to each other, that there is nothing in the Land Transfer Act which as between the trustee and the cestuique trust, puts an end to the trust; and the cestuique trust must always in this Court enforce his rights against the trustee, though the trustee may have acquired a certificate of title.

Supreme Court, 1878. Henare Tomoana vs J.D. Ormond. Tomaoana et al brought an action against Ormond to recover rent owing. Ormond's counsel successfully argued that the six plaintiffs were not entitled to bring a joint action for 7/10ths. The plaintiffs could bring a joint action of all owners for the 7/10ths rent or they could bring individual actions, each for 1/10th.

Supreme Court, 1878. Kawatini et al vs Kinross and another. The plaintiffs claimed that a mortgage was

invalid because an interpreter had not made an oath before a Justice of the Peace within three months. The Court ruled that it was not necessary for the interpreter's declaration to be made within three months. It also held that a lease and a mortgage were separate, and the invalidity of one did not make the other invalid.

Court of Appeal, 1878. *Pateriki Te Ririheke vs J.D. Ormond*. The case related to the validity of a declaration of trust, relating to Native land even if the agreement itself had been invalidated by Section 75 of the 1875 Act. The Court ruled that the declaration in question was valid although the plaintiff was entitled to specific relief.

Supreme Court, 1878. *Wi Rangi Rangi and wife vs F. Sutton*. The case related to the alleged breach of a verbal contract by the defendant. The Court ruled that an action to recover damages for a breach of contract with a deceased Maori could not be maintained by his successor appointed by the Native Land Court.

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ments to office. NaMu.
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(I have consulted the McLean Papers at the
Alexandra Turnbull Library and the Hawkes
Bay and East Coast Museum, both of whom
have classified the papers differently.
Hence I have referred to the location of
the papers when citing the manuscripts in
the text).

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