

**Taihape Inquiry District**

**Sub-District Block Study – Central Aspect**

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A Report Commissioned by the Crown Forestry Rental Trust

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## **Preface**

### ***The Authors***

This report was commissioned by the Crown Forestry Rental Trust, and was prepared for HistoryWorks Limited by Evald Subasic and Bruce Stirling.

Bruce Stirling a historian from Wellington with a BA in History from Victoria University. He has been involved in preparing and presenting research reports for Treaty of Waitangi claims for more than 20 years, and has also worked on a variety of other projects related to Maori land, heritage, New Zealand public history, and environmental issues as well as Treaty claims negotiations. He has prepared and presented a wide range of historical evidence to the Waitangi Tribunal in the Wellington, Wairarapa, Whanganui, Gisborne, Central North Island, National Park, Kaipara, and Muriwhenua inquiries, as well as research for the East Coast, Northland, Southern Hawke's Bay, and Eastern Waikato districts. In addition to appearing before the Waitangi Tribunal, he has also appeared in the Maori Land Court, the Environment Court, and the High Court. Since 2004 he has been a director of HistoryWorks, a Wellington-based research consultancy.

Evald Subasic is a historian from Bosnia (former Yugoslavia), who arrived in New Zealand in 1979. He has a first class Honours Degree in History from Victoria University of Wellington, where he also worked as a tutor in the History Department. He was employed by CFRT as a researcher from 2002 to 2004, and has subsequently worked as a self-employed researcher and historian. He has previously prepared evidence on nineteenth century issues in the Northland inquiry, and recently co-authored the Taihape Inquiry District Technical Research Scoping Report (with Bruce Stirling) in 2010 and was the lead researcher for the 'Taihape Inquiry District Research Assistance Project: Crown and Private Land Purchasing Records and Petitions Document Bank' in 2010.

We would like to thank Aveshni Massey, CFRT Mapping Facilitator, for her invaluable input on the maps included in this report, and also Matt Melvin, CFRT Research Facilitator, for his helpful feedback and comments on the draft report and his able facilitation at claimant hui.

### *Project Brief*

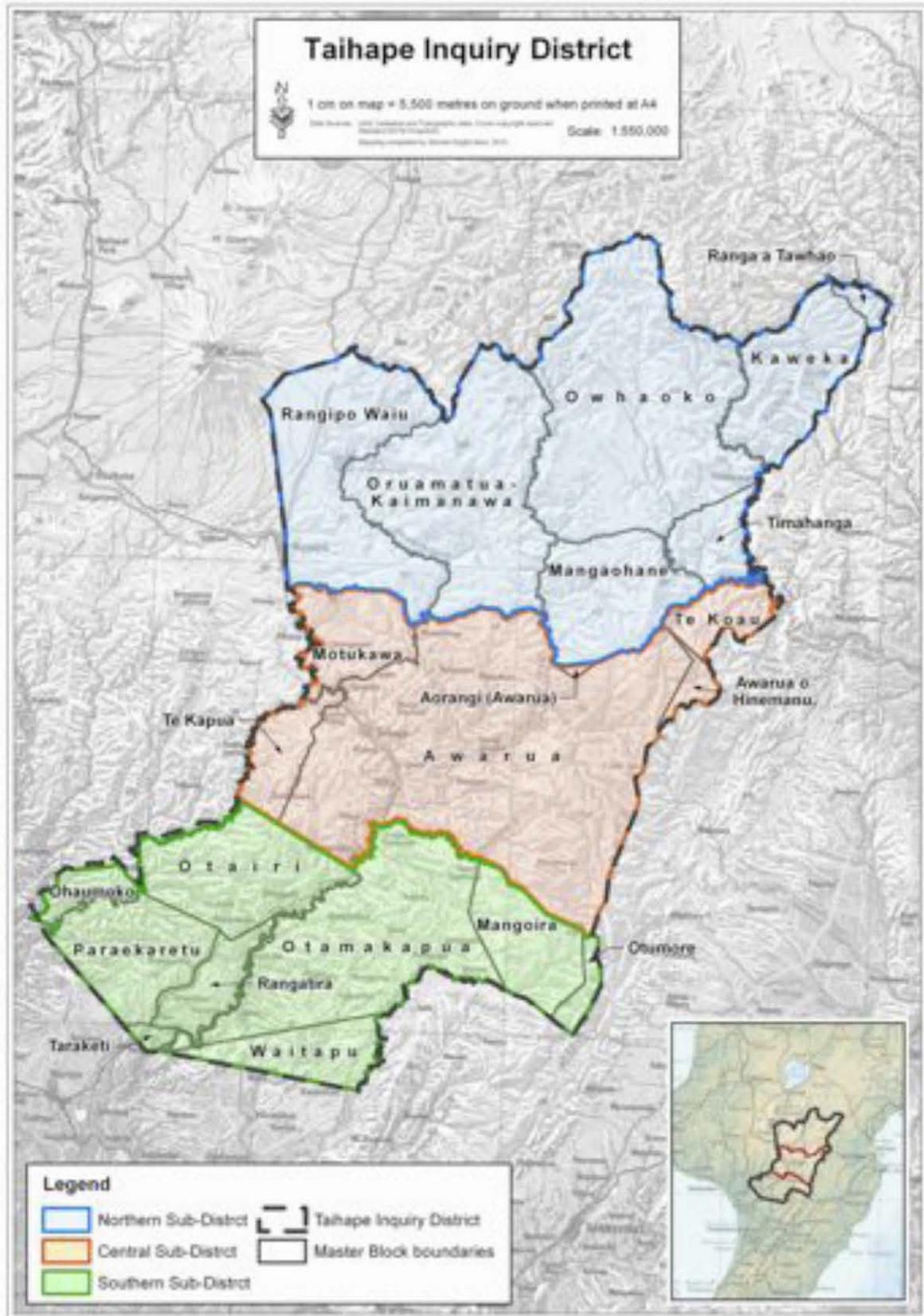
The terms of reference for this report required the authors to provide an analytical history of the blocks in the ‘central aspect’ of the Taihape Inquiry District, those blocks being:

- Aorangi Awarua
- Awarua
- Awarua o Hinemanu
- Te Koau
- Te Kapua
- Motukawa
- Utiku/Potaka Township

These blocks and their position within the wider Taihape Inquiry District are shown on the map overleaf.

For each block, the effects of Crown policy, practice, and legislation concerning Maori-owned land from 1840 to the present were to be detailed, including:

- Pre-1865 Crown or private leases & purchases
- Native Land Court Title Investigations, hearings (including dates, details, and procedures of NLC hearings; names and hapu of applicants; specialists engaged by parties; tupuna referred to at hearings; costs and socio-economic impacts associated with NLC; legislation under which hearings held and titles awarded; titles issues; survey costs)
- Native/Maori Land Court partitions and alienations
- Protests or appeals by tangata whenua
- Crown and private leasing & purchasing post-1865 (including land allocated for survey and other court-associated costs; reserves from alienated land)
- Maori Land Board (1909-c.1930) acquisitions
- Consolidation, aggregation, amalgamation and other title activity
- Public works acquisitions
- Conservancy and resource-based acquisitions
- Land gifted by Maori within the Inquiry District
- Any other major events, partitions and alienations
- Any specific roles played by Maori women in the history of the blocks
- Any issues specific to individual blocks.



Map 1: Taihape Inquiry District Overview

## **Introduction**

This report comprises seven chapters, which examine in turn each of the six main blocks forming the northern aspect of the Taihape Inquiry District, as well as a small chapter on Utiku (Potaka) Native Township. The Township was formed from six small subdivisions of the Awarua block (Awarua 4C9G–L) so it is, in effect, part of Awarua, but given the distinct issues arising from the Township, it is identified in the project brief as a distinct block and is dealt with here as such. These block-specific chapters are book ended by this Introduction and by a Conclusions section.

The history of each block is quite distinct so the content and length of each chapter varies considerably. None of the blocks are affected by all of the issues set out in the project brief. As only those issues that are relevant to each block are traversed in each block study, they are far from uniform in content. However, the issues that do affect each block are set out in as consistent a fashion and order as was feasible given the very different histories of each of the blocks.

The block-related chapters are set out in a broadly chronological order, beginning with Te Koau, then Te Kapua, Motukawa, Awarua, Utiku (Potaka) Native Township, and concluding with Aorangi (Awarua) and Awarua o Hinemanu. Although title to Te Koau was not investigated until 1900, the issues relating to that title investigation, and the 1890 Awarua Commission of Inquiry that led to it, date back to Crown land transactions in the 1850s. In that sense, Te Koau is the block that comes first in the chronology of land dealings, title investigation, and alienations. Thereafter, the chronological order is by date of title investigation, with Te Kapua in 1884 followed by Motukawa and Awarua in 1886. Utiku (Potaka) Native Township emerges from subsequent Awarua subdivisions in the 1890s. Title to Aorangi (Awarua) was not investigated until 1910, while – somewhat remarkably – Awarua o Hinemanu remained papatupu land until 1992, when the Maori Land Court finally completed the extinguishment of customary title in this district. In a somewhat fitting symmetry, Awarua o Hinemanu was – like Te Koau at the start of the period covered by this report – accidentally omitted from earlier titles and dealings. This reflects the confusion over the rugged eastern boundary of the Taihape Inquiry District, where inadequate surveying and Crown failures to consult with the land's owners led to assumptions that Maori title had been extinguished when it had not.

Regarding the issues set out in the project brief, in no case are all of them applicable to any one block, and some of the project brief issues have not arisen in any of the blocks. In some cases this is because dealings for blocks in the Central sub-district simply were not subject to, for instance, pre-1865 land dealings (except to the extent that the Crown incorrectly assumed that its dealings did affect Te Koau, when in fact they did not). In other instances, it is more a matter of twentieth century title issues not arising in the records examined for this project, which is a strong indication that they are of limited or no relevance to these blocks. It is notable that there was no significant title activity in terms of incorporations, consolidations, and aggregations or amalgamations of titles of the sort familiar from other inquiry districts.

Similarly, there is very little indication of the Maori land development schemes that emerged in many parts of the country in the 1930s. No multi-unit development scheme seems to have been instituted in the district at all, and, to date, just one instance of land being placed under the land development provisions of the Maori Affairs Act 1953 (Part XXIV) has been located. Rather than a development scheme as such, this was simply a single farmer being financially assisted as an individual development unit, being on a part of Awarua and Motukawa blocks from 1959 (this includes two successive farming operations on the same land: firstly, that of Hira Wharawhara Bennet from 1959 to 1963, and then N. A. And J. C. Duncan from 1963 to 1984).<sup>1</sup> That is, rather than being a ‘development scheme’ in the usual sense, this was simply a loan to develop an individual farm, which entailed placing the land under development provisions. The files for these individual units are subject to restrictions on access for privacy reasons, and have not been accessed for this project. Viewing them requires the permission of Te Puni Kokiri, who, in turn, are likely to require the permission of the Duncans or their descendants.

It is, of course, difficult to speculate on the underlying reasons behind the general absence of development schemes, consolidation schemes, and other Government title ‘improvement’ policies and practices here, especially considering that the Government records relating to the land blocks under review tend to be largely administrative and bureaucratic in nature, and do not necessarily reflect broader issues. Nonetheless, it seems evident from the titles to the main Maori lands remaining by the 1930s – notably the myriad subdivisions of Motukawa 2 and Awarua – that titles were, to a very large extent, subdivided down to individual owners, or very small groups of owners. As such, there was little scope for title ‘improvement’. As a

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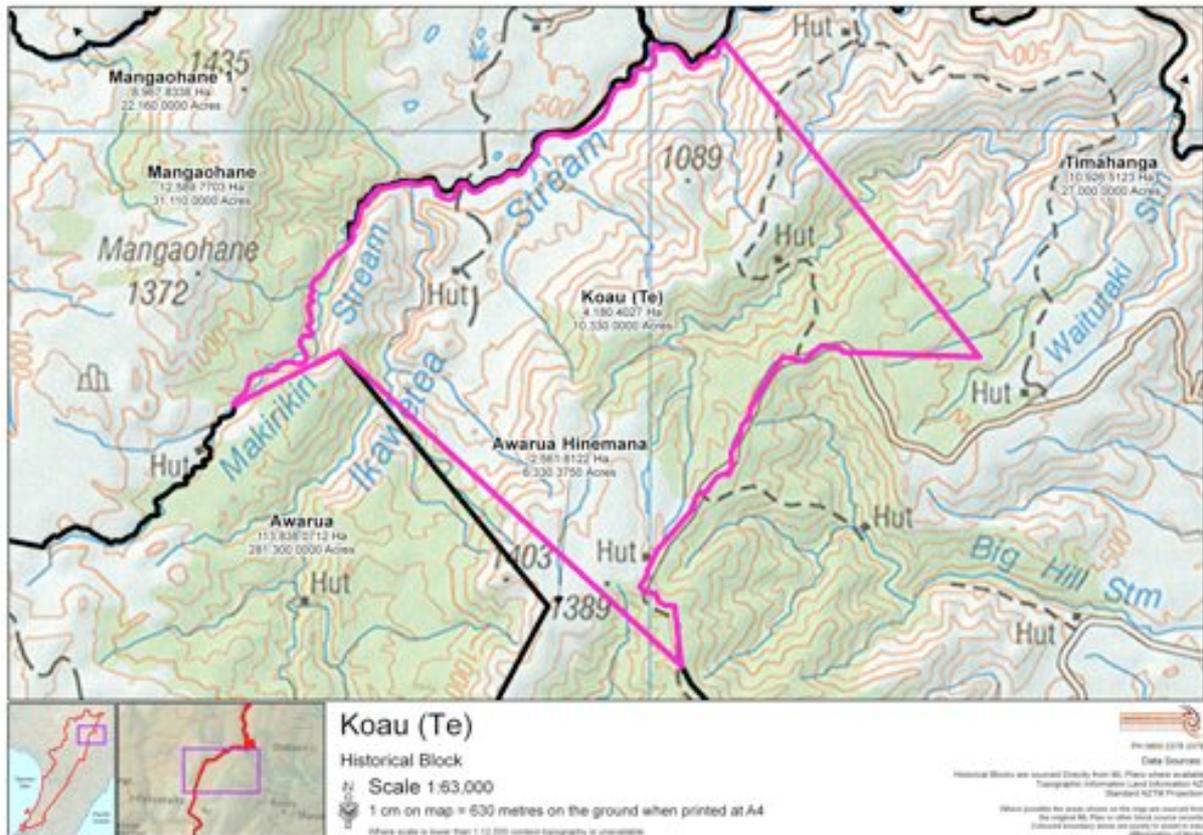
<sup>1</sup> AAMK 869 W3704 box 600a 15/5/100, Development Units – Land Settlement – Bennet, Hira Wharawhara – Taihape Development Scheme, 1959-1963; AAMK 869 W3704 box 600a 15/5/100, Development Units – Land Settlement – Duncan N. A. And J. C. – Taihape Development Scheme, 1963-1984, ANZ. It is not at all clear whether this farm was on the Awarua block, but considering that it was considered a part of the ‘Taihape development scheme’, it is very possible that it was.

result, the main form of ‘improvement’ affecting these highly individualised lands came only in the late 1960s, when numerous individually-owned Maori land titles were ‘Europeanised’ at the stroke of a pen and without regard for the wishes or interests of their owners.

At the same time, there is still scope for further research into some twentieth century issues, notably rating and land-locked blocks. The records available for this report are not comprehensive as regards rates levied by the Rangitikei County Council on the blocks remaining in Maori ownership into the twentieth century, and how these were discharged. In addition, the more general policy issues relating to rating of Maori land in this district were outside the scope of a report focused on individual blocks. More detail on rates issues could be gained through an examination of the local government records and the wider policy-related records created by central government agencies. Similarly, research into broader records, and more recent records, may throw more light on the issue of land-locked blocks, which is an issue of significance to some Maori land owners in the project area but on which the sources available for this report shed little light.

Please note that where primary sources contain letters or words that are illegible or only partially legible it is our practise to indicate this by use of “[?]”. This is sometimes placed at the end of the word where the spelling of that word is uncertain, due to poor legibility; particularly in the case of Maori names. Where a word or words within a quote are illegible, this is indicated by the use of ellipsis; e.g. “[...?...].”

# 1. Te Koau



Map 2: Te Koau Block

## 1.1 Introduction

Te Koau block, comprising 17,400 acres, lies in the eastern part of the Taihape district . The title came into existence in 1891, after some of the owners were able to establish that the block had not been included in the Crown’s 1857 Otaranga purchases in the disputed boundary area of the Kaweka ranges, and thereby remained customary Maori land (see Kaweka block study in the ‘Northern Aspect’ block studies). This issue was presented before the 1890 Royal Commission on the Otaranga and Ruataniwha North deeds, which reported in

1890 and whose findings were acted on in 1891.<sup>2</sup> It appears that the Commission had been sought by Noa Huke, Airini Donnelly (for Ngai Te Upokoiri), and Ngati Whitikaupeka. The Commissioners, Resident Magistrate Preece and J. A. Connell, sat at Napier in August 1890. J. Cuff appeared on behalf of Ngati Whiti, Ngati Hauti, Ngati Ohuake, Ngati Hinemanu and Ngati Upokoiri.

## 1.2 Royal Commission, 1890

The issue had largely arisen because of the disputed boundaries in the east of Mangaohane and the north-east of Awarua, with the Maori claimants in those blocks rejecting assertions that the area later identified as Te Koau had been included in the Otaranga deed in 1857. Many of the owners gave evidence before the Commission, including Noa Huke, Winiata Te Whaaro, and Ihakara Te Raro, as evidence was also given by several Pakeha surveyors who had worked in the area. The central issue that the Commission was seeking to ascertain was the western boundary of the Crown's Otaranga purchase in 1857. The Crown claimed that the boundary of the purchase extended westward beyond the Ruahine ranges, to another ridge known as Otupai.<sup>3</sup> The Maori owners vehemently denied this, claiming that the boundary was at the top of the Ruahine ranges, and never extended as far west as Otupai. The evidence of Noa Huke, for example, was very explicit on this point: "The boundaries of the land then sold to the Government did not extend to Otupai. The boundaries ended at Ruahine range on which stands the points which I have already given."<sup>4</sup> Winiata Te Whaaro corroborated Noa Huke's evidence, adding that if he had been aware that the Crown considered Otupai as the western boundary of the deed he would have strongly objected to it at the time.<sup>5</sup> However, the owners were not even aware that the Crown claimed this land until some 30 years after the purchase – both Winiata Te Whaaro and Ihakara Te Raro testified that they only found out about the Crown's claim in 1887.<sup>6</sup>

This evidence from the owners who had been involved in the original sale was further corroborated by the evidence of Pakeha surveyors and officials who had worked in the area. This evidence included statements that the owners had all denied Crown's claim to Otupai,

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<sup>2</sup> Royal Commission minutes and Report of the Commissioners. MA-MLP 1/1906/91, ANZ. Northern Taihape Blocks Document Bank pp.227-322.

<sup>3</sup> Winiata Te Whaaro evidence to the Commission, pp.8-9, *ibid*.

<sup>4</sup> Noa Huke evidence to the Commission, p.5. *ibid*.

<sup>5</sup> Winiata Te Whaaro evidence to the Commission, p.8, *ibid*.

<sup>6</sup> Winiata Te Whaaro evidence to the Commission, p.9, and; Ihakara Te Raro's evidence to the Commission, p.10, *ibid*.

and that there was always an understanding that there was Maori land east of Mangaohane (in other words, Te Koau).<sup>7</sup>

In light of the overwhelming evidence, the Commissioners ruled in favour of the Maori owners. In their report, they noted that Noa Huke, Winiata Te Whaaro and Ihakara Te Raro were all well informed, reliable and trustworthy witnesses and noted that even the Crown survey officials had been aware for years that there was doubt about the exact location of the western boundary of the Otaranga purchase.<sup>8</sup> The Commissioners consequently found that the Te Koau block had not been included in the Otaranga deed, but that the Crown had already wrongly alienated 7,100 acres of the block for the purposes of an education reserve at some point before 1878, which it deemed could not be returned to Maori. As discussed in the Kaweka block study, those Maori identified by the Native Land Court as the owners were to be compensated for this 7,100 acres.

The title investigation to the balance of the block was held in 1900, although the final area surveyed was 17,340 acres, minus the 7,100 acres wrongly alienated, leaving a balance of 10,240 acres. The remaining Maori land and the 7,100 acres for which the dispossessed owners were to be compensated are shown on the map overleaf.

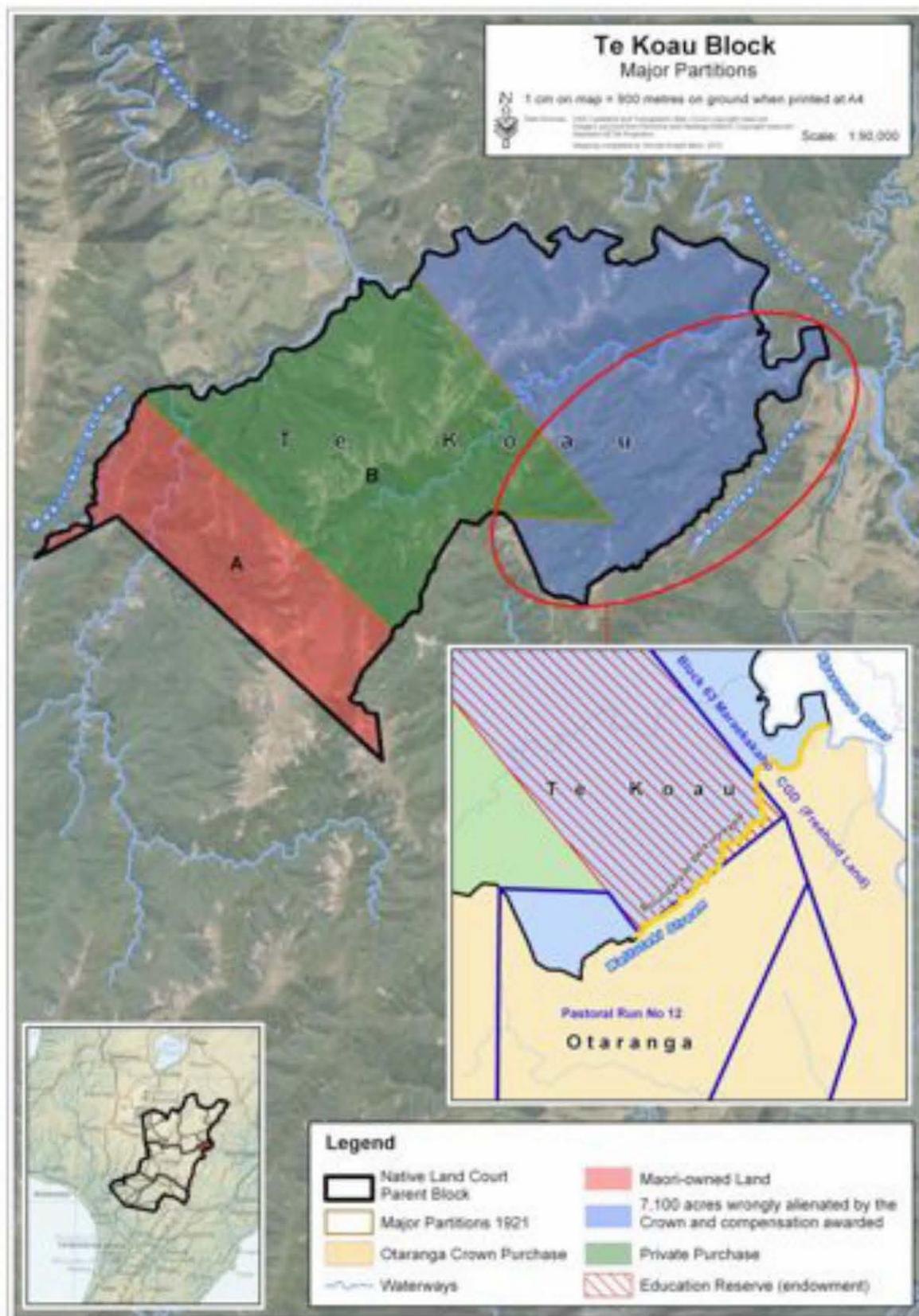
The legal mechanism enabling the title investigation of the balance of the block following the Royal Commission's finding was the Native Land Claims and Boundaries Adjustment and Titles Empowering Act 1894. Section 3 of the Act declared that the lands in question, which had up until then been claimed as Crown land, were owned by "Natives, in accordance with their custom and usages," the title to which had not yet been ascertained by the Native Land Court. The Act also empowered the Court to ascertain who were the former owners of the portion of the land which had already been on-sold by the Crown, and what compensation they were entitled to for having their lands wrongly disposed of as Crown land. Subject to the payment of such compensation, the Native title to those lands was deemed to have been extinguished from a date prior to 12 June 1878.<sup>9</sup>

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<sup>7</sup> See for example evidence of Mitchell, Baker, Reardon and Kennedy to the Commission, pp.11,14, 17, 27, 28, *ibid*.

<sup>8</sup> Report of the Commissioners, pp.4, 18, *ibid*.

<sup>9</sup> Native Land Claims and Boundaries Adjustment and Titles Empowering Act 1894, 1894, No. 45. An Act to define and adjust certain Native Land Boundaries and Title, *New Zealand Statutes*, 1894.



Map 4: Te Koau and the 1890 Awarua Boundary Commission

### **1.3 Title Investigation, 1900**

The title to Te Koau block – both for the part wrongly alienated by the Crown, and for the balance of the block – was held in Hastings in 1900. As with other title investigations in the central and northern Taihape district, the block was heavily contested and the nature of the proceedings was complicated and fluid. A total of 19 parties claimed the block, including 18 counter-claimant groups, but over the course of the hearing some of the parties withdrew their claims or joined with others, while some other parties split off to set up their own cases. Ultimately, there appeared to be some 12 parties claiming the block during the hearing.<sup>10</sup>

#### ***Ngati Hinemanu: Matenga Pekapeka and Miaka Rameka***

Ngati Hinemanu, were represented by Matenga Pekapeka and Miaka Rameka at the hearing, while the case appears to have been conducted by Tairaroa. The ancestral claim was based on Hinemanu, and it was stated that Ngati Hinemanu and Ngati Upokoiri used to occupy the block, and that the occupation ceased following the Rotoatara fight. Matenga Pekapeka gave evidence that he himself had collected food from the block. Their claim primarily relied upon the evidence given by Noa Huke before the 1891 Royal Commission.

#### ***Ngati Hinemanu: Wiki Te Uamairangi and others***

Wiki Te Uamairangi's case was conducted by former Native Land Court Judge Scannell, and was originally joined with Winiata Te Whaaro's case, although the latter later split off after not wishing to be represented by Scannell. The basis for their claim was primarily ancestral through Hinemanu. Their evidence stated that Noa Huke and Winiata Te Whaaro were the real owners of the block, and were the earliest applicants who had put in motion the chain of events leading to the title investigation.

#### ***Ngati Hinemanu: Winiata Te Whaaro***

Winiata Te Whaaro's claim was initially joined with the claim of Wiki Te Uamairangi, but Te Whaaro decided that he did not wish to be represented by Scannell. The basis of Te Whaaro's claim was ancestral through Te Ohuake and Te Rangiwhakamauhu[?]. Te Whaaro also claimed through occupation and mahinga kai, mentioning a kainga and traditional food gathering on the block (including rats, titi and weka pigeons) by people who had been living

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<sup>10</sup> The following paragraphs are sourced from Napier MB 52, pp.348-353 and 53, pp.41-196.

on Awarua. Te Whaaro also mentioned conquest in his evidence, but did not elaborate fully on this point.

***Arihi Te Nahu and others***

Te Nahu's case was conducted by White, and the basis of the claim appeared to be ancestral occupation and occupation by Te Hapuka and his children, Ngati Te Whatuiapiti. They also claimed to have had a pa and kainga on the block in the past. They also claimed conquest by Te Hapuku and Ngati Te Whatuiapiti, and gave evidence that the block had been reserved from a previous sale (presumably the Otaranga sale).

***Ngati Honomokai and Ngati Mahuika: Paea Teaho and others***

The Ngati Honomokai and Ngati Mahuika claim represented by Paea Teho and Warihia Ihukino was conducted by Raihama Te Hakui. Their claim was also later joined by Papi Nikora. The basis of their claim was ancestral occupation dating back to the ancestor Mahuika. They also stated that their rights in this block were the same as those in Awarua and Timahanga.

***Ngati Honomokai: Hera Te Upokoiri case***

Hera Te Upokoiri's case appears to have been conducted by Inia Maru, and the basis of the claim was ancestral through Te Honomokai. They also claimed occupation by Te Ratu and Ngati Te Upokoiri including hunting and fishing and the location of nearby kainga. They also gave evidence in relation to mana and ringa kaha. This appeared to relate to the expulsion of Te Marua (who concealed a spring) by Te Ratu and Hoeroa.

***Ngati Honomokai and Ngati Te Rangitekahutu: Peni Te Ua and Nepe Te Apatu***

The case was conducted by Peni Te Ua, while Nepe Te Apatu withdrew his claim. The ancestral claim based on Honomokai through Te Atakore. They also gave evidence that ancestors were said to have collected food on the block and there were said to be urupa on Te Awarua and other nearby lands. They stated that Waitutaki stream was the ancestral boundary between the Patea and Heretaunga people.

***Ngati Honomokai and the branch of Ngati Mahuika allied to Ngati Honomokai: Hoana Pakapaka and others***

Hoana Pakapaka party's case was conducted by Ansell, who put forward that certain descendants of Mahuika had rights to the land through continuous association with Ngati Honomokai.

***Ngati Hinepare***

Ngati Hinepare, represented by Paora Kaiwhata, had their case conducted by Mr. Dinwiddie. The basis of the claim was ancestral through Honomokai and Te Apunga, with Tauaki and Takaha were also mentioned. They also claimed former occupation of the block including pa, kainga, hunting and food gathering.

***Ngati Whiti: Hiraka Te Rango***

Hiraka Te Rango had stated that he had the same case as Winiata Te Whaaro, but was forced to set up his own case as Scannell, who originally represented Te Whaaro, stated that he had no instructions to admit Te Rango in the list (as noted above, Te Whaaro later refused to be represented by Scannell, and set up his own case). Te Rango's claim was ancestral from Te Ohuake through Tamakorako. He gave evidence that food collecting on this land took place from the time of Tamakorako to the time of the witness's elders, and that his take in this case was said to be the same as in adjoining lands. He also indicated that the boundary between Awarua No.1 and Koau was not ancestral.

***Anaru Te Wanikau and others and Renata Kawepo and others***

Te Wanikau's party's case was conducted by Fraser, Kawepo's [?] party's case by Lewis. The two parties appear to have joined together after Lewis started appearing for both his clients, and Fraser's clients. The basis of the claim was ancestral through Honomokai, for the portion of the eastern side of the block.

***Judgment***

The judgment of the Court, delivered on 27 September 1900, is not set out in any detail in the relevant Minute Book. It does appear, however, that the block was awarded to those claiming through Hinemanu, and the Court in the judgment asked Ngati Hinemanu to submit the revised lists as they were entitled under the judgment. The Court then awarded the portion of

the block for which the owners were entitled for compensation to 25 owners in 18 shares, and awarded the balance of the block to 59 owners in 403 shares (shareholdings varied from 3 to 20 shares, with a total of 13 grantees being awarded 10 or more shares).<sup>11</sup>

The Court was advised that Noa Huke and Winiata Te Whaaro “have expended large sums of money in connection with this block” – referring to the history of protest that led to the land being awarded rather than retained by the Crown – and the Court was asked to “take that into consideration” when awarding relative interests. It is not apparent that it did so: Winiata Te Whaaro was awarded 10 of the 403 shares in Te Koau, and 2 of the 18 shares in the Crown land for which Maori were to be compensated. Noa Huke does not appear in the ownership lists (perhaps having died before title was investigated).<sup>12</sup>

The Court also heard evidence in relation to the compensation due for the part of the block wrongly alienated by the Crown. Two Pakeha land valuers appeared before the Court to give their valuations of the block. The first to appear was John Lansing [?] – it is not clear from the minutes who called him as a witness, but his valuation of the block, set between 1s. and 1s. 9d. per acre seemed particularly low.<sup>13</sup> The second valuer, James Lyon was called by Lewis, and his estimated value of the block was set between 5s. and 5s. 6d. per acre.<sup>14</sup> Neither man was questioned overly strenuously about their evidence, and the Court settled on awarding the compensation at 2s. 6d. per acre, perhaps in an attempt to meet the two valuations somewhere in the middle, but certainly erring on the conservative side.<sup>15</sup>

#### **1.4 Native Appellate Court, 1905-1906**

Following the title investigation, there was a fair amount of dissatisfaction as to the Court’s award. At least six appeals were lodged to the Native Appellate Court to revisit the Court’s decision from 1900. The appeals were lodged by Anaru Te Wanikau and others, Matenga Pekapeka, Hera Te Upokoiri, Ihaia Te Ngira and others, Erueti Arani and others, and Airini Donnelly and others. The Appellate Court hearing was heard between June 1905 and May 1906 in Hastings. The Appellate Court upheld the Native Land Court’s decision that

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<sup>11</sup> Napier MB 53, pp.188, 191-196.

<sup>12</sup> Napier MB 53, pp.192-196.

<sup>13</sup> Napier MB 53, p.184.

<sup>14</sup> Napier MB 53, p.187.

<sup>15</sup> Native Land Court order, undated, MA-MLP 1/1906/91, ANZ.

Hinemanu was the main ancestor and take in the block, and the main question before the Appellate Court centred around which Ngati Hinemanu were to be admitted in Te Koau.<sup>16</sup>

The Appellate Court ruled that Te Koau and Awarua were parts of the same block, and that those Ngati Hinemanu who were owners in Awarua 1 were entitled to be admitted in Te Koau, in accordance with the relative interests they were entitled to in Awarua 1. The Appellate Court did, however, slightly vary the original decision of the Native Land Court, in finding that 44 owners were entitled for compensation for the portion of the block wrongly on-sold by the Crown, instead of the 25 in the original decision. They were deemed to be entitled to compensation of 2s. 6d. per acre, the same amount that had been ordered as compensation in 1900. The Appellate Court also altered the number of owners for the balance of the block, increasing it to 90 from 59 at the original hearing.<sup>17</sup>

## 1.5 Partition and Alienations

Te Koau block was partitioned in March 1921, into Te Koau A (3,451 acres) and Te Koau B (6,879 acres) (see map overleaf). On 13 September 1922, Te Koau B was sold to Alexander Macdonald Jnr. and Rose Macdonald for £375 16s. 2d., at the rate of 4s. per acre.<sup>18</sup>

The purchase of Te Koau B enabled the long-standing survey lien of £475 8s. 2d. to be cleared. This was done by the purchasers as the lien prevented title being issued to them.<sup>19</sup>

Te Koau A remains Maori land. Through the twentieth century the block seems to have faced rating issues. There are various outstanding modest rates charges recorded through the history of the block (19/6 for the period between 1 April 1927 to 31 March 1929; £3/8/9 for the period between 1 April 1928 to 31 March 1930; and £14/13/9 for the period between 1 April 1955 to 31 March 1956). The outstanding amount for 1956 was paid by 1957, and it seems reasonable to assume that the other outstanding amounts from previous decades were similarly covered.<sup>20</sup>

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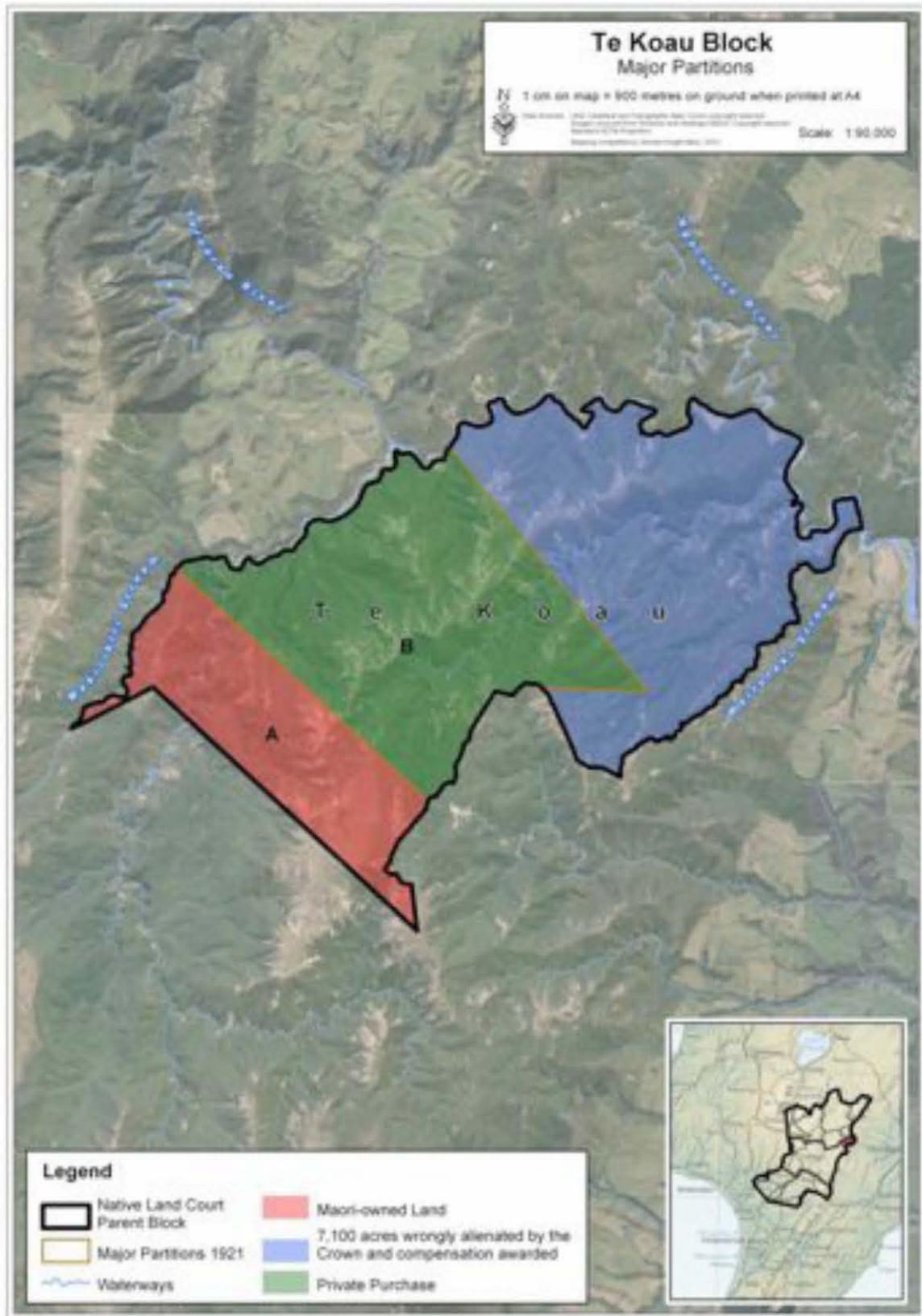
<sup>16</sup> Napier MB 56, pp.295-372.

<sup>17</sup> H. G. Seth-Smith and J. Palmer, Native Appellate Court Decision, 20 May 1906, Correspondence File Na. 81A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vol. 3, pp.201-202.

<sup>18</sup> Maori Land Board Confirmation of Alienation, 13 September 1922, *ibid*, p.206.

<sup>19</sup> Notice of Release of Lien, Correspondence File Na. 81A 16 October 1922. *ibid*, p.182.

<sup>20</sup> Rangitikei County Council Charging Orders for Rates, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vol. 3, pp.188-191.



Map 5: Te Koau Partitions

In 2006, a Whenua Rahui kawenata (covenant) was placed over 1,360 ha (3,360 acres) of Te Koau A (almost the entire block) for a period of 25 years, for which a payment of \$125,640 was made. Te Koau A lies between Department of Conservation lands, with the Awarua Conservation Area to the west and the Ruahine Forest Park to the east. It has very limited access from the Hawke's Bay side only, via the rough No Man's Road.

## **1.6 Conclusion**

Title to Te Koau (17,340 acres) was belatedly investigated in 1900, largely with a view to establishing the individuals to whom payment was to be made for the 7,100 acres of Te Koau that had already been wrongly alienated by the Crown decades earlier. It presumed to have acquired the land as a result of the Otaranga deed; one of the Crown's poorly conducted and ill-defined Hawke's Bay land transactions of the 1850s. It was only after sustained challenges by Mokai Patea Maori that the Otaranga deed was investigated by a commission of inquiry in 1890. The inquiry found that the large area comprising Te Koau had not been included in that deed, but also that 7,100 acres of Te Koau had already been alienated to establish an education endowment.

After the heavily contested title to Te Koau was investigated in 1900 – and after appeals that were heard from 1905 to 1906, in Hastings rather than in the vicinity of Te Koau – the residue (10,240 acres) was awarded to 90 of those previously awarded the enormous Awarua 1 block to the west. The bulk of the block (Te Koau B of 6,879 acres) was privately purchased in 1922, shortly after subdivision in 1921, although the purchase price (£375) for what amounted to two-thirds of Te Koau was still far less than the survey lien (£475) still owing on Te Koau, which appears to have been the motivation for the transaction.

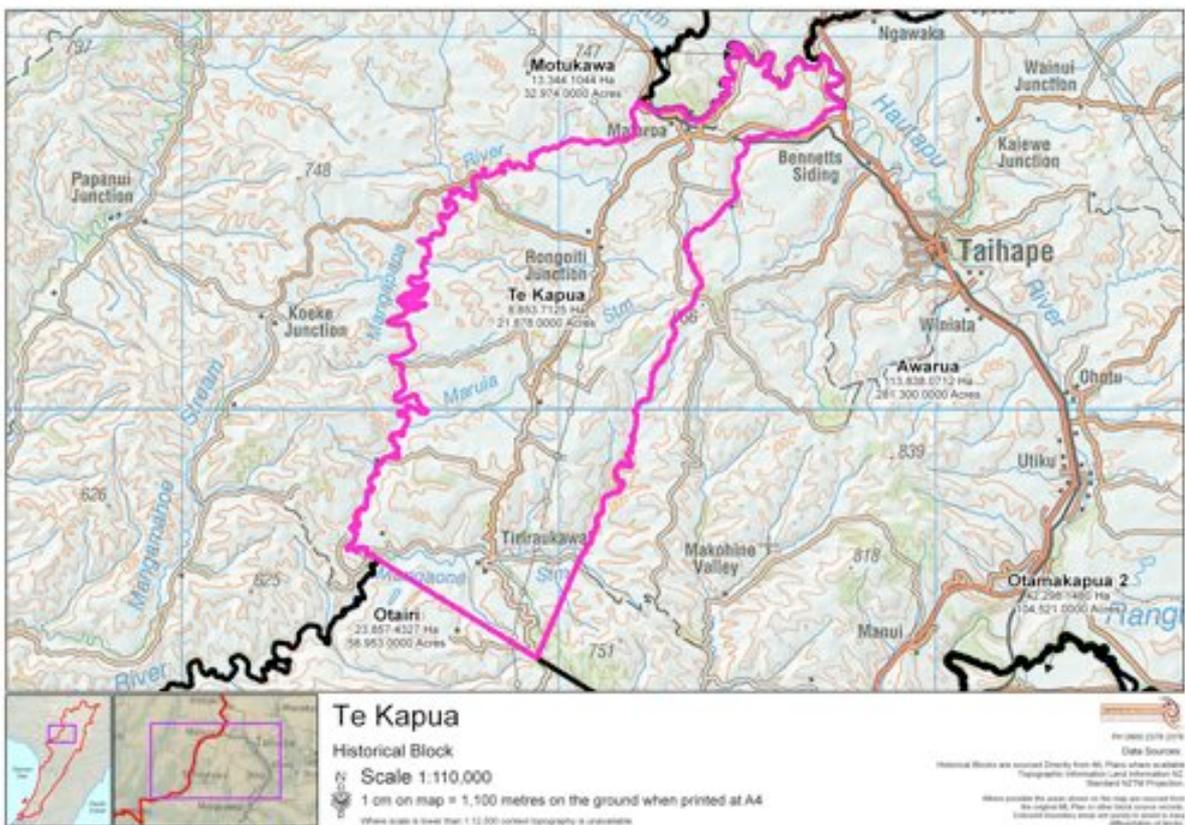
The remaining one-third of the title, Te Koau A (3,451 acres), was unproductive and rugged bush country (lying between what are now two DOC reserves; the Awarua Conservation Area and the Ruahine Forest Park). It has very limited access, and that is only from the Hawke's Bay side, which is not where its Mokai Patea owners come from. Despite its lack of economic productivity and poor access, Te Koau A was burdened with rates charges for many decades, but the owners managed to discharge these debts

and retain the land in Maori ownership. In 2006, nearly all of Te Koau A was placed under a Whenua Rahui kawenata.

### **Te Koau Summary**

<b>Block</b>	<b>Area (acres)</b>	<b>Status</b>
Te Koau	7,100	Crown land
Te Koau A	3,451	Maori land
Te Koau B	6,879	Private purchase, 1922

## 2. Te Kapua



Map 6: Te Kapua Block

### 2.1 Introduction

The Te Kapua block, situated in the western side of the Taihape Inquiry district and comprising 21,878 acres, appears to have originally been a part of the Otairi block, lying immediately to its south, but was separated from that block following the survey, arranged for by the owners and other claimants in 1882. Te Kapua's title investigation in 1884, and its subsequent purchase by the Crown in 1891 caused no small amount of controversy, as it appears that a grave injustice was done to some of the claimants to the block who may have

been the rightful owners, yet were excluded from the ownership of the block through the machinery of the Native Land Court. They subsequently saw the land sold to the Crown without getting any redress or compensation.

## **2.2 Title Investigation, 1884**

The title investigation to Te Kapua was held in Whanganui between August and October 1884 on the application of Hone Tumango, claiming on behalf of Descendants of Hauama (Ngati Tu Tapena) and Ngati Poutama. Overall, there were seven distinct groups claiming the block before the Court.<sup>21</sup> The block was heard under the 1880 Native Land Court Act.

### ***Descendants of Hauama (Ngati Tu Tapena) and Ngati Poutama***

Descendants of Hauama (Ngati Tu Tapena) and Ngati Poutama, led by Hone Tumango, were the applicants in the case. Their basis of their claim were ancestral through Haumana – nohoanga, mahinga kai (cultivation including hunting, fishing and fowling) and raupatu. Their case in reply to the cases of other claimants also stated that, together with Ngati Potama with whom they were related through marriage, they had repulsed the invasion of Rangituhia, and that with this small exception, they had been in, together with Ngati Pounama (who were granted the same rights as allies) undisturbed possession of the block.

They also gave evidence that about the time of the Europeans' arrival most of the tribes who resided inland left the interior, and the claimant and his people also left at this time. It was not the custom to occupy these inland places continuously or to erect fortified pa on the land, as the country was mostly used for fishing and hunting when it was possible to go there without fear of being attacked by straggling war parties travelling between Taupo and the Coast.

Hakaraia Korako gave evidence that he frequently visited the block between 1837 and 1849, and that no-one was occupying the land. After this time some of the Ngati Poutama went to occupy the block occasionally, and Hone Tumango stated he returned to the block in 1876 and erected a house, and although some of the counter-claimants claimed that Tumango had been warned off the land in that same year, he dismissed such evidence as untrue.

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<sup>21</sup> The information in this section is summarised from Whanganui MB 7, pp.280-483.

### ***Ngati Hauiti***

Ngati Hauiti were represented by Utiku Potaka at the hearing, and their case was conducted by Hoani Mete Kingi. The basis of their claim were ancestral through Tamatea, mahinga kai and nohoanga. They claimed the eastern portion of the block, amounting to about one-third of the block.

Ngati Hauiti gave evidence that the portion they claimed formerly belonged to their ancestor Tamatea, and that his descendants had retained undisturbed possession of the land ever since, and that they exercised the usual rights of ownership thereon, including the traditional food gathering. They also gave evidence that they had kainga on the block, and had buried their relatives there.

### ***Ngati Tumaunu***

Ngati Tumanunu were represented by Taiawa Te Ope, who also conducted the case. The basis of the claim was ancestral through Rangituhia[?], and also residence and mahinga kai. The portion of the block claimed was to the west of the portion claimed by Ngati Hauiti.

### ***Ngati Te Aute***

Ngati Te Aute were represented by Te Raukahawai and the case was conducted by Winata Paranihi. The basis of their claim was ancestral through Rangituhia, as well as residence, mahinga kai and raupatu. The portion of the block claimed was all of the block to the west of the portion claimed by Ngati Whitikaupeka.

The evidence given relating to the raupatu take was based on an attack their relatives made, alongside with their allies from Ngati Tuwharetoa, on another branch of Rangituhia tribe, Ngati Tumaunu (see above), who were claimed to have lived on the land at the time. Their claim to occupation of the block was mainly confined to the northern portion of the block, where they formerly had houses and cultivations in both former and recent times, and also grazed stock there in recent years.

### ***Ngati Whitikaupeka***

Ngati Whitikaupeka were represented by Retimana Te Rango, and the case was conducted by Hiraka Te Rango. The basis of the claim was conquest by Whitikaupeka over Ngati[?] Hotu, as well as ancestral, occupation and mahinga kai. The part of the block claimed was, with a

small difference in the northern part of the block, almost identical to that claimed by Ngati Hauiti. Ngati Whitikaupeka testified that they had occupation over the northern part of the block, and also exercised ownership rights over the southern part of the block. They also gave evidence that they were in undisturbed possession for many years, and had built houses and buried their relatives on the block.

### ***Ngati Parenga***

Ngati Parenga were represented by Winiata Te Puhaki, while the case was conducted by Eruera Sutherland. The basis of the claim was ancestral through Rangituhia (the same ancestor as Ngati Tumaunu and Ngati Te Aute), as well as on occupation and mahinga kai. They claimed the whole of the block north of Mangaone.

### ***Ngati Urutaha***

Ngati Urutaha were represented by Kingi Topia, who also conducted the case. The basis of the claim was very similar to the claim made by Ngati Te Aute – Ngati Urutaha also claimed through the ancestor Rangituhia, as well as on the basis of the same conquest as stated in the Ngati Te Aute case. They also claimed the same portion of the block, and gave similar evidence in relation to occupation and mahinga kai.

### ***Court Judgment***

The judges (Alexander Mackay and William Mair) noted that much of the evidence given before the Court was of a very contradictory nature, and that Ngati Hauiti and Ngati Whitikaupeka, who they saw as virtually the same people, were contesting each other in this case. They also noted that four Rangituhia claims, although all opposed to the applicants, were also at times at odds with each other. Furthermore, the judges also noted that no claimant group could claim continuous occupation of the block, as most people deserted their inland possessions in search of security during the turbulent decades of the early nineteenth century.

The judges dismissed the Ngati Hauiti claim, stating they had failed to establish a case. They noted that even Ngati Hauiti admitted their boundaries were not ancestral but rather a matter of arrangement, and that the several kainga named by them as being on the block were either not proven to exist, or were proven to be in other localities away from the block. They also

noted that the quarrels with Rangituhia mentioned at times in the evidence took place away from the block, and had nothing to do with the ownership of the land.

The judges found that Ngati Tumaunu had no claim, since in their opinion the ancestral boundaries of Rangituhia lay to the west of the block, and that the chief witness of the case could not prove occupation, but rather only appears to have travelled on the block.

The judges remarked on the Ngati Te Aute claim that it was chiefly based on the ownership of Te Oti Pohe, the chief claimant being only allied to the Rangituhia ancestor on the northern side. Court found that this claim was not capable of proof and Te Oti Pohe had no right, ancestral or otherwise. The judges also found that effectively there was no conquest that would give Ngati Tuwharetoa a right to the land as the conquering party needed to occupy the land taken to the exclusion of its original owners or other tribes and the Court found there was no proof that this was done. Judgment also referred to the fact that the death of those killed by Ngati Tuwharetoa was subsequently avenged at Ruatahuna. Court found no proof of mahinga kai and occupation noting witness gained his knowledge while travelling between Rangitikei & Taupo and talking to elderly persons.

The Court also dismissed the Ngati Whitikaupeka case. The judges stated that although it was said to be commonly supposed that Ngati Hotu were the original inhabitants of this part of the country in former times, the Court found there was no proof of their occupation of this block or that Whitikaupeka eradicated them. The judges also dismissed Ngati Whitikaupeka evidence of occupation and undisturbed possession stating that it was not corroborated by other counter-claimants other than those who were related to them.

The Court dismissed the Ngati Parenga case, noting that the ancestor Rangituhia was never in possession of the land, even by their own admission. The Court also found that that they could not prove occupation and mahinga kai, and that they also made no attempt to disprove the account of the repulsing of this tribe at Patukete by Ngapoutama (Ngati Poutama?) and the subsequent occupation of their land at Ruanui thus no ancestral title could be said to exist as the land was in the possession of other tribes.

The Court dismissed the Ngati Urutaha case on the same grounds as it dismissed the Ngati Te Aute case, since they were both very similar. Indeed, the judges noted in the judgment that the two cases should have been incorporated together in the first place, and thereby shorten the case and reduce expense.

The Court therefore delivered judgment, “after a good deal of trouble,” in favour of Ngati Poutama for all the portion of the block to the north-east of Mangaone (Te Kapua, 11,000 acres), and in favour of Marukohana for the part lying to the south-east of that river, being that portion bounded by the northern boundary of the Otairi block on the one side, and by the extension of the line from Te Kuma to Pikopiko on the Mangaone on the other side (Te Kapua A and B of 8,978 and 1,900 acres respectively) (see Map 7 below). On 15 October 1884 Judge Mair issued orders to 36 owners of Te Kapua (11,000 acres), 37 owners of Te Kapua A (8,978 acres), and 27 owners of Te Kapua B (1,900 acres).<sup>22</sup>

This decision, however, brought a wave of protest from virtually all the counter-claimant groups, setting back the Crown purchase of the block in the following years amidst some very serious allegations about the improper way in which the hearing was conducted before the Court, and the government’s failure to remedy this deficient and defective title.

### **2.3 Pre-1900 Crown Purchase and Related Issues**

#### ***Survey Costs***

The block had been surveyed in December 1882, before it was brought before the Native Land Court, by a surveyor named Thorpe.<sup>23</sup> Thorpe was apparently engaged by some of the owners to complete the survey (presumably Winiata Te Puhaki and his people), but in May 1883 Thorpe complained that he had not been paid for his services, and offered to hand over the completed plans to the Crown in return for being reimbursed for his expenses, but the Native Department officials did not find Thorpe’s request “convenient.”<sup>24</sup> More than two years later – by August 1885 – Thorpe confirmed he had been paid for his services 1885 (£505 5s. 10d. in total).<sup>25</sup> It appears that the survey debts were paid by Hakaraia Korako and Hone Tumango, who were among those who had been awarded the block at the hearing in 1884. In October 1891, the Native Land Court ordered the other owners of Te Kapua, Te Kapua A, and Te Kapua B to pay Korako and Tumango the survey costs they had incurred to the sum of £508 5s. 10d. with £308 5s. 10d. to be paid to Tumango, and £200 to Korako.<sup>26</sup>

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<sup>22</sup> This section on Judgment in the Te Kapua case is summarised from Wanganui MB 7, pp.468-477.

<sup>23</sup> Memorandum for R. J. Gill, 16 December 1882, MA-MLP 1896/80, Porirua ki Taihape Purchasing Document Bank, p.11913.

<sup>24</sup> Gilbert Mair to R. J. Gill, 26 May 1883, *ibid*, pp.11922-11923.

<sup>25</sup> Note for Surveyor General, 20 August 1885, *ibid*, p.12006.

<sup>26</sup> Robert Ward, Native Land Court Order, 12 October 1891, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.175.

### *Purchase vs. Re-hearing*

Following the judgment in the Ta Kapua title investigation, there was considerable protest over the Court's decision. Hohepa Tutawhiri, writing on the behalf of the Ngati Tumaunu (?) hapu of the Ngati Rangituhia (?) iwi, wrote to the Native Minister Ballance in October 1884 asking that the payments of moneys by Government agents for the purchase of the block be stopped. Tutawhiri stated that they were not satisfied with the decision of the Court, which deprived them of the whole block, and were applying for a re-hearing to settle the ownership, and indicated that they were intending to appeal to the Parliament if their application for a re-hearing was not approved.<sup>27</sup> Within the next two days, R. J. Gill confirmed that the Crown would not make any payments towards the purchase of the block until the time during which the application for a re-hearing has expired.<sup>28</sup>

A similar application to the Native Department not to pay any advances for the purchase of the Te Kapua block came from Winiata Te Puhaki and Hori Matene in April 1885, who stated that the title of the block was not yet settled.<sup>29</sup> In regard to this application, R. J. Gill informed the Native Minister Ballance that an application for a re-hearing for the block was being considered by the Chief Judge, and that the question of the purchase of the block would be considered following the Chief Judge's decision. Gill noted, however, that no moneys had been advanced for the purchase of the block by the Government at that stage.<sup>30</sup>

By the following month, however, the situation seemed somewhat more complicated. On 13 May, Ngawaka Te Paea, Puniti Wharetiti and Eruera Taika requested an advance of £500 for their interests in the block, and a few days later Thomas McDonnell, the Government official at Whanganui, wrote to the Native Department noting that the 'principal' owners of the Te Kapua block were requesting an advance of £1,000 for the purchase of the block.<sup>31</sup> These requests drew a reply from Gill who now stated, in contrast to his note from April 1885, that a sum of £925 had been advanced on the block, and that since the principle owners were in a position to sell the land at once, that he saw no reason for an advance payment to be made.<sup>32</sup>

These statements appear to stand in stark contrast to what Gill had announced in the previous correspondence, since he had stated only weeks earlier that no advances had been paid on the

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<sup>27</sup> Hohepa Tutawhiri to John Ballance, 15 October 1884 MA-MLP 1896/80, Porirua ki Taihape Purchasing Document Bank, pp.11944-11946.

<sup>28</sup> R. J. Gill Memorandum, 17 October 1884, *ibid*, p.11945.

<sup>29</sup> Winiata Te Puhaki and Hori Matene to John Ballance, 20 April 1885, *ibid*, p.11972.

<sup>30</sup> R. J. Gill note for John Ballance, 27 April 1885, *ibid*, p.11971.

<sup>31</sup> Ngawaka Te Paea, Puniti Wharetiti and Eruera Taika to T. McDonnell, 13 May 1885, *ibid*, p.11977; T. McDonnell to R. J. Gill, 18 May 1885, *ibid*, p.11983.

<sup>32</sup> R. J. Gill to T. McDonnell, 18 May 1885, *ibid* p.11980.

block, and that the Government would make no moves to purchasing the block until the applications for a re-hearing were decided upon by the Chief Judge of the Native Land Court. Gill, however, clarified the confusing situation by early June, noting that Booth, Government's Land Purchase Agent, had negotiated for a purchase of a part of the Otairi block (59,000 acres) in January 1879, on which an advance of £925 was made. By 1884, part of this land had passed through the Native Land Court as Te Kapua (or, more precisely, as Te Kapua, Te Kapua A, and Te Kapua B), and Gill proposed to have £500 of that advance money assigned to Te Kapua, Te Kapua A, and Te Kapua B, and recovered out of the purchase money for the Te Kapua A and B Blocks (Te Kapua had been made inalienable by the Native Land Court), which he suggested could be purchased for 5s. per acre.<sup>33</sup>

Gill's suggestion did not sit too well with the owners to whom the block had been awarded. This is hardly surprising, considering that it was not them who received the advances paid in 1879, which was instead paid to some of their opponents during the Te Kapua case before the Native Land Court in 1884. Such a situation was thus very unfair to the owners who had been awarded the block since they would not have received a fair share of the purchase money, while also being illustrative of the disputed and contested rights to the block.<sup>34</sup> They had made an informal offer to the Government in February 1885, through Hakaraia Korako who met with Thomas McDonnell stating that they wished to sell the Te Kapua A and B blocks, and lease the Te Kapua block, either privately or to the Government.<sup>35</sup> The Government made no moves in this instance with the applications for a re-hearing still in front of the Chief Judge, but a more formal offer came from the owners in late May 1885. Hakaraia Korako and Hone Tumango wrote to the Native Minister Ballance offering to sell Te Kapua A and B at 12s. an acre, and also asking the Government to make an offer for the lease of the inalienable Te Kapua block.<sup>36</sup> The requested price was two and a half times what the Government was willing to pay – by early June, however, McDonnell reported that “after a long korero” the owners agreed to sell Te Kapua A and B at 5s. an acre, but that they had strenuously objected to having the £500 deducted, as suggested by Gill, as they “did not have the money.”<sup>37</sup>

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<sup>33</sup> R. J. Gill Memorandum, 4 June 1885, *ibid*, p.11998.

<sup>34</sup> See the Otairi section in Hearn (2012) for more details on advances paid in this case.

<sup>35</sup> T. McDonnell to R. J. Gill, 20 February 1885, MA-MLP 1896/80, Porirua ki Taihape Purchasing Document Bank, p.11985.

<sup>36</sup> Hakaraia Korako and Hone Tumango to John Ballance, 29 May 1885, *ibid*, p.12004.

<sup>37</sup> T. McDonnell to R. J. Gill, 2 June 1885, MA-MLP 1896/80, Porirua ki Taihape Purchasing Document Bank, p.12001. It is not clear from McDonnell's telegram whether the owners claimed not to have received the advance money paid in 1879, or whether they simply did not have any money at the time of his meeting with them.

Yet despite these negotiations taking place, no decision regarding a re-hearing had been made by the Chief Judge, and there was continued protest regarding the original Court decision and the Government plans to purchase parts of the block. In August 1885 Winiata Te Puhaki and Eruera Whakaahu wrote a further letter to the Native Minister Ballance asking that no purchase moneys be paid on the account of Te Kapua blocks as they were still striving for a re-hearing, and further warning that “if a re-hearing is not granted, considerable trouble will arise about Te Kapua block.”<sup>38</sup> All this effort, however, was in vain. The application for a re-hearing of Te Kapua was dismissed by the Native Land Court and the stage was effectively set for the Government purchase of the block.<sup>39</sup>

This dismissal, however, did not stem the tide of opposition to the Court’s decision. In August 1885, Winiata Te Puhaki and others petitioned the Parliament asking that a re-hearing of the block be granted on the grounds that the verdict of the Judges was against the evidence given, that the Native Assessor at the hearing was an interested party, that the Interpreter at the hearing did not fulfil his duties in a proper manner, and that the overall proceedings of the case were irregular. Some of the irregularities alleged included the judges allowing the claimants to change their case and evidence at the hearing – when presenting evidence contradictory to what he had already testified to, Hone Tumango apparently stated he had been drinking on the day he had given such evidence, and his new evidence was allowed to stand even though it could not be challenged by the counter-claimants as their cases had been closed by this stage.<sup>40</sup> Winiata Te Puhaki and Utiku Potaka both gave evidence at the hearing, clearly stating that the block belonged to Te Puhaki and his people. Winiata Te Puhaki even noted that he had stopped the survey for a week when Hakaraia Korako had commenced it in 1882, and furthermore recalled that when the block was awarded to other people, he was so upset that the judges called policemen to drag him out of the Court.<sup>41</sup>

The evidence of the two judges was also taken by the Native Affairs Committee, and they largely dismissed the allegations as either untrue, or not influential and prejudicial to the outcome of the case. Mackay, for example, denied knowledge of a written request to have the Native Assessor, who was related by marriage to the family of Hakaraia Korako, dismissed from the case.<sup>42</sup> Although both judges accepted that the Assessor was indeed related by marriage to one of the claimant parties, and that the incident with ‘drunken’ evidence did occur, they contended that neither situation materially and prejudicially affected the judgment

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<sup>38</sup> Winiata Te Puhaki and Eruera Whakaahu to John Ballance, 27 August 1885, *ibid*, p.12014.

<sup>39</sup> T. W. Lewis to John Ballance, 10 October 1885, *ibid*, p.12010.

<sup>40</sup> Judge Mair’s evidence, LE 1/1886/18, *ibid*, pp.10170, 10181.

<sup>41</sup> Utiku Potaka’s evidence, *ibid*, p.10148; Winiata Te Puhaki’s evidence, *ibid*, pp.10150-10151.

<sup>42</sup> Judge Mackay’s evidence, *ibid*, pp.10154-10155.

in the case. Mair had also testified that the interpreter acted properly in the case, and that all translations were correct.<sup>43</sup>

The Native Affairs Committee dismissed the petition, claiming that “after a careful investigation extending over four days” it had found that although the Assessor was related by marriage to one of the claimants, that he had no interest in the matter before the Court, and that the case had been heard with care and that a unanimous decision was reached on the case by both the Judges and the Assessor. The Native Affairs Committee’s report further stated that both judges (Mackay and Mair) were well acquainted with Maori language and were able to detect any potential tampering of the evidence, and that Mair himself testified before the Committee that there had been no attempt to misinterpret the evidence at the hearing. The Committee also noted that the Chief Judge, in denying the request for a re-hearing, had acted in the usual manner having bestowed considerable attention to the case.<sup>44</sup>

Despite this, Winiata Te Puhaki continued to strive for a re-hearing, forwarding another petition to the Parliament in July 1886, basing it on very similar grounds as the petition from the previous year. The Native Affairs Committee rejected it once again. The Committee reported that:

This petition had been reported upon last year, after a careful investigation extending over four days. The Committee, after spending two days more this session in taking further evidence upon the case, have learnt nothing new. The evidence of the principal witness for the petitioners this year was explicit in freeing the Court from the least suspicion of unfairness in its proceedings. The Committee have no further recommendation to make. The Committee have no power to consider questions of rehearing.<sup>45</sup>

At the 1886 inquiry, only Mackay gave evidence from the judges’ side, and this time Winiata Te Puhaki and Utiku Potaka were not present to give evidence. The principal witness for the petitioners referred to in the Native Affairs Committee’s report was undoubtedly Ernest Wright, who was related by marriage to the petitioners and lived on a nearby block. He gave the most significant amount of evidence during the two day hearings in late July 1886. Wright’s evidence essentially reiterated the case from the previous petition, while also noting that the adversarial and ‘bullying’ nature of the proceedings cultivated by the claimants at the hearing confused the petitioners at the time, as they were much less experienced in the Native

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<sup>43</sup> Judge Mackay’s evidence, *ibid*, pp.10167-10168; Judge Mair’s evidence, *ibid*, p.10172.

<sup>44</sup> AJHR 1885, I-2, p.15.

<sup>45</sup> AJHR 1886, I-2, p.38.

Land Court matters than their opponents in this case.<sup>46</sup> Ratana Te Aho Tirangi also gave brief evidence, and he noted that Hone Tumango's case in Te Kapua was contradictory to the cases he set up before the Native Land Court for adjoining blocks.<sup>47</sup>

It is interesting to note that the Native Affairs Committee felt persuaded by the evidence of the main petitioners' witness, presumably Wright, to dismiss the petition. During his evidence, Wright was pressed on several occasions about the occupation of the block, and admitted that there were no permanent settlements on the block, but that the petitioners had cultivations there.<sup>48</sup> This lack of permanent occupation may well have swayed the Native Affairs Committee towards believing that the judges reached the correct decision in the case. But their decision most certainly did not stop the petitioners quest for redress.

No amount of Government dismissals, however, could quench the feelings of injustice suffered after the Native Land Court's decision in the case, and the protest continued throughout the 1880s and early 1890s. In 1888, Retimana Te Rango petitioned the Parliament for a re-hearing of Te Kapua, but it appears that the Native Affairs Committee had tired of dealing with this issue, summarily dismissing the petition by stating it had no recommendation to make.<sup>49</sup> In the same year, Taiawa Te Ope also petitioned for a re-hearing of Te Kapua, but his petition did not fare any better than Te Rango's before the Native Affairs Committee.<sup>50</sup> In September 1891 Retimana Te Rango sent another petition to Parliament, this time asking that an inquiry may be made into this application of 1884 for a re-hearing of Te Kapua block, but again without success.<sup>51</sup>

In light of this continued protest, no immediate Government purchase of Te Kapua actually followed. The Native Under-Secretary Lewis had hinted in October 1885 that the Department thought it was more prudent not to purchase immediately, and explained some of his thinking in relation to this the following year, after some of the owners of Te Kapua offered their individual shares for sale to the Government in October 1886.<sup>52</sup> Lewis wrote to the Native Minister Ballance:

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<sup>46</sup> Ernest Wright's evidence, LE 1 1886/18, Porirua ki Taihape Purchasing Document Bank, p.10216.

<sup>47</sup> Ratana Te Aho Tirangi's evidence, *ibid*, p.10225.

<sup>48</sup> Ernest Wright's evidence, *ibid*, p.10191.

<sup>49</sup> AJHR 1888, I-3, p.3.

<sup>50</sup> AJHR 1888, I-3, p.28.

<sup>51</sup> AJHR 1891, I-3, p.23.

<sup>52</sup> Ngawaka Apera, Kohiti Tameha, Eruera Taika, Puni Te Wharetiti, Puke Rota and Horiana Te Waikanao to John Ballance, 17 October 1886, MA-MLP 1896/80, Porirua ki Taihape Purchasing Document Bank, pp.12018-12019.

I do not think it would be advisable to purchase any of the subdivisions of Te Kapua block unless we can acquire the whole. The defeated claimants will, no doubt, continue to urge for a re-hearing but as their petitions have been ...reported against by the Native Affairs Committee, there is I think a good reason why the purchase should be longer delayed on their account and if you approve I believe I can arrange for the purchase of the whole block on favourable terms.<sup>53</sup>

The Government purchase of Te Kapua remained on hold until 1891. In late February 1891, J. R. Somerville from the Small Farmers Association wrote to the Minister of Lands suggesting the Government purchase Te Kapua and hand it over to a small farm association, which he undertook to assist in starting.<sup>54</sup> While Somerville's request was undoubtedly driven by his own personal interest, by April 1891 it appears that the Government was ready to resume the Te Kapua purchase. The Native Land Purchase Department instructed its officer J. Butler to arrange the purchase of the block with the owners, and he reported in late April that the owners were unwilling to sell the block at the price offered (6s. per acre), but that he thought if the Government were to offer the three principal owners £500 each upon the completion of the purchase, they would be able to induce all but four of the remaining owners to sell at the lower price the Government had previously offered. Butler reasoned that in this way the majority of the block could be purchased relatively easily since the interests of the remaining four owners could easily be cut out by the Native Land Court, and since the value of the land was higher than what the Government was offering to purchase it at any rate.<sup>55</sup>

T. W. Lewis put forward Butler's proposal to the Native Minister Cadman. Lewis attempted to justify what may easily have been construed as a bribe to the three principal owners by stating:

The [original] offer [Butler] had been authorised to make is on the assumption that the shares are equal but as a matter of fact this is not the case and Mr. Butler has shown me a scheme of subdivision of the land traced up by the Natives themselves agreed to at a public meeting to bring before the Native Land Court by which the three largest owners were to receive from 2,000 to 2,500 acres each while the bulk of the owners only were to get 200 acres. Under these circumstances and if in spite of possible outcry by outside claimants, the purchase is to be made, I recommend that Mr. Butler be authorised to offer the amount he advises to the principal owners to

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<sup>53</sup> T. W. Lewis to John Ballance, 26 October 1886, *ibid*, p.12015.

<sup>54</sup> J. R. Somerville to Minister of Lands, 28 February 1891, *ibid*, pp.12175-1280.

<sup>55</sup> J. Butler to T. W. Lewis, 27 April 1891, *ibid*, pp.12199-12200.

be paid when all they can induce to sell have signed the deed and the Court has recommended the removal of the restrictions.<sup>56</sup>

Despite the serious irregularities of Butler's and Lewis' proposal, the Native Minister Cadman approved it on the very same day.

The following month, the owners of Te Kapua (which had been made inalienable by the Native Land Court following the title investigation) applied to have the restriction on alienation of the block removed. It is notable that the first signature on the application was made by Hakaraia Korako (who originally had offered the block for sale in 1885), and was witnessed by Butler on 17 April 1891.<sup>57</sup> The application was duly approved. Butler commenced collecting signatures to the purchase deed from late May 1891, but reported in June that a death at Pourewa had delayed his obtaining of signatures of the last two owners "of any importance" who had not yet sold their shares.<sup>58</sup>

By September 1891, however, Butler was seemingly forced to change his original plans. He wrote to Lewis in:

The last arrangement verbally approved by Hon. Native Minister with reference to the purchase of Te Kapua block was that instead of £500 being paid for the interest of Reweti Tapa, he and Ngakura Te Aohau were each to receive £385/7/9 and that Mr. Nicholson who has given great assistance in the purchase of this...was to be paid £100 for his services...provided that, on partition, the interests of the persons he was instrumental in inducing to sell, prove to be as large as he alleges them to be.<sup>59</sup>

Within days, Butler reported a further development. He had met with Te Keepa Te Rangihiwini (Major Kemp) who informed him that:

[Kemp] would allow Haruru Ki Te Rangi to sell his interest in Te Kapua if I would agree to an area of 500 acres being awarded to him for his interest in Pohonuiatane No. 3. On the basis of equal shares he would be entitled to 314 acres in his own right and to 157 acres as a successor to his sister Irita [?] Maunganui, or a total of 471 acres. If Kemp would accept this area on behalf of Haruru in whatever portion of the block non-sellers interests are located by the Court I think it would be as well to close with him.<sup>60</sup>

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<sup>56</sup> T. W. Lewis to A. J. Cadman, 27 April 1891, *ibid*, pp.12197-1298. The outside claimants he mentions are the ones who had been protesting the Native Land Court award of the block and its sale.

<sup>57</sup> Application for removal of alienation restrictions, 22 May 1891, *ibid*, p.12190.

<sup>58</sup> J. Butler to T. W. Lewis, 23 June 1891, *ibid*, p.12187.

<sup>59</sup> J. Butler to T. W. Lewis, 14 September 1891, *ibid*, p.12185.

<sup>60</sup> J. Butler to T. W. Lewis, 16 September 1891, *ibid*, p.12182.

Both Lewis and Cadman were initially reluctant to give approval to Butler's new recommendation, viewing as potentially embarrassing and probably unnecessary. Butler, however, continued to press the case and it appears that Lewis eventually agreed to his proposed course of action.<sup>61</sup>

The conveyance of the block to the Crown was officially dated 23 November 1891, for the price of £6,040, including Te Kapua (11,000 acres), Te Kapua A (8,978 acres) and Te Kapua B (1,900 acres).<sup>62</sup> This equated to a price of about 5s. 6d. per acre; the slight increase over the Government's rate of 5s. per acre probably being due to the bribes paid to leading vendors. These purchases are shown on Map 7 overleaf.

### ***Ongoing Protest and Legal Action***

As the sale of Te Kapua to the Crown was being completed, some of the counter-claimants who had been protesting the original title investigation decision from 1884 and attempted to prevent any sales until a re-hearing was scheduled and concluded, continued their opposition. On 24 November 1891, S. H. Manson wrote to the Native Minister on behalf of Winiata Te Puhaki, Nika Waiata, Ruka Puhaki, Hohi Matene[?] and Pone Te Maure[?], outlining their long list of grievances over the Native Land Court's handling of the Te Kapua title investigation.<sup>63</sup> Manson noted that his clients originally agreed to a survey of the land called Ngaaurukehu[?] which included Te Kapua, but because of the lack of funds, decided to survey the two blocks separately, as means would allow.

Around this time, Hakaraia Korako and Hone Tumango lay claim upon Te Kapua, and the two parties agreed to carry out the survey of the block together. The block was then taken to the Native Land Court in August 1884, and Manson noted that his clients immediately objected, both to the presiding judge and the Chief Judge by telegraph, to the Native Assessor Hone Meihana, who they alleged was related to Hakaraia Korako's people, but their objection was ignored. They also alleged that the Court interpreter Thomas McDonnell had practically sided with Hone Tumango, one of their opponents at the hearing, and acted as his agent, and that consequently very little of their evidence was recorded at the hearing. Manson also stated that McDonnell received £300 from Tumango for his services at the hearing. Manson stated

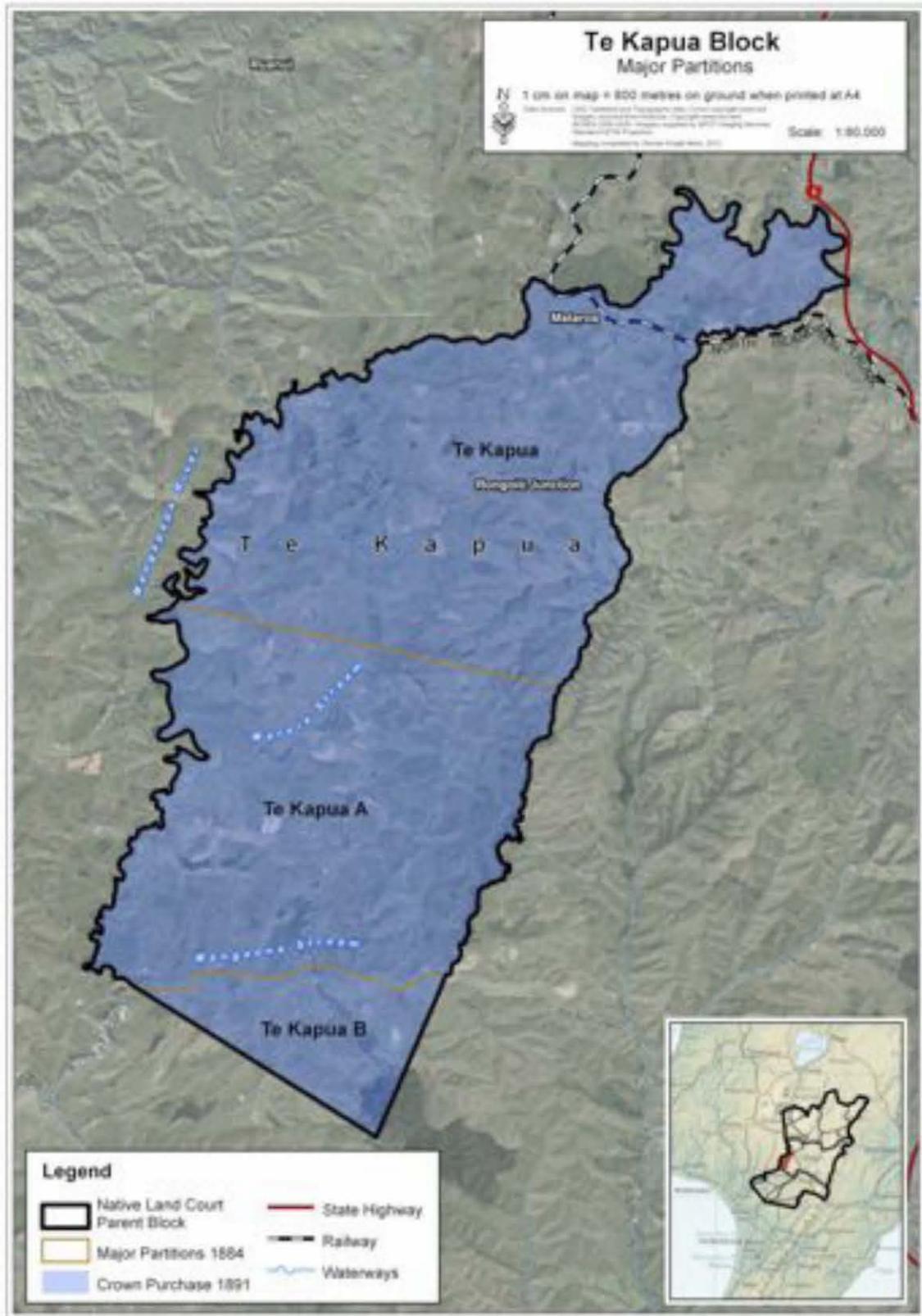
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<sup>61</sup> T. W. Lewis to J. Butler, 25 September 1891, *ibid*, p.12205.

<sup>62</sup> Conveyance to the Crown, 23 November 1891, *ibid*, p.12249.

<sup>63</sup> S. H. Manson to Native Minister, 24 November 1891, *ibid*, pp.12226-12231.

that his clients again objected to the interpreter's conduct, but that no notice was taken of their objection.



## Map 7: Te Kapua Partitions and Alienations

In light of all this, Manson stated that his clients had hardly expected to receive a fair hearing, but the worst was to follow – they were not awarded a single acre of the block, a Court decision which apparently surprised even the successful party of Hakaraia Korako and Hone Tumango, who had not expected to be awarded more than one half of the block. Manson then outlined his clients' continued efforts to gain a re-hearing, which included, as noted earlier, petitioning the Parliament, with the Native Affairs Committee dismissing their appeal after a short investigation. Manson concluded his letter by asking the Government to grant his clients 6,000 acres of the Te Kapua block adjoining the Ngaurukehu[?] block.<sup>64</sup>

Manson's allegations, of course, were hardly new. They formed the basis of his clients' applications for a re-hearing, as well as of the petitions sent to the Parliament throughout the 1880s. Indeed, the Native Affairs Committee held investigations into these allegations in 1885 and 1886, with the presiding judges from the Te Kapua title investigation, Alexander Mackay and Gilbert Mair, cross examined. During the investigation in 1886, Mackay was dismissive of all the allegations, noting that he was unaware that the Native Assessor Meihana was related to some of the claimants, and that even if he had been, it was a very 'remote kind' of relation. At any rate, Mackay claimed that Meihana in no way influenced the course of the hearing, or the final decision of the Court. As for allegations that McDonnell's interpreting prejudiced the counter-claimants, Mackay claimed that in his opinion the interpreter acted properly and impartially, and that at any rate he always relied on his own knowledge of the Maori language when taking the evidence, and that he never relied on translations of evidence when presiding over cases. He also claimed that he believed the final Court decision was an absolutely correct one considering all the evidence presented before the Court.<sup>65</sup> As noted earlier, the Native Affairs Committee dismissed the petition, largely based on Mackay's evidence.

It appears that Manson's letter fell upon deaf Government ears, for he was writing to the Native Minister Cadman again in June 1892. Manson covered very much the same grounds of complaint in this second letter, with the main difference being that his clients were now asking for £2,000 compensation from the Crown for the apparent injustice they had suffered at the hands of the Native Land Court.<sup>66</sup> Again there was no reply from Cadman, and Manson wrote again in October 1892, this time to the Premier Seddon, reminding him of the previous correspondence on the matter, and stating that his clients had in fact been offered a sum of

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<sup>64</sup> S. H. Manson to Native Minister, 24 November 1891, *ibid*, pp.12226-12231.

<sup>65</sup> Native Affairs Committee hearing, 30 July 1886, *ibid*, pp.12239-12248.

<sup>66</sup> S. H. Manson to Native Minister, 20 June 1892, *ibid*, pp.12218-12224.

£1,500 through P. Sheridan from the Native Land Purchase Department, before the purchase of the block, in a seemingly tacit Government recognition that there was a grave injustice committed in this case.<sup>67</sup>

A memorandum for Native Minister Cadman from late October 1892, following this stream of correspondence from Manson, illustrates the Government's position with regard to Te Kapua. The memorandum stated that ever since the title determination there had been pressure on the Government to acquire the block and open it for settlement, but that the continued protest from the counter-claimants (both those represented by Manson and others) prevented the Government from actually completing the purchase. The final push towards the purchase came with the arrival of the Liberal government in power, which decided to press on with the acquisition of the block without further delay. It seems that at this time the Land Purchase Officer Butler approached Manson offering the counter-claimants a fixed consideration of £1,000, but as Manson had not replied to the offer within the arbitrary time-limit imposed by Butler (Butler had apparently urged a reply to the offer as soon as possible), this transaction was never carried out, and the purchase proceeded dealing only with the owners as determined by the Native Land Court investigation.<sup>68</sup>

Manson, however, continued pushing the claims of his clients, which appears to have caused some embarrassment to the Native Department, to the point where they considered offering Manson a sum of £100 (ostensibly to cover his expenses during his representations to the Government) on condition of ceasing "further agitation" on the matter.<sup>69</sup> In essence, the Crown was cognisant of the fact that the Te Kapua case was highly irregular, and that injustice had occurred – but in the end decided to follow the line of least resistance and proceed with the purchase rather than seriously attempt to find a just solution for everyone involved. The proposal to effectively offer Manson bribe money in return for his withdrawing his involvement in the case only highlights the degree of cynicism with which the Crown had adopted towards the Te Kapua purchase by the end of 1892.

Yet the situation became even more complicated during this year. Some of the other claimants in the Te Kapua block who had been excluded from the block by the Native Land Court's decision in 1884 brought the Te Kapua case before the Supreme Court. In October 1892, Retimana and Hoera Te Rango, represented in the Supreme Court by H. B. Vogel, appealed that the Court decision, orders, and certificates of title issued by the Native Land

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<sup>67</sup> S. H. Manson to the Premier, 21 October 1892, *ibid* p.12214.

<sup>68</sup> Memorandum for Native Minister, 26 October 1892, *ibid* p.12213.

<sup>69</sup> Memorandum for Native Minister, 26 October 1892, *ibid* p.12213.

Court following the title investigation hearing in October 1884 be quashed on the grounds that the Court did not have jurisdiction to investigate title to Te Kapua; and even if it had, that it had no jurisdiction to issue the certificates of title, as at the time of the issue of those certificates there were ten applications for a re-hearing which were never determined according to the law; that of those applications the application of Retimana Te Rango and others was never determined in accordance with the law; and on other grounds which were set out in attached affidavits.<sup>70</sup>

The Supreme Court decision on the appeal was made in October 1893. Judge Richmond refused the application, stating that as the Crown's title from November 1891 was not challenged by the application, the applicants could get no effectual relief from the proceedings. Richmond did, however, note the long history of protest against the Native Land Court's 1884 decision, and openly stated that the Chief Judge of the Native Land Court had acted improperly when he dismissed the applications for a re-hearing without giving the applicants an opportunity to appear and support them.<sup>71</sup> This was, of course, of little consolation to the applicants.

In March 1896, Hone Tumango wrote to the Native Minister asking about when his reserve in Te Kapua was to be set apart – but Sheridan, from the Native Land Purchase Department replied to Tumango that no promise was made about a reserve, nor did Tumango ask for one, and that he was paid fully for every acre he owned in the block.<sup>72</sup>

During all this, back in May 1891, Ngapiki Waka Hakaraia made a further application to the Native Land Court regarding Te Kapua. Hakaraia alleged that she was deprived of her interest in the block although she was a true and undoubted descendant of the ancestor Karihi.<sup>73</sup>

In September 1891, Riini Te Rua, the Trustee for Hinewai Riina, Tauri Riina and and Hoani Maka Riina, minors who had shares in the block, requested that all the purchase moneys due to them from the sale of Te Kapua be paid to them, as they were in “great want of clothing and food,” and also had no money to pay for the cost of hearing their other lands before the

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<sup>70</sup> H. B. Vogel submission to the Supreme Court, 6 October 1892, *ibid*, pp.12237-12238.

<sup>71</sup> Judgment of J.Richmond, 4 October 1893, *ibid*, pp.12356-12358.

<sup>72</sup> Hone Tumangi to the Native Minister, 7 March 1896, MA-MLP 1896/80, Porirua ki Taihape Purchasing Document Bank, p.12434; P. Sheridan to Hone Tumango, 27 March 1896, Porirua ki Taihape Purchasing Document Bank, p.12431.

<sup>73</sup> NZG No. 37, p.562, 21 May 1891.

Native Land Court.<sup>74</sup> Similarly, in May 1895 Hera Utiku, the trustee for Miriama Tita, Mihi Teira, and Nikorima, minors who had had shares in the block before its sale, applied to receive the balance of the moneys belonging to the minors for their shares in the block which had been deposited with the Public Trustee. Utiku stated that the reason for the application was to provide clothing, food and other necessities of life for the minors in question, and her application was approved by Robert Ward, Native Land Court judge, on 9 May 1895.<sup>75</sup> That concluded the purchase of Te Kapua.

## 2.4 Conclusion

Te Kapua (21,878 acres) is in the west of the Taihape Inquiry District, and its title was investigated in 1884 at Whanganui, but the Native Land Court had a great deal of difficulty with the case. It wrongly considered the main claimant groups – Ngati Hauiti and Ngati Whitikaupeka – to be virtually the same people, and considered the lack of continuous occupation during the turbulent decades of the early nineteenth century an obstacle to identifying a clear ‘winner’ in the case. After rejecting nearly all the claims – sometimes on rather spurious grounds – title was controversially awarded to the applicants for title investigation, Ngati Poutama, and the title was divided into three portions. This led to extensive protests from those having customary rights who had been excluded by the Court’s questionable judgment, but the Court improperly rejected the applications for re-hearing without due inquiry.

Without waiting for the appeals against the Court’s award to be decided, and heedless of sustained protests from the appellants, the Crown commenced paying advances on its purchase of Te Kapua to some of the individuals awarded title in 1884. A petition against the Court’s 1884 awarding of title was investigated by a Parliamentary select committee in 1886, which heard evidence about a member of the Court hearing the case being related by marriage to the lead claimant to whom title was awarded, and other irregularities and improper proceedings. The petition was not upheld, so further petitions on the matter were filed in 1886 and through to the early 1890s, all to no avail.

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<sup>74</sup> Riini Te Rua to T. W. Lewis, 22 September 1891, MA-MLP 1896/80, Porirua ki Taihape Purchasing Document Bank, p.12204.

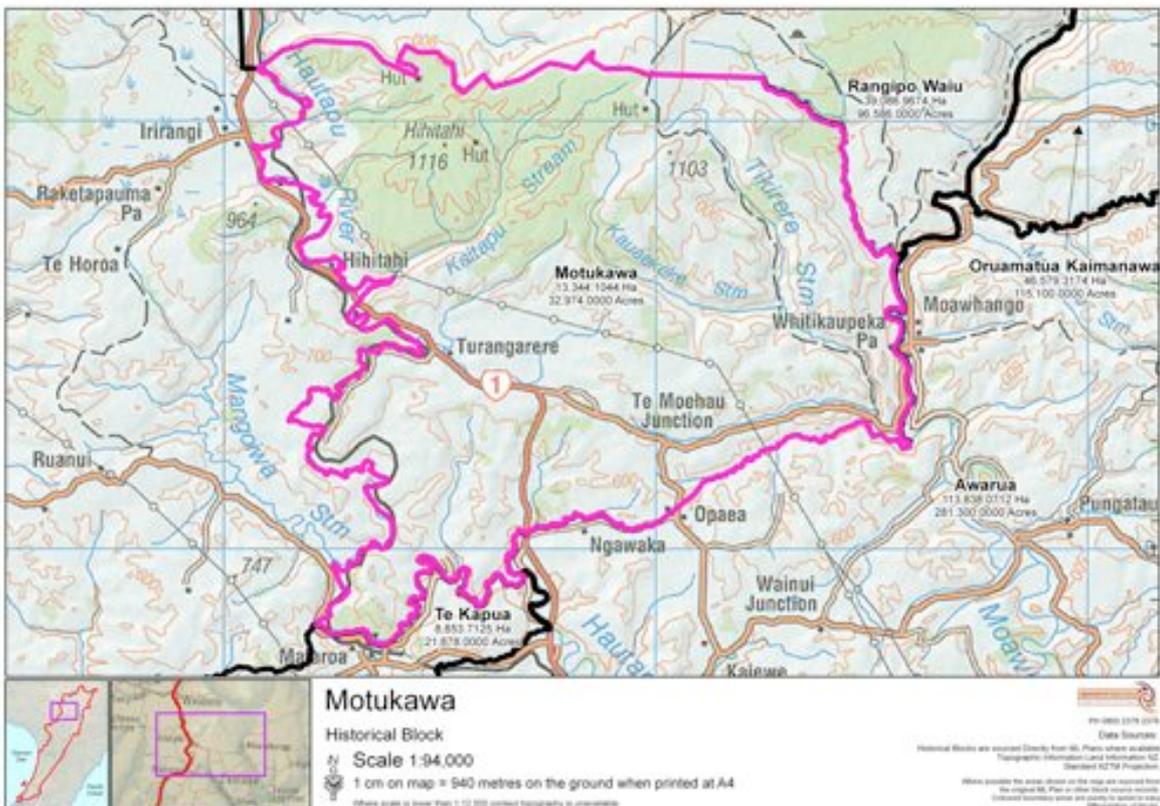
<sup>75</sup> Hera Utiku’s application, MA-MT 1895/783, Porirua ki Taihape Purchasing Document Bank, p.13674.

To secure its purchase of the contested Te Kapua title at less than the land was worth, the Crown resorted to bribing influential owners with bonus payments, and succeeded in acquiring all three portions in 1891. This underhanded action ultimately secured not only the Crown's title but also that of those to whom it had earlier been wrongly awarded. The Supreme Court later found that the Chief Judge of the Native Land had failed to inquire into the applications for a re-hearing; an improper action that would have led to the title being quashed but for the fact that, by the time the Supreme Court made this determination in 1893, the Crown had already acquired title to all of Te Kapua.

### **Te Kapua Summary**

<b>Block</b>	<b>Area (acres)</b>	<b>Status</b>
Te Kapua	11,000	Crown purchase, 1891
Te Kapua A	8,978	Crown purchase, 1891
Te Kapua B	1,900	Crown purchase, 1891
<b>Total Crown Purchases</b>	<b>21,878</b>	

### 3. Motukawa



Map 8: Motukawa Block

#### 3.1 Introduction

Motukawa is a block of 32,935 acres located on the western side of the Taihape Inquiry District. The block had traditionally been seen as an integral part of Awarua, but during the title investigation of Awarua by the Native Land Court, it was decided to hear evidence regarding Motukawa separately, with Motukawa consequently coming into existence as a separate title following the title investigation. By the end of the nineteenth century, the Crown

acquired over 9,000 acres of the block, and alienation in the block continued into the twentieth century in the form of private leasing and purchasing. However, a number of subdivisions of the block remain in Maori ownership.

### **3.2 Title Investigation, 1886**

The title investigation of Motukawa was held concurrently with the title investigation of the Awarua block, as some of the claims put forward for Awarua were in fact claims for the north-western portion of the block known as Motukawa (32,935 acres). Subsequently, during the course of the Awarua title investigation, the Court took evidence on Motukawa and delivered judgment in this case also.<sup>76</sup> Like Awarua, Motukawa was also heard under the Native Land Act 1880.

There were two contending parties laying claim to Motukawa, Ngati Whiti, Ngati Tama and Ngati Tutakawa on one side, and Ngati Rangituhia on the other.

#### ***Ngati Whiti, Ngati Tama and Ngati Tutakawa***

The principal claimant for Ngati Whiti and Ngati Tama was Hiraka Te Rango, with Ropata Ranapiri as the main conductor. Te Rango testified that he belonged to Ngati Whiti and Ngati Tama, but that he was also connected to the five hapu claiming this land (presumably Motukawa). Te Rango based his claim on ancestry, bravery, conquest and occupation. The ancestry claim was through Whitikaupeka and Tamakopiri; the claim of conquest was based on the ancestors' defeat of Ngati Hotu who originally owned the land. Te Rango also asserted occupation through kainga, cultivations, eel catching streams, bird catching posts, and burial grounds, and this occupation was asserted in both ancestral and recent times. Subsequently, Tutakawa and Tuwhakapuru[?], brother of Whitikaupeka were also added as ancestors. The other Ngati Whiti and Ngati Tama witnesses examined based their claims on an almost identical basis. Ngati Whiti and Ngati Tama also denied Ngati Rangituhia's claims of ancestral occupation, claiming that they were only there recently, and that the boundaries they gave were not ancestral but there to prevent land sales. Indeed, both sets of claimants gave evidence relating to the hui at Turangarere, Kokako and Putiki which aimed at establishing the boundaries but also preventing land sales.

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<sup>76</sup> The information in this section is drawn from Wanganui MB 10, pp.141-347.

### *Ngati Rangituhia, Ngati Piwa [?], and Ngati Tumaunu*

Mereaina Rauangina was the principal objector and counter-claimant laying claim to Motukawa, and the conductors of the Ngati Rangituhia claim were Aohau Nikitini and Poari Kuramate. Rauangina's claim was through the hapu of Ngati Puia, Ngati Tutaka and Ngati Maunga on the basis of ancestry, mana and occupation. The ancestral claim was through Rangituhia as well as from his descendants Tamarongo and Rangiwaro. During the course of their evidence (with several witnesses testifying, including Te Keepa Rangihwinui), Ngati Rangituhia claimants asserted occupation through kainga and houses, as well as traditional food gathering activity. Ngati Rangituhia did concede, however, that no-one was currently living on Motukawa, although they claimed very recent occupation. They denied the claims of Ngati Whiti and Ngati Tama under the ancestors that they had set up, but admitted the claim of Ngati Tutakawa as the descendant of a common ancestor Rangituhia.

### *Court Judgment*

The Court noted that the case took a long time to complete, and that a considerable amount of evidence was given, which was not always clear. The judges drew an impression that because of this, at a time not too remote these people lived as one, and that only the "ill-feeling between" between the principal men led to the present difficulties (the Court did acknowledge, however, that this impression may not have been the correct one).<sup>77</sup>

The Court found that the counter-claimants (Ngati Rangituhia, or more precisely, Ngati Piwa and Ngati Tumaunu) had some interest in the block but that their claim was small in comparison to the claim put forward by Ngati Whiti, Ngati Tama and Ngati Tutakawa, and that consequently the two parties were not entitled to anything approaching an equal share of the block. The Court thus decided to award 2,000 acres of the block to the counter-claimant party, located in the north-western corner of the block around Pukemakou and Okurukuru, designating it as Motukawa 1.

The Court found that the claimants (Ngati Whiti, Ngati Tama, and Ngati Tutakawa) proved an unquestionable and very large right in the land, and they were awarded the balance of the block, which was designated as Motukawa 2, amounting to 30,935 acres.

Considerable discussion followed the judgment in relation to the lists of owners and the setting of trustees for owners who were minors. The Court issued orders on 31 July 1886,

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<sup>77</sup> Ibid., p.344.

awarding Motukawa 1 to 52 owners (27 Ngati Piwa[?] and 25 Ngati Tumaunu). Motukawa 2 was awarded to 239 owners (see Map 9 below).



**Map 9: Motukawa 1 and 2 Awards 1886**

### 3.3 Motukawa 1

Motukawa 1 has a relatively brief and straightforward history, being divided into two portions in 1899; the larger of which had already been acquired by the Crown and the other of which remains Maori land (see Map 11 below).

#### *Pre-1900 Crown Purchase: Motukawa 1A*

Motukawa 1 was partitioned in 1899, upon the application of the Crown to determine its interests in the block. On 5 June 1899, the Court found the Crown entitled to 1,633 acres of the block, which subsequently became Crown land, known as Motukawa 1A.<sup>78</sup> The Crown purchased the block in 1899 for £450, and started collecting the signatures from 1893.<sup>79</sup> However, the file outlining the details of this transaction has not been located. It should be noted, however, that in September 1892 the owners offered several subdivisions of Awarua for sale to the Crown, which included 11,000 acres of Motukawa.<sup>80</sup> It should also be noted that Motukawa 1 had been subject to a mortgage because of the unpaid survey costs to the amount of £20 16s. 8d. on 10 September 1895.<sup>81</sup>

#### *Motukawa 1B*

The balance of the block, totalling 367 acres, became known as Motukawa 1B. This block too, was encumbered with a survey lien, to the amount of £30 10s. in April 1904.<sup>82</sup> It appears that this lien was satisfied in due course, but between 1938 and 1947 (and also including 1931 and 1932) the block accumulated a debt of £22 1s. 9d. for unpaid rates. The Aotea Maori Land Board was appointed the receiver of Motukawa 1B on 26 October 1945 upon application of the Rangitikei County Council to recover the outstanding rates charges.<sup>83</sup> The

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<sup>78</sup> Native Land Court Order 5 June 1899, Block Order File Wh. 676, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.355.

<sup>79</sup> ABWN W5279 8102 Box 347 WGN 802 Motukawa No. 1A – Taupo Crown Purchase Deed, ANZ.

<sup>80</sup> Utiku Potaka and others to the Native Minister, 9 September 1892, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, p.12272.

<sup>81</sup> Native Land Court Order 10 September 1895, Block Order File Wh. 676, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, 357.

<sup>82</sup> Native Land Court Order, 29 April 1904, Block Order File Wh. 676, *ibid*, p.354.

<sup>83</sup> Rangitikei County Council County Clerk application, 30 August 1945, MA-WANG W2140 51 Wh, 676A. ANZ. Central Taihape Blocks Document Bank pp.31-32.

debt was eventually settled in June 1949.<sup>84</sup> The block was leased by the Aotea District Maori Land Board (under the provisions of the Maori Land Act 1931) to Edward Peters for a term of 42 years from 25 February 1949.<sup>85</sup> It remains Maori land today.

### 3.4 Motukawa 2 Pre-1900 Crown Purchasing

Motukawa 2 was, like Motukawa 1, mortgaged for unpaid survey costs, to the amount of £307 18s. 4d., on 10 September 1895 plus interest of five percent per annum for five years.<sup>86</sup> Motukawa 2 was partitioned in 1896 into 2A to 2F:<sup>87</sup>

#### Motukawa 2 Partition, 1896

Title	Area
Motukawa 2A	4,500 acres
Motukawa 2B	20,095 acres
Motukawa 2C	490 acres
Motukawa 2D	2,500 acres
Motukawa 2E	200 acres
Motukawa 2F	100 acres

In 1899, the Crown acquired Motukawa 2C, and portions of 2A, 2B, 2D, 2E and 2F, leading to a further round of partitions to determine Crown interests and the relative interests of the remaining owners. In June 1899, Motukawa 2A was further partitioned, when Motukawa 2A1 (850 acres) was declared Crown land, at the same time as Motukawa 1B.<sup>88</sup> It seems likely that they were a part of the same purchase. Although no land purchase file for Motukawa has been located, it should be noted that in September 1892 the owners offered several subdivisions of Awarua for sale to the Crown, which included 11,000 acres of Motukawa.<sup>89</sup> The signatures for these purchases were collected between 1895 and 1897, and the total purchase price paid

<sup>84</sup> Charging Orders for Rates, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Block Order File Wh. 676, pp.348-353.

<sup>85</sup> Land Transfer Search Form, Block Order File Wh. 676, *ibid*, p.358.

<sup>86</sup> Native Land Court Order 10 September 1895, Block Order File Wh. 592 Vol. 1, *ibid*, p.370.

<sup>87</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>88</sup> Native Land Court Order 5 June 1899, Block Order File Wh. 592 Vol. 2, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.401.

<sup>89</sup> Utiku Potaka and others to the Native Minister, 9 September 1892, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, p.12272.

by the Crown amounted to £11,518 17s. 6d.<sup>90</sup> The other subdivisions remained in Maori ownership.<sup>91</sup>

#### Motukawa 2A Partition, 1899

Title	Area
Motukawa 2A1 – Crown	850 acres
Motukawa 2A2	246 acres
Motukawa 2A3	360 acres
Motukawa 2A4	684 acres
Motukawa 2A5	1,060 acres
Motukawa 2A6	1,300 acres

In June 1899, Motukawa 2B was partitioned, when interests acquired by the Crown were partitioned out in a single large subdivision:<sup>92</sup>

#### Motukawa 2B Partition, 1899

Title	Area
Motukawa 2B1 – Crown	4,284 acres
Motukawa 2B2	900 acres
Motukawa 2B3	567 acres
Motukawa 2B4	691 acres
Motukawa 2B5	621 acres
Motukawa 2B6	621 acres
Motukawa 2B7	2,395 acres
Motukawa 2B8	405 acres
Motukawa 2B9	433 acres
Motukawa 2B10	642 acres
Motukawa 2B11	80 acres
Motukawa 2B12	216 acres 1 rood
Motukawa 2B13	708 acres
Motukawa 2B14	3 acres
Motukawa 2B14A	2 roods
Motukawa 2B15	1,174 acres
Motukawa 2B16	1,266 acres
Motukawa 2B17	1,670 acres
Motukawa 2B18	?
Motukawa 2B19	445 acres
Motukawa 2B20	208 acres

<sup>90</sup> ABWN W5279 8102 Box 347 WGN 803 Motukawa No.s 2A, 2B, 2D, 2E, 2F All No. 1, No.2C, No. 2B No.2 – Whanganui Crown Purchase deed, ANZ.

<sup>91</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>92</sup> *ibid.*

<b>Title</b>	<b>Area</b>
Motukawa 2B21	213 acres
Motukawa 2B22	479 acres
Motukawa 2B23	551 acres
Motukawa 2B24	277 acres
Motukawa 2B25	600 acres
Motukawa 2B26	227 acres
Motukawa 2B27	419 acres

Motukawa 2D was also partitioned in 1899 to determine the substantial Crown interest:<sup>93</sup>

#### **Motukawa 2D Partition, 1899**

<b>Title</b>	<b>Area</b>
Motukawa 2D1 – Crown	1,945 acres
Motukawa 2D2A	470 acres
Motukawa 2D2B	85 acres

Motukawa 2E was also partitioned in 1899 to determine the Crown interest:<sup>94</sup>

#### **Motukawa 2E Partition 1899**

<b>Title</b>	<b>Area</b>
Motukawa 2E1 – Crown	164 acres
Motukawa 2E2	36 acres

Motukawa 2F was also partitioned in 1899 to determine the few interests the Crown had acquired:<sup>95</sup>

#### **Motukawa 2F Partition, 1899**

<b>Title</b>	<b>Area</b>
Motukawa 2F1 – Crown	12 acres
Motukawa 2F2	88 acres

In total, the Crown acquired 9,378 acres in Motukawa (Motukawa 1A, 2A1, 2B1, 2C, 2D1, 2E1, and 2F1), amounting to around one-quarter of the original blocks.

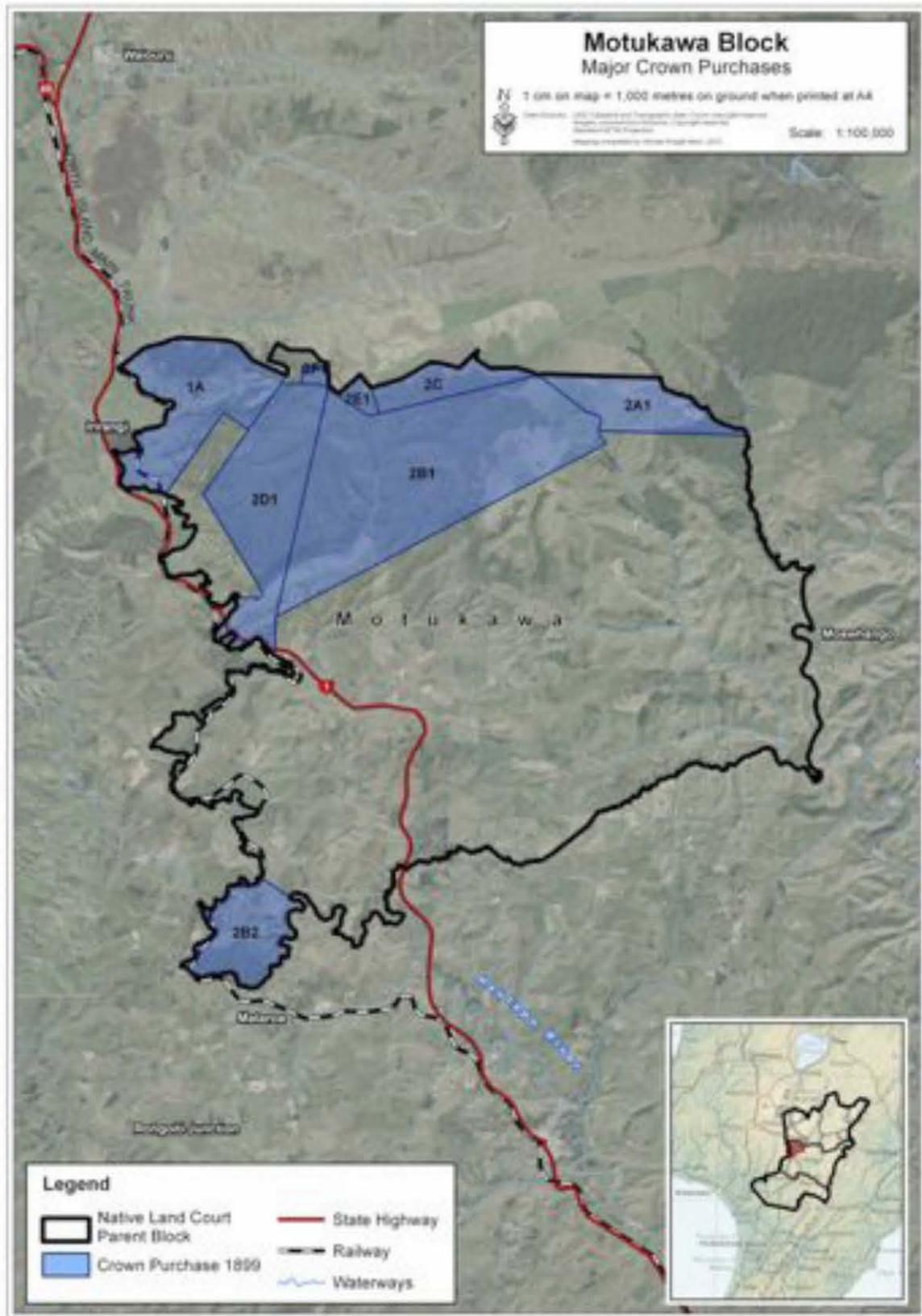
The location of the Crown's awards are shown in Map 10 overleaf.

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<sup>93</sup> *ibid.*

<sup>94</sup> *ibid.*

<sup>95</sup> *ibid.*



Map 10: Motukawa Pre-1900 Crown Purchases

### 3.5 Motukawa in the 20<sup>th</sup> Century

The Government records dealing with Maori affairs tend to become much more mundane and bureaucratic in nature from the early 20<sup>th</sup> century. This is a general reflection of the decreasing importance that the successive Governments were placing on handling issues of importance to Maori, and records relating to Motukawa are no exception. The great majority of the alienation files, for example, are simply collections of bureaucratic forms and declarations which provide no context or details of the transactions themselves. Despite this, some patterns are observable, and the most notable is the continued fragmentation of title within Motukawa subdivisions, and there appears to have been little effort aimed at incorporation and land development.

#### *Motukawa 2A*

Parts of Motukawa 2A2 (14a. 2r.), 2A4 (5a. 2r. 20p.) and 2A6 (30a. 1r. 30p.) were taken for public purposes. The taking of 5 acres 2 roods 20 perches from Motukawa 2A4 was for the Moawhango Police Station. The land was taken in 1896 (before the 2A2 title was created), but by the 1930s, the township there was “absolutely dead,” and the police station closed in 1931.<sup>96</sup> In 1937, rather than return the land to those from whom it had been taken, the Crown sold it, with the buildings on it, to the Rangitikei County Council for £400. The Council wanted to use the buildings for road worker accommodation.<sup>97</sup>

Motukawa 2A5 was sold to E. R. Batley in 1929, after a section of it had been leased by him some two years previous.<sup>98</sup>

In 1911, Motukawa 2A4 was further partitioned:<sup>99</sup>

Title	Area
Motukawa 2A4A	51 acres
Motukawa 2A4B	626 3r. 20p.
Motukawa 2A4C urupa	2r.

<sup>96</sup> The quote was made in reference to the Moawhango Post Office Site (Post Office Director-General to Whanganui Post Master, 14 September 1937. AADI W3190, Box 35, File 16/14. ANZ).

<sup>97</sup> AFOE W5683, Box 100, File 8.5.265. ANZ. See also *New Zealand Gazette*, 1896, pp.1077 and 1937, p.1518.

<sup>98</sup> Confirmation of Alienation, 19 June 1929, Block Order File Wh. 592 Vol. 3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.428.

<sup>99</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

In 1906, Motukawa 2A4 was leased to Matthew Morrison for the period of 21 years, with an annual rent set at the standard five percent of capital value, and with Morrison agreeing to pay rates and taxes on the block.<sup>100</sup> In September 1911, however, an application for the sale of the block to Patience Tait was lodged. Tait undertook to purchase the block at the Government valuation (amounting to £2,219), but the Aotea Maori Land Board was initially reluctant to confirm the sale fearing the case of ‘dummyism’ – Tait was Morrison’s sister-in-law, and the Board suspected she was simply acting as his proxy in this matter in an effort to get around the restrictions then in place on land aggregation.<sup>101</sup> However, J. B. Jack, the President of the Aotea Maori Land Board, also recognised that the price offered (now £2,394, or £3 10s. per acre) was very advantageous to the Maori owners, especially considering that the rent due to them from the lease of the same block would only amount to £1,700 over the next 15 years.<sup>102</sup> In the end the Board decided that, considering the price offered and the fact that the principal owner, Waikari Karaitiana, had already committed the anticipated funds from the sale to other endeavours, along with the declarations given by Tait herself before the Board, the sale of the block was advantageous to the owners, and gave its consent to the sale on 7 May 1912.<sup>103</sup> In September 1912, Patience Tait acquired the remaining interests in Motukawa 2A4 from Rangiapaoa Waikari for a consideration of £178/10/-.<sup>104</sup>

In 1913, Motukawa 2A6 was also further partitioned.<sup>105</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2A6A	186 acres 8p.
Motukawa 2A6B	28 acres 16p.
Motukawa 2A6C	958 acres 1r. 16p.

Motukawa 2A6A was sold to E. R. Batley for £1,115 on 3 May 1929.<sup>106</sup> Motukawa 2A6B was leased to Frederick Snelling in November 1926 for the term of 42 years.<sup>107</sup> Motukawa 2A6C was leased to Arthur Batley in June 1928 for the term of 42 years.<sup>108</sup>

<sup>100</sup> Application for consent to a proposed lease, 15 May 1906, MLC-WG W1645 3/1911/228. ANZ. Central Taihape Blocks Document Bank pp.45-48.

<sup>101</sup> J. B. Jack to the Under-Secretary Native Department, 10 April 1912, *ibid*, pp.45-48.

<sup>102</sup> *Ibid*. Central Taihape Blocks Document Bank pp.45-48.

<sup>103</sup> J. B. Jack to D. Scannell, 4 May 1912, MLC-WG W1645 3/1911/228; J. B. Jack to D. Scannell, 11 May 1912, MLC-WG W1645 3/1911/228, *ibid*, pp.45-48.

<sup>104</sup> 12/336 File Cover Sheet, MLC-WG W1645 3/1912/336, ANZ.

<sup>105</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>106</sup> Confirmation of Alienation, 3 May 1929, Block Order File Wh. 592 Vol. 3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.419.

<sup>107</sup> Memorial Schedule, Block Order File Wh. 592, *ibid*, p.416.

Motukawa 2A3 was partitioned in 1915:<sup>109</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2A3A	185a. 3r. 2p.
Motukawa 2A3B	21a. 11p.
Motukawa 2A3C	24a. 3r. 33p.
Motukawa 2A3D	82a. 3p.
Motukawa 2A3E	60a. 3r. 1p.

In 1915 Norman Batley purchased Motukawa 2A3, with the price set at a special Government valuation. It appears that the reason for this special valuation was that the block had been leased to Emily Batley since 1907, and consequently the Government valuation, set at £3875, also included £1,529 of the lessee's interests. Presumably this means that the purchase price for the block was £2,346 (Government valuation less the lessee's interests), but it is not clear from the file whether this was, in fact, the case.<sup>110</sup> Indeed, it appears that the Government valuation of owners' interests in the block was assessed at £2,256 in August 1915, and it appears that it was this sum which was paid to the owners through 1915 and 1916.<sup>111</sup>

Motukawa 2A2 was partitioned in 1918:<sup>112</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2A2A	36a. 3r.
Motukawa 2A2B	194a. 3r.

Motukawa 2A2A was leased for the term of 21 years from January 1949.<sup>113</sup>

### ***Motukawa 2B***

Motukawa 2B was the largest subdivision following the partition hearing in 1896, and there was considerable title activity in the sections which remained in Maori ownership after 1899.

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<sup>108</sup> Memorial Schedule, Block Order File Wh. 592, *ibid.*, p.412.

<sup>109</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>110</sup> 15/212 File Cover Sheet, MLC-WG W1645 3/1915/212, ANZ. Central Taihape Blocks Document Bank p.6.

<sup>111</sup> Government Valuation of Owner's Interests, 23 August 1915, MLC-WG 3/1916/6. *Ibid.*, p.7.

<sup>112</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>113</sup> Memorial Schedule, Block Order File Wh. 592 Vol. 2, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.386.

In 1904, 2B15 was partitioned:<sup>114</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B15A	(663a.)?
Motukawa 2B15B	473a.
Motukawa 2B15C	15a. 31p.
Motukawa 2B15D	22a. 3r. 6p.

Part of 2B15A (161a 10p) was leased to Charles Bennett for 21 years from 1932 at an annual rental of £59 14s. 8d.<sup>115</sup> The other part of 2B15A (500a 2r 25p) was leased to William Gregory for 21 years from 1933 at an annual rental of £100 2s. 8d.<sup>116</sup> The entire section was then leased to Maurice Casey for 20 years from 1962.<sup>117</sup> Also, several small sections from 2B15A were taken for roading purposes between 1949 and 1960.<sup>118</sup> Between 1947 and 1954, 2 acres 29 perches were taken from 2B15C for roading purposes.<sup>119</sup> Motukawa 2B15C was then leased to Te Rangi Wilson for 12 years from 1985 at \$230 annual rent.<sup>120</sup>

In 1906, 2B15B was partitioned:<sup>121</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B15B1	(255a. 2r. 35p.)?
Motukawa 2B15B2	217a. 1r. 5p.

Part of 2B15B1 (177a 2r 2p) was leased to Cornelius O'Hanlon for 42 years from 1941 at an annual rental of £72/5/-.<sup>122</sup> Small sections of 2B15B1 were taken for roading purposes in 1949, with £3 compensation paid to the owners in 1951.<sup>123</sup>

<sup>114</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>115</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 9, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.663.

<sup>116</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 9, *ibid*, p.664.

<sup>117</sup> Memorial schedule, Block Order File Wh. 592 Vol. 9, *ibid*, p.676.

<sup>118</sup> Memorial schedule, Block Order File Wh. 592 Vol. 9, *ibid*, p.675.

<sup>119</sup> Memorial schedule, Block Order File Wh. 592 Vol. 9, *ibid*, p.672.

<sup>120</sup> Memorial schedule, Block Order File Wh. 592 Vol. 9, *ibid*, p.651.

<sup>121</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>122</sup> Memorial schedule, Block Order File Wh. 592 Vol. 9. Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3,, p.658.

<sup>123</sup> Memorial schedule, Block Order File Wh. 592 Vol. 9, *ibid*, p.657.

In 1906 Peter Arcus applied for a lease of Motukawa 2B15B2 from Hori Wi Maihi. The proposed term was for a period of 21 years, with the rental set at £196 for the first year, £99 13s. for the next 5 years and £27 5s. for the remainder of the term.<sup>124</sup> It is not clear from the file whether the lease was actually confirmed by the Board, but it appears that it was, since in December 1907 Hori Wi Maihi contacted Judge Brown (from the Maniapoto-Tuwharetoa Maori Land Board) requesting that the lease to Arcus be cancelled, as they disagreed on terms.<sup>125</sup> The reason for this request seems to have been a further agreement that Hori Wi Maihi and Peter Arcus entered into, for in November 1907 they agreed that the block was to be sold to Arcus.<sup>126</sup> The main obstacle was that the block had been made inalienable, and on 11 December 1907 Arcus applied for the removal of restrictions on the sale of the block.<sup>127</sup> Hori Wi Maihi had made the same application on 18 November 1907, just two days after reaching the agreement for sale with Arcus.<sup>128</sup> The transaction, however, was ultimately not approved by the Board.

It appears that Arcus consequently abandoned his lease, since in 1916 there was another application to purchase the block, this time coming from Percival Gardner. It appears that Gardner was already leasing the block at the time he made his application. This purchase, however, was complicated by an uncertain state of the title to the block which transpired in 1919. Gardner entered into the agreement with Hori Wi Maihi, who was the sole owner of the block, but after the agreement was made and purchase price settled on, with the Board provisionally confirming the transaction, it appeared that title to the block was held by a George Hutchison, who claimed a survey lien over the block amounting to £157/9/6. Hori Wi Maihi, however, denied that Hutchison had a valid lien over the block, that he did not owe any money to him, and that Hutchison had the possession of the Certificate of Title both without Hori Wi Maihi's knowledge and consent. Consequently, Hori Wi Maihi objected to having the Hutchison's survey lien claim paid out of the consideration money for the purchase of the block, and transaction was effectively stalled due to this.<sup>129</sup> By February, Hori Wi Maihi agreed to pay the amount claimed by Hutchison under protest, still contending that the latter had wrongly held the Certificate of Title.<sup>130</sup> The dispute between Hutchison and Hori Wi Maihi eventually ended in the Supreme Court in 1920, with Hutchison being

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<sup>124</sup> Application for consent to lease, 8 September 1906, MLC-WG W1645 3/1916/362, ANZ. Central Taihape Blocks Document Bank pp.8-21.

<sup>125</sup> Hori Wi Maihi to Judge Brown, 5 December 1907, *ibid*

<sup>126</sup> Memorandum of Agreement between Peter Arcus and Hori Wi Maihi, 16 November 1907, *ibid*.

<sup>127</sup> Application for removal of restrictions and consent to sale, 11 December 1907, *ibid*.

<sup>128</sup> Application for removal of restrictions and consent to sale, 18 November 1907, *ibid*.

<sup>129</sup> L. A. Teutenberg to Arrowsmith and Loughnan, 31 January 1919, *ibid*

<sup>130</sup> Hori Wi Maihi to Judge Browne, 3 February 1919, *ibid*.

awarded the sum he claimed along with costs.<sup>131</sup> Hori Wi Maihi had given evidence to the Maori Land Board in January 1919 that he did not owe any money to Hutchison, and that he suspected that it was his brother who handed the Certificate of Title to Hutchison, as he owed money to the latter.<sup>132</sup> Despite this, it seems that Hori Wi Maihi did not appear before the Supreme Court to given any such evidence, and the Court subsequently ruled against him.

The sale of the block to Gardner came into further focus in 1921, when Hori Wi Maihi alleged that he did not receive the stock (horses and sheep to the value of £400) from Gardner, which were to form part of the purchase price. The Maniapoto-Tuwharetoa Maori Land Board held an inquiry over this issue in August 1921, with the President of the Board not being satisfied that Gardner had fully carried out his arrangements with Hori Wi Maihi.<sup>133</sup> In late November 1921 Gardner’s representative, Mr. Kincaid, and Hori Wi Maihi appeared before the President of the Maniapoto-Tuwharetoa Maori Land Board F. W. Acheson, where Kincaid admitted that neither the stock nor money in lieu of it had been paid to Hori Wi Maihi, but stated that Gardner was willing to satisfy the outstanding amount, while also asking for an “allowance” due to Gardner paying for costs Hori Wi Maihi had incurred during the case against Hutchison, to which Acheson agreed.<sup>134</sup> Acheson, however, was also critical of Gardner for failing to pay the outstanding purchase money without Hori Wi Maihi having to take action, and as a consequence of this asked Gardner to pay eight percent interest on the outstanding amount of £328 (less the ‘allowances’).<sup>135</sup> Motukawa 2B15B2 was sold to Percival Gardner in 1919 for £1,601.<sup>136</sup>

In 1905, 2B3 was partitioned:<sup>137</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B3A	14 acres
Motukawa 2B3B	184 acres
Motukawa 2B3C	194 acres
Motukawa 2B3D	175 acres

<sup>131</sup> Supreme Court – Hamilton District Charging Order Absolute, 30 April 1920, *ibid.*

<sup>132</sup> Hori Wi Maihi statement 18 January 1919, *ibid.*

<sup>133</sup> Maniapoto-Tuwharetoa Maori Land Board to Native Department, 8 September 1921, *ibid.*

<sup>134</sup> F. W. Acheson to the Registrar, 28 November 1921, *ibid.*

<sup>135</sup> *ibid.*

<sup>136</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 9. Taihape: Rangitikei ki Rangipo & mPorirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.654.

<sup>137</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

2B3A was sold to John Collins in 1923, for £168.<sup>138</sup> Motukawa 2B3A was leased to John Collins in 1911 for the term of 42 years, at an annual rental of 4/- per acre for the first 21 years, and the second 21 years under at UIV.<sup>139</sup> It appears that Motukawa 2B3B and 2B3C were sold to Collins by 1913.<sup>140</sup> Motukawa 2B3B was sold to John Collins in February 1912 for consideration of £828<sup>141</sup>. The purchase money also included the satisfaction of the outstanding survey liens on the block, which had amounted to £90/18/8.<sup>142</sup> Motukawa 2B3C was sold to John Collins in March 1912 for a consideration of £898.<sup>143</sup> Motukawa 2B3D was leased to Frederick Cook for 21 years from 1929.<sup>144</sup>

Also in 1905, 2B16 was partitioned:<sup>145</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B16A	673a.
Motukawa 2B16B	593a. 2r. 35p.

Part of 2B16A (4a 2r 24p) was sold to John Oldham in 1923 for £93.<sup>146</sup> Another part of 2B16A (222a 3r 8p) was sold to Hira Wharawhara in 1953 for £1,350; it appears the same part had been leased to Charles Bennett for 21 years from 1941.<sup>147</sup> The remaining 2B16A section was then leased in two parts, both to John Kilgour, 222a 3r 8p for 18 years from 1960 at an annual rental of £139 5s., and 445a 2r 16p for 21 years from 1957 at an annual rental of £278 10s.<sup>148</sup> The latter part had been leased to Thomas Jones for 21 years from 1941.<sup>149</sup> There appear to have been other leases arranged in the whole block previous to this, but it does not

<sup>138</sup> Confirmation of Alienation, Block Order File Wh. 592 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.451.

<sup>139</sup> Maori Land Administration file cover sheet 10 September 1911, MLC-WG W1645 13 3/1911/219. ANZ. Central Taihape Blocks Document Bank pp.43-44.

<sup>140</sup> Arrowsmith and Loughnan to Aotea Maori District Land Board, 22 August 1913, *ibid*.

<sup>141</sup> Application for confirmation of alienation, 29 February 1912, MLC-WG W1645 16 3/1912/67. ANZ. Central Taihape Blocks Document Bank pp.49-50.

<sup>142</sup> Clerk of Aotea Maori Land Board to Arrowsmith and Loughnan, 20 December 1912, *ibid*.

<sup>143</sup> Application for confirmation of alienation, 1 March 1912, MLC-WG W1645 3/1912/68. ANZ. Central Taihape Blocks Document Bank pp.51-52.

<sup>144</sup> Confirmation of Alienation, Block Order File Wh. 592 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.446.

<sup>145</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>146</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 10. Taihape: Rangitikei ki Rangipo & mPorirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.714.

<sup>147</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 10, *ibid*, p.708.

<sup>148</sup> Memorial schedule, Block Order File Wh. 592 Vol. 10, *ibid*, p.704.

<sup>149</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 10, *ibid*3, p.710.

seem that they were taken up or successful. There was also a timber grant on the block to Charles McDonnell at a royalty of £400.<sup>150</sup>

In 1906, 2B16B was further partitioned:<sup>151</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B16B1	137a.
Motukawa 2B16B2	131a. 1r. 35p.
Motukawa 2B16B3	325a .1r.

2B16B1 was originally leased by M. Chase for 21 years from 1916, but it was transferred in 1919 to Percival Gardner.<sup>152</sup> Small sections of 2B16B2 were taken for roading purposes in 1949, with £6 10s. paid in compensation to the owners in 1951.<sup>153</sup> Several other small sections were taken for the same purpose between 1951 and 1960.<sup>154</sup>

Also in 1906, 2B16B2 was partitioned:<sup>155</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B16B2A	?
Motukawa 2B16B2B	?
Motukawa 2B16B2C	92a. 2r. 35p.

In August 1932, the Native Trustee Walter Rawson applied to the Native Land Court to be appointed as an agent, in his name, for and on behalf of the owners of Motukawa 2B16B3 and 2B16B2C. The grounds for such a move were set out in the application:

- That the land, at the date of application was unleased and unoccupied and was consequently not receiving proper care and attention and its general condition was noticeably deteriorating.
- That the rating liens, amounting to approximately £112 were registered against the land and that it was desirable that provisions should be made for the satisfaction of the outstanding charges and any future assessments levied on the land.

<sup>150</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 10, *ibid*, p.717.

<sup>151</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>152</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 10. Taihape: Rangitikei ki Rangipo & mPorirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.699.

<sup>153</sup> Compensation Order, Block Order File Wh. 592 Vol. 10, *ibid*, p.679.

<sup>154</sup> Memorial schedule, Block Order File Wh. 592 Vol. 10, *ibid*, p.721.

<sup>155</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

- That the whereabouts of a number of owners were not known and that they could not readily be ascertained.
- And that it was in the interests of the owners that the land be made revenue producing and the possibility of liability for non-compliance with the “Noxious Weeds Act 1928” be averted.<sup>156</sup>

It appears that there was some opposition to this application from some of the owners, primarily because, contrary to the assertions in the application, some of the owners were in fact on the land, and did not wish their tenancy to be disturbed. In particular, it was Hori Rawiri and his whanau who were living on the block and did not wish to lease their papakainga.<sup>157</sup> The following year, in response to these objections, the Native Trustee office proposed that these owners could remain in occupation of a certain area of the block, while the application would cover the balance of the land which was unoccupied.<sup>158</sup> By 1934, the Native Trustee’s application was granted, but it is not clear if the section of the land on which Hori Rawiri and his whanau were living on was included.

2B16B2C and 2B16B3 were leased to William Gregory for 21 years from 1935 at an annual rental of £83 12s.<sup>159</sup>

Motukawa 2B16B2A was leased to Hinepoto Salmon in 1956 for 21 years at an annual rental of £25 19s. 9d.<sup>160</sup>

In 1927, 2B16B1 was partitioned.<sup>161</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B16B1A	4a. 2r. 17p.
Motukawa 2B16B1B	?

Title to 2B16B1A was Europeanised in 1968.<sup>162</sup> Part of 2B16B1B (109a 1r 23p) was leased to James McColl for 21 years from 1934 at an annual rental of £51 10s.<sup>163</sup>

<sup>156</sup> W. E. Rawson application to the Native Land Court, 4 August 1932, MA-WANG W2140 36 Wh. 592, part 4. ANZ. Central Taihape Blocks Document Bank pp.26-30.

<sup>157</sup> Hori Rawiri to L. J. Brooker, 23 August 1932, *ibid.*

<sup>158</sup> Deputy Native Trustee to the Registrar of Aotea Maori Land Board, 12 September 1933, *ibid.*

<sup>159</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 11, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.735.

<sup>160</sup> Confirmation of Alienation 6 October 1958, MLC-WG W1645 8 3/1911/13. ANZ. Central Taihape Blocks Document Bank pp.3-4.

<sup>161</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

In 1907, 2B27 was partitioned:<sup>164</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B27A	101a. 1r. 17p.
Motukawa 2B27B	32a. 5p.
Motukawa 2B27C	319a. 2r. 10p.

2B27A was sold to Motukawa Land Company in 1958 for £1,210; it had been previously leased by John Collins for 42 years from 1914.<sup>165</sup>

In 1915, 2B27C was partitioned:<sup>166</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B27C1	26a.
Motukawa 2B27C2	104a.
Motukawa 2B27C3	189a. 2r. 10p.

2B27C1 and 2B27B were sold to Phillip Wall in 1918 for £379.<sup>167</sup> 2B27C2 was sold to Patrick Collins in 1925 for £858, after it had been previously leased by M. Collins for 21 years from 1915.<sup>168</sup>

2B27C3 was further partitioned in 1916:<sup>169</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B27C3A	77a. 2r. 16p.
Motukawa 2B27C3B	111a. 3r. 34p.

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<sup>162</sup> Memorial schedule, Block Order File Wh. 592 Vol. 10, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.688.

<sup>163</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 10, *ibid*, p.686.

<sup>164</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>165</sup> Memorial schedule, Block Order File Wh. 592 Vol. 13, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, pp.812-813.

<sup>166</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>167</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 13, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.802.

<sup>168</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 13, *ibid*, pp.803, 452.

<sup>169</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

In 1909, 2B4 was partitioned:<sup>170</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B4A	53 a. 1r.
Motukawa 2B4B	61a. 1r. 29p.
Motukawa 2B4C	579 a.

2B4A was leased to M. Donovan for 21 years from 1935.<sup>171</sup> 2B4B was sold to J. Tierney in 1958 for £3340.<sup>172</sup>

In 1910, 2B4C was further partitioned:<sup>173</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B4C1	118 a. 3r. 3p.
Motukawa 2B4C2	474a. 8p.

2B4C1 was leased to J. Stodart for 21 years from 1931.<sup>174</sup> Part of 2B4C2 (419a 1r 32p) was also leased to J. Stodart for 21 years from 1931.<sup>175</sup> The balance of 2B4C2 was leased by the Public Trustee for 21 years from 1931.<sup>176</sup> It appears there was a further partition of the 2B4C blocks in 1952:<sup>177</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B4C1 and 2B4C2 – Subdivision A	293a. 2r. 10p.
Motukawa 2B4C1 and 2B4C2 – Subdivision B	293a. 1r. 32p.

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<sup>170</sup> *ibid.*

<sup>171</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 5, *ibid.*, p.513

<sup>172</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 5, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.512.

<sup>173</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>174</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 5, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.500.

<sup>175</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 5, *ibid.*, p.493.

<sup>176</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 5, *ibid.*, p.494.

<sup>177</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

Motukawa 2B5 was partitioned in 1912:<sup>178</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B5A	?
Motukawa 2B5B	295a. 3r.

Small sections from 2B5A were taken for roading purposes in 1949.<sup>179</sup> 2B5B was leased to J. Anderson for 5 years from 1926.<sup>180</sup> 2B5B was further partitioned in 1937:<sup>181</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B5B1	147a. 3r. 6p.
Motukawa 2B5B2	(148a.)?

Small sections of 2B5B1 were taken for roading purposes in 1949.<sup>182</sup>

Motukawa 2B10 was partitioned in 1905:<sup>183</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B10A	199a. 1r. 33p.
Motukawa 2B10B	194a. 3r. 37p.
Motukawa 2B10C	?

Motukawa 2B10C was leased to Alice O’Hanlon for 42 years from 1928 at an annual rental of £144.<sup>184</sup>

In 1932, 2B10B was partitioned.<sup>185</sup>

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<sup>178</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>179</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 5, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.488.

<sup>180</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 5, *ibid*, p.483.

<sup>181</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>182</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 5, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.476.

<sup>183</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>184</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 7, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.552.

<b>Title</b>	<b>Area</b>
Motukawa 2B10B1	44a. 12p.
Motukawa 2B10B2	?

Ten perches were taken from 2B10B1 in 1949 for roading purposes.<sup>186</sup> 2B10B2 was leased to Alice O’Hanlon for 42 years from 1929 at annual rent of 11s., and 10 perches were taken for a road in 1949.<sup>187</sup> It appears both these sections were transferred to Cornelius O’Hanlon in 1973, and subsequently became European land.<sup>188</sup>

2B11 was partitioned in 1911.<sup>189</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B11A	16a. 1r. 36p.
Motukawa 2B11B	(63a. 1r. 4p.)?

Part of 2B11A was sold to Whatarangi Pohe in 1954 for £240.<sup>190</sup> It appears that an arrangement was made for a sale of a part of 2B11A in 1958 to Allan Gregory for £480 14s., but it is unclear whether the sale was actually proceeded with.<sup>191</sup> One acre 17 perches was taken from 2B11A for roading purposes, and the title to the section was Europeanised in 1968. It was made General land in 1986.<sup>192</sup>

In 1912, 2B17 was partitioned:<sup>193</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B17A	(774a. 1r. 16p.)?
Motukawa 2B17B	895a. 1r. 24p.

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<sup>185</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>186</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 7, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.559.

<sup>187</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 7, *ibid*, p.557.

<sup>188</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 7, *ibid*, p.561.

<sup>189</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>190</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.628.

<sup>191</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.627.

<sup>192</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.621.

<sup>193</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

Part of 2B17A (258a 1r 24p) was leased to Jacob and Ivan Jacobsen for 21 years from 1929 at an annual rental of 231 10s.<sup>194</sup> There was also a grant of timber cutting rights on the same portion given to J. K. Jensen and Co. for three years from 1924 at £1,200, and they also had timber cutting rights on the other portion of the block (516a 3r 8p) with a royalty of £1,250.<sup>195</sup> Several small sections in this block were taken for roading purposes between 1949 and 1957.<sup>196</sup> Part of 2B17A (258a 1r 24p) was then sold to Hiira Wharawhara for £1700 in 1956.<sup>197</sup>

Motukawa 2B17B was transferred to Charles McDonnell and John McGrath in 1915, and the section had already been declared as European land in 1913.<sup>198</sup>

Motukawa 2B7 was leased in two parts to Thomas (1,545 acres 3 roods 17 perches) and Walter (1,280 acres) Williams for a term of 21 years from 1906, at an annual rental of £148.<sup>199</sup> In 1914, Hannah Williams purchased 610 acres of Motukawa 2B7 for a consideration of £4,400.<sup>200</sup> Motukawa 2B7 was partitioned in 1913:<sup>201</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B7A	942a. 1r. 25p.
Motukawa 2B7B	613a. 2r.33p.
Motukawa 2B7C	653a. 3r. 32p.
Motukawa 2B7D	593a. 2r. 12p.

2B7C and 2B7D were leased to Thomas and Walter Williams for 21 years from 1925 at £772 10s. annual rental.<sup>202</sup> 2B7A was leased to Frederick and Leonard Williams for 21 years from 1926 at an annual rental of £498.<sup>203</sup> It appears that B. and A. Williams made arrangements to purchase 2B7C and 2B7D in 1965, but it is not clear if the purchase went ahead.<sup>204</sup>

<sup>194</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 12, *ibid*, p.776.

<sup>195</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 12, *ibid*, p.776, pp.778-779.

<sup>196</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 12, *ibid*, pp.776 and.785.

<sup>197</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 12, *ibid*, p.776, p.772.

<sup>198</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 12, *ibid*, p.776, p.784.

<sup>199</sup> President of Maniapoto-Tuwharetoa Maori Land Board to E. Phillips Turner, 29 April 1909, MLC-WG W1645 3/1914/4. ANZ. Central Taihape Blocks Document Bank pp.35-36.

<sup>200</sup> File Cover Sheet 14/4, *ibid*.

<sup>201</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>202</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 6, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.535.

<sup>203</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 6, *ibid*, p.543.

<sup>204</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 6, *ibid*, p.531.

Motukawa 2B13 was partitioned in 1927:<sup>205</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B13A	354a.
Motukawa 2B13B	354a. 5p.

Part of 2B13A was sold to Heperi Pohe (25a) for £475.<sup>206</sup> Part of 2B13A was also leased to Amelia Hathaway for 10 years from 1929 at annual rental £129.<sup>207</sup> 2B13A was then leased to Maud Goodrich in three parts: 25a for 42 years from 1938, 296a 2r for 42 years from 1945, and 32a 1r for 40 years from 1937; and the section was then leased to Ronald Kilgour for 32 years from 1967 at an annual rental of £329.<sup>208</sup>

Motukawa 2B13B was leased to Cornelius O’Hanlon for 21 years from 1932 at 6s. per acre.<sup>209</sup> Part of 2B13B was then leased to F. Anderson for 50 years from 1955, while 2r 7p were taken for roading purposes between 1949 and 1954.<sup>210</sup> The rest of 2B13B was leased to Stuart Gregory for 21 years from 1965 at £486 annual rental, and title to the section was Europeanised in 1968.<sup>211</sup>

Motukawa 2B12 was partitioned in 1949:<sup>212</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B12A	3r. 20p.
Motukawa 2B12B	207a. 2r.

A part of 2B12 (2 acres) was transferred to the Education Board in Whanganui in 1918 as a school site.<sup>213</sup> A part of 2B12 was sold to Ngahina Chadwick in 1952.<sup>214</sup> Motukawa 2B12A became General land in 1981.<sup>215</sup>

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<sup>205</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>206</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.598.

<sup>207</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.599.

<sup>208</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, pp.591-592.

<sup>209</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.588.

<sup>210</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.584.

<sup>211</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.585.

<sup>212</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

In 1955, Motukawa 2B22 was partitioned:<sup>216</sup>

<b>Title</b>	<b>Area</b>
Motukawa 2B22A	1a.
Motukawa 2B22B	478a.

Motukawa 2B22 had been leased to Sarah Laidley for 21 years from 1936, at an annual rental of 10s. per acre.<sup>217</sup> Motukawa 2B22 was then leased to Mariana Chase for 21 years from 1958 at an annual rental of £731 8s.<sup>218</sup>

Motukawa 2B20 was leased to John Collins in 1909 for the period of 21 years, with the annual rental set at 5s. per acre for the first 7 years, 6s. per acre for the next 7 years, and 7s. per acre for the last 7 years.<sup>219</sup> In 1914 Collins purchased a part of the block (63 acres, which became Motukawa 2B20B) from Waikari Karaitiana for the sum of £520 4s. 7d., with the price including the outstanding rent, and an outstanding survey lien.<sup>220</sup> Collins purchased the remainder of the block from Rangiapoa Waikari the following year for the price of £1,160.<sup>221</sup>

Motukawa 2B6 was leased to James McFarlane in 1906 for a period of 21 years, at an annual rental of 3/6 per acre.<sup>222</sup> In November 1913, the block was sold to Hugh Thomas Beban for the price of £3,105.<sup>223</sup> Motukawa 2B8 was leased in 1911 to Pango Puketohe for 42 years at an annual rental of 5s. per acre.<sup>224</sup> Motukawa 2B9A was leased to Allan Gregory for 42 years from 1937 at an annual rental of £99 10s., and Gregory also leased 9B2B for 21 years from

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<sup>213</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.614.

<sup>214</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.612.

<sup>215</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.609.

<sup>216</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>217</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 13, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.846.

<sup>218</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 13, *ibid*, p.846.

<sup>219</sup> Application for consent to lease, 1 April 1909, MLC-WG W1645 3/1915/176. ANZ. The application was confirmed in October 1909. Central Taihape Blocks Document Bank pp.39-41.

<sup>220</sup> 14/25 File Cover Sheet; and, Payment Receipt, 21 April 1914, *ibid*.

<sup>221</sup> 15/176 File Cover Sheet, *ibid*.

<sup>222</sup> Application for consent to a proposed lease, 12 May 1906, MLC-WG W1645 3/1913/328. ANZ. Central Taihape Blocks Document Bank pp.37-38.

<sup>223</sup> 13/328 File Cover Sheet, *ibid*.

<sup>224</sup> Maori Land Administration file cover sheet 17 June 1911, MLC-WG W1645 11 3/1911/148. Central Taihape Blocks Document Bank p.5.

1935.<sup>225</sup> 2B8 was leased to Fred Anderson for 21 years from 1951 at an annual rent of £208 10s.. In 1905, 68 acres 2r 8p from the section was taken for railway purposes, and around 2 roods were taken for roading purposes between 1954 and 1957.<sup>226</sup> 2B14A was leased to Harry Bartell for 21 years from 1920 at annual rent 10s.<sup>227</sup> Titles to 2B14 and 2B14A were Europeanised in 1969.<sup>228</sup> 2B12 was leased to J. A. Anderson for 21 years from 1912 at annual rental £80 16s.<sup>229</sup> 2B21 was leased to James Donovan for 42 years from 1925 at an annual rental £119 10s., and then again to Dixie McCarthy for 21 years from 1967 at an annual rental of £485 8s.<sup>230</sup> 2B25 was leased to Madeline Batley for 15 years from 1924 at an annual rental of £283 8s.<sup>231</sup> 2B19 was sold to Alexander Morrison in 1911 and 2B19A to Mr. Arrowsmith in 1913.<sup>232</sup> Motukawa 2B19A was leased to Matthew Morrison for a period of 21 years from 1906, with an annual rental fixed at five percent of the capital value of the block.<sup>233</sup> In 1913 the block was sold to Ida Arrowsmith for the price of £500.<sup>234</sup> 2B26 to was sold to Patrick Collins for £2,080 in 1919.<sup>235</sup>

Motukawa 2B23 was apparently leased to Laura Jacobsen for 21 years from 1918 at an annual rent £468 7s., but the lease was not followed through, and the section was then also leased to Edith Smith for 15 years from 1924 at annual rent £385.<sup>236</sup> It appears a similar pattern occurred in B24 and 25[?], which were originally leased to F. Jacobsen in for 21 years from 1918, and the sections was then again leased to A. Smith for 15 years from 1924 at an annual rental of 152 14s.<sup>237</sup> Motukawa 2B23, 24 and 25 were then leased for 10 years from 1939 by Robert Sewell at an £749 14s. annual rental.<sup>238</sup>

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<sup>225</sup> Confirmations of alienation, Block Order File Wh. 592 Vols. 6 and 7, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, pp.520 and 573.

<sup>226</sup> Confirmations of alienation, Block Order File Wh. 592 Vol. 6, *ibid*, p.526.

<sup>227</sup> Confirmations of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.583.

<sup>228</sup> Confirmations of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, pp.575, 579.

<sup>229</sup> Confirmations of alienation, Block Order File Wh. 592 Vol. 8, *ibid*, p.613.

<sup>230</sup> Confirmations of alienation, Block Order File Wh. 592 Vol. 12, *ibid*, p.744.

<sup>231</sup> Confirmations of alienation, Block Order File Wh. 592 Vol. 13, *ibid*, p..825.

<sup>232</sup> Confirmations of alienation, Block Order File Wh. 592 Vol. 12, *ibid*, pp.759, 783.

<sup>233</sup> Application for consent to a proposed lease, MLC-WG W1645 3/1913/141. ANZ. Central Taihape Blocks Document Bank pp.33-34.

<sup>234</sup> Application for Confirmation of Alienation, 13 June 1913, *ibid*.

<sup>235</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 13, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 3, p.821.

<sup>236</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 13, *ibid*, pp.836-837.

<sup>237</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 13, *ibid*, pp.832-833.

<sup>238</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 13, *ibid*, p.830.

During the course of all these partitions, most of the blocks were encumbered with survey liens. These are summarised in the table below:<sup>239</sup>

#### Motukawa 2B Survey Liens, 1903–1930

Subdivision	Amount owed (£/s/d)	Year imposed
2B4	28/28/9	1903
2B5	26/17/-	1903
2B6	37/7/-	1903
2B8	13/2/-	1903
2B9	20/17/3	1903
2B10	16/12/6	1903
2B11	8/17/-	1903
2B12	16/19/9	1903
2B13	28/19/9	1903
2B14	3/3/-	1903
2B14A	3/3/-	1903
2B15	37/15/1	1903
2B16	41/8/3	1903
2B18	15/2/-	1903
2B20	10/14/3	1903
2B21	9/10/-	1903
2B22	13/14/6	1903
2B26	11/16/-	1903
2B27	11/16/9	1903
2B15C	6/18/-	1909
2B15D	10/12/-	1909
2B16A	38/16/-	1911
2B16B1	22/12/6	1911
2B5A	25/4/9	1913
2B10A	22/2/7	1913
2B10C	28/9/8	1913
2B11B	17/13/10	1913
2B7C	26/-/-	1914
2B27C3A	11/19/9	1919
2B27C3B	18/8/3	1919
2B9A	18/14/3	1930
2B16B1A	-/14/8	1930
2B16B1B	21/3/-	1930

It is not clear when, and how, all the outstanding survey liens were satisfied. For those for which it is clear, they are summarised in the table below:<sup>240</sup>

<sup>239</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

<sup>240</sup> *ibid.*

### Motukawa 2B Survey Liens Released, 1906–1953

Subdivision	Amount paid (£/s/d)	Year satisfied
2B21	2/11/8	1906
2B6	7/10/9	1907
2B13	8/11/10	1907
2B12	2/12/7	1907
2B11	19/8/-	1907
2B17	20/4/11	1908
2B27A	11/5/1	1916
2B27C3A	17/18/11	1918
2B27C3B	27/1/-	1918
2B11B	17/13/10	1918
2B13A	25/16/-	1929
2B9A	21/1/8	1930
2B11A	14/0/7	1953

#### *Motukawa 2D–2F*

In 1910, 2D2B was partitioned.<sup>241</sup>

Title	Area
Motukawa 2D2B1	10a. 38p.
Motukawa 2D2B2	76a. 3r. 2p.

Motukawa 2D2B1 was leased to Archie Young for 21 years from 1936, at annual rental of 4s. per acre.<sup>242</sup>

Motukawa 2E2 was sold to Edward Peters in 1951 for £100.<sup>243</sup> Title to 2F2 was consolidated in July 1964, with 44 owners.<sup>244</sup>

Some of the sections were also encumbered with survey liens. These are summarised in the table below.<sup>245</sup>

<sup>241</sup> *ibid.*

<sup>242</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 14, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank Volume 4, p.35.

<sup>243</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 14, *ibid.*, p.18.

<sup>244</sup> Confirmation of alienation, Block Order File Wh. 592 Vol. 14, *ibid.*, p.2.

<sup>245</sup> Information in the table is collated from the Motukawa Block Order Files Wh. 592, Vols. 1-14, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 3-4.

### Motukawa 2D–2F Survey Liens, 1904–1913

Subdivision	Amount owed (£/s/d)	Year Imposed
2D2A	37/4/6	1904
2E2	6/6/-	1904
2F2	13/4/-	1904
2D2B2	16/9/1	1913

It is clear that at least two of these liens were satisfied.<sup>246</sup>

Subdivision	Amount paid (£/s/d)	Year Discharged
2D2B2	16/9/1	1914
2E2	9/8/9	1951

Motukawa 2D2A was sold by Rapera Waiata to Tom Williams and Henry Harper on 16 May 1910 for consideration of £1,410.<sup>247</sup>

### 3.6 Conclusion

Motukawa is located in the west of the Taihape Inquiry District and was originally to have its title investigated along with the Awarua block to the east, but in 1886 it was heard as a separate title during the protracted Awarua case. A small area (Motukawa 1, 2,000 acres) was awarded to 52 of the counter-claimants, Ngati Rangituhia, but the bulk of the block (Motukawa 1, 33,000 acres) was awarded to 239 individuals of Ngati Whitikaupeka, Ngati Tamakopiri, and Ngati Tutekawa).

Both Motukawa titles were mortgaged for unpaid survey costs, and these debts were discharged through the sale of large parts of both blocks to the Crown in the 1890s, leading to extensive title fragmentation of Motukawa 1 before 1900. Title fragmentation through Native Land Court processes and extensive private leasing and purchasing through the auspices of the Aotea Maori Land Board rapidly broke up the residue of Motukawa 2 in the early to mid-twentieth century. As a result, almost 7,000 acres of Motukawa 2 was privately purchased, which together with Crown purchasing prior to

<sup>246</sup> *ibid.*

<sup>247</sup> Confirmation of Alienation, 16 May 1910, MLC-WG W1645 6 3/1910/10, ANZ. Central Taihape Blocks Document Bank p.1.

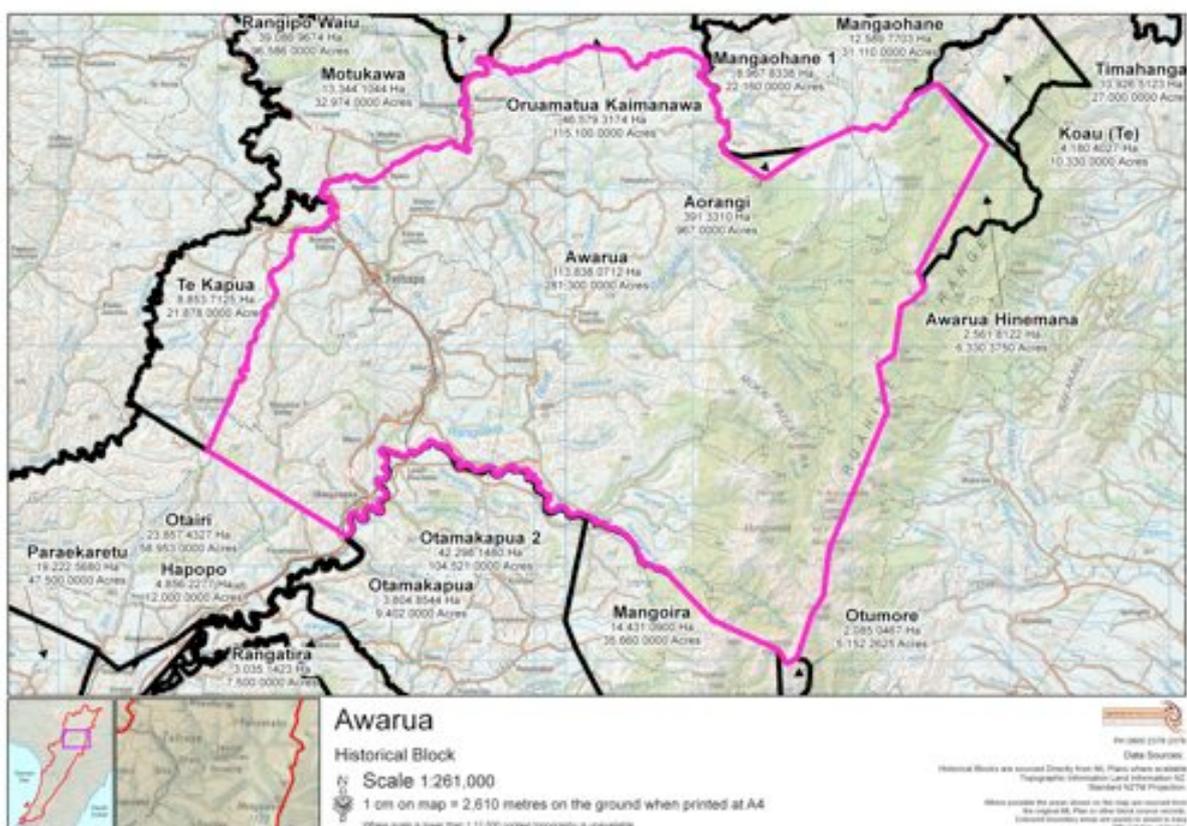
1900 means that today only about half of Motukawa remains in Maori ownership (18,157 acres). This remaining land is divided into 31 titles, ranging in size from less than 1 acre up to over 2,000 acres.

### **Summary Data**

<b><i>Motukawa original area:</i></b>	32,935 acres
<b><i>Crown purchases:</i></b>	9,378 acres
<b><i>Private purchases:</i></b>	6,962 acres
<b><i>Taken for public purposes:</i></b>	124 acres
<b><i>Europeanised:</i></b>	379 acres
<b><i>Remaining Maori Land:</i></b>	18,157 acres

*Note that when the area of remaining Maori land is included, the total area of Motukawa (about 35,000 acres) is larger than the area given at title investigation. There are numerous discrepancies between the acreages given by Crown purchase agents, those in Crown purchase records, and those in Native Land Court records. As a result the exact acreages of Crown purchases, private purchases, and the original block cannot be considered accurate.*

## 4. Awarua



Map 11: Awarua Block

### 4.1 Introduction

Awarua (c.256,000 acres) is the largest block in the Taihape Inquiry District, and lies at the heart of the district. It is undoubtedly the most important block in the district, not merely because of its size, but because it was the land on which the major tangata whenua settlement in the district was situated, and as such the block is in effect both the temporal and spiritual home of the tangata whenua. The block was also of tremendous importance to the Crown, not least because it sat squarely on the route of the North Island Main Trunk railway, and the

acquisition of large parts of this block was therefore deemed essential by the Crown as it sought to not only complete the railway line connecting Wellington and Auckland, but to secure Maori land as cheaply as possible in order to fund the railway.

The block endured a turbulent and protracted history in the Native Land Court, which, it appears at first glance, caused financial ruin for many of the leading rangatira involved in the running of the cases before the Court. The Crown commenced its purchasing activities in the block once the title was settled by the Native Land Court, and by the turn of the twentieth century, around three-quarters of the block passed away from Maori ownership into Crown hands.

#### **4.2 Title Investigation, 1886**

The title investigation for Awarua took place in Marton in 1886, with the hearing taking place under the Native Land Act 1880.<sup>248</sup> The application for the title investigation came from Ihakara Te Raro and others, and the prima facie case was headed by Utiku Potaka. Broadly speaking, there were three main groups contesting the block at this hearing.

The claimants, headed by Utiku Potaka, broadly included Ngati Hauiti, Ngati Whiti, Ngati Ohuake, Ngati Hinemanu, and Ngati Tama hapu. Ngati Upokoiri, along with some the of Ngati Whitikaupeka and some the of Ngati Hinemanu, represented by James Carroll at the hearing, were the objectors to the prima facie case, notably objecting to inclusion of Tamakopiri as an ancestor in the block. The counter-claim came from Airini Donnelly, claiming on behalf of Ngati Haumoetahanga.

##### ***Ngati Hauiti, Ngati Whiti, Ngati Ohuake, Ngati Hinemanu, and Ngati Tama***

The claimant case was based on ancestry and occupation, and lay claim to the entire Awarua block. The ancestral claim was based on Hauiti, Whitikaupeka, Ohuake, Hinemanu, Tamakopiri, Tutakaroa, and Tuwhakapuru – Tutakaroa was added as an ancestor by Heperi Pikirangi of Ngati Whiti and Ngati Tama, who originally appeared as a claimant in his own right, but then joined with the larger claimant group headed by Utiku Potaka. Hoani Meihana, who originally set up as the objector to the main claim, was later also admitted to the claim headed by Utiku Potaka as having had an ancestral right through Ohuake, Hauiti, and Whitikaupeka.

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<sup>248</sup> Information in this section is summarised from Wanganui MBs 10 (pp.44-425) and 11 (pp.64-424).

The conductors for the claimant case were Ropata Ranapiri for Ngati Whiti and Ngati Tama, and R. T. Blake for Ngati Hinemanu, Ngati Ohuake, and Ngati Hauiti.

### ***Ngati Upokoiri, Ngati Hinemanu and Ngati Whiti***

This was essentially a claim objecting to the main claim, which included Tamakopiri as one of the ancestors in the block. The main witness was Paramena Te Naonao, who claimed the block on the basis of ancestor Ohuake, but denied that Tamakopiri had any rights in the block. In fact, he even denied Tamakopiri's existence, dismissing the ancestor put forward by Ngati Tama "as a myth".<sup>249</sup> Much of the subsequent evidence between the claimants and this objecting party related to the role Tamakopiri and his descendants played in the block.

This case was conducted by James Carroll.

### ***Ngati Haumoetahanga***

The counter-claim was set up by Airini Donnelly, basing her claim on ancestry, occupation, and mana of chieftainship. The ancestors she claimed through were Haumoetahanga, Honomokai, and Hinemanu. James Carroll also conducted her case.

### ***Court Judgment***

The Court's judgment in the case was remarkably brief for such a large block featuring such competing claims. The Court found that the owners of Awarua were those descendants of Ohuake, Hinemanu, Hauiti, Whitikaupeka, and Tamakopiri who were entitled by occupation. In relation to the objections to Tamakopiri as an ancestor in the block, the Court ruled that:

The Court delivered its Judgment verbally admitting Tamakopiri as an ancestor; it is proved that the descendants of Tamakopiri lived and occupied without any right acquired by marriage with N Whiti, and it is admitted by Paramena, and confirmed by the assessor, that according to native custom rights to land cannot be acquired by mere occupation, ancestral right must accompany.<sup>250</sup>

Following the Court's judgment, a protracted hearing was held over which claimants were entitled to be entered into the lists for the ownership of the block. The lists were finally settled on 22 September 1886, with the Awarua block awarded to 437 owners. The block was made inalienable upon the request of the owners. However, clear definition of interests to all the different portions of the block was not yet settled at this time, and it was apparent that another

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<sup>249</sup> Wanganui MB 10, p.369.

<sup>250</sup> Wanganui MB 10, pp.382-383.

Native Land Court hearing would be necessary to identify the nature and extent of the various tribal interests, and to locate these in subdivisions of the enormous block.

### **4.3 Crown Purchasing, 1886-1890**

The acquisition of parts of Awarua was highly important for the Crown. The driving force behind the Crown's interest was the central position Awarua assumed in completing the North Island Main Trunk Railway, connecting Wellington and Auckland. By the early 1880s the line extended to Te Awamutu in the north and Marton in the south. As Cleaver has noted, the Crown was unwilling to risk aggravating its relationship with various iwi, and was unwilling to take Maori land for the purposes of the railway before entering into negotiations with the owners first. The Crown, for example, entered into negotiations with the King Country and Whanganui Maori between 1883 and 1885, with the result that in 1885 an agreement was reached whereby the Maori owners consented to the construction of the railway subject to certain conditions – namely that the land was required for track and station purposes, and that compensation would be paid.<sup>251</sup>

In 1882 the Government passed twin legislation – the North Island Maori Trunk Railway Loan Act and the New Zealand Loan Act – which authorised the borrowing of £4 million for the construction of the line, but not land purchase. The final route of the main trunk had not been yet finalised at this stage, but it was widely recognised that whichever route was to be followed depended on 'settling the native difficulty'.<sup>252</sup> Further legislation to facilitate the construction of the railway was introduced in 1884, when the Native Land Alienation Restriction Act re-imposed Crown pre-emption over a large area of land, and in the same year the Railway Authorisation Act defined the route which the line would eventually take, connecting Marton and Te Awamutu via Murimotu, Taumaranui and the Ongarue River Valley.<sup>253</sup> The settling of the route going through the central North Island as the best of the three considered options (western and eastern routes were also considered) placed the Awarua block high on the agenda for acquiring the land for the railway line. Indeed, the Native Land Alienation Restriction Act from 1884 placed restrictions on alienation over parts of the Awarua block which were deemed necessary for the completion of the North Island Main Trunk line.

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<sup>251</sup> P. Cleaver, 'The Taking of Maori Land for Public Works in the Whanganui Inquiry District, 1850-2000', Report commissioned by Waitangi Tribunal, September 2004, p.183.

<sup>252</sup> N. Bayley, 'Murimotu and Rangipo Wai, 1860-2000', Report commissioned by Waitangi Tribunal, June 2004, p.141.

<sup>253</sup> Bayley, p.143.

However, the North Island Main Trunk railway was not the only reason Government officials were interested in acquiring Awarua. In March 1889, Resident Magistrate in Hawke's Bay, J. Preece, wrote to the Under-Secretary of the Native Department, urging the purchase of the Awarua block. Preece wrote:

I beg to state for your information that I think it is of utmost importance that the Crown should secure every inch of land in the Awarua and Motukawa blocks that it is possible to buy. I have been informed by the Messrs. Claytons who surveyed the blocks that there is a large area of land therein suitable for settlement, also that there are valuable deposits of coal beds and copper. This fact will make it absolutely necessary that the Crown should secure the fee simple, as it will be a very great help to the central railway to have such a large area of land suitable for settlement, and for mining purposes within easy reach thereof. I am confident that the land in question will carry a large population, and no effort should be lost in securing it.<sup>254</sup>

The timing for the purchase, however, was not yet right in the eyes of the officials in the Native Department. Following Preece's letter, the Native Department Under-Secretary T. W. Lewis wrote a memorandum for the Native Minister, in which he set out the current position as regards to the Awarua block. Lewis noted that there was no question as to the desirability of acquiring the block, but that the purchase would require a considerable amount of money, as the owners were well aware of the value of the land, and were generally disinclined to sell. He observed, however, that the block was due to come before the Native Land Court once again, this time for a sub-division, and he believed that the partition would facilitate the purchase. He also noted that he had been paying attention to the situation relating to the block for a long time, but that no opportunity had presented itself to acquire it. He concluded by stating that the Crown had a claim before the Native Land Court for a survey lien.<sup>255</sup>

The applications for a sub-division of Awarua had indeed commenced soon after the title investigation hearing was completed. In November 1886 Heperi Pikirangi and other of Ngati Tama and Ngati Whiti wrote to the Native Department requesting that the surveyors who at the time were at work surveying the Awarua boundary, also be instructed to survey the proposed sub-divisional boundaries prior to the partition hearing for which they had already applied.<sup>256</sup> The Crown did not grant the request fearing that sub-division boundaries would be impossible to anticipate before the partition hearing was completed.

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<sup>254</sup> J. Preece to Under-Secretary, 29 March 1889, MA-MLP 1/1905/93. ANZ. Porirua ki Taihape Purchasing Document Bank, p.12051.

<sup>255</sup> T. W. Lewis Memorandum for Native Minister, 13 May 1889, *ibid*, p.12049.

<sup>256</sup> Heperi Pikirangi and others to Native Minister, 6 November 1886, *ibid*, p.12023.

By 1889, when Preece was writing his recommendation to the Native Department, no partition hearing had taken place yet. Yet the rangatira in Mokai Patea were well aware of the Crown's interest in acquiring parts of Awarua, and subsequently the Ngati Whiti committee wrote to the Native Department in August 1889 asking the Crown not to commence purchasing activities in the block until it was subdivided by the Native Land Court. In the letter, Hiraka Te Rango, Ihakara Te Raro, and other Ngati Whiti leaders intimated that they were prepared to sell a "portion on the side of the line for the Railway", but that the purchase should wait until after the partition hearing, "lest this should be a bad and troublesome sale like Waimarino".<sup>257</sup>

Similar argument was also put forward by Hoani Taipua, the Member of Parliament for Western Maori in September 1889. Taipua claimed that:

It is my wish that a subdivision hearing of this block should be effected before the Government undertake to take any purchases, because there are five principal hapus [sic] interested in the block but their respective claims are not the same, some have bigger and stronger claims than others. I am convinced that if the land is first put through the Court the Commissioners will find their task perfectly easy. Probably these hapus[sic] will agree to sell a portion of the land to the Government because they are very anxious to have the railway taken through their lands.<sup>258</sup>

As noted earlier, this was already the approach the Government had taken towards the potential purchase of parts of Awarua.

The much anticipated Awarua sub-division hearing was due to be held in Marton. This, however, caused much consternation among the claimants, who preferred the hearing to take the place on the actual block, at Moawhango. In September 1889, Henry Mitchell, writing on behalf of the Ngati Whiti owners, urged the Native Minister Mitchelson to schedule the hearing to Moawhango, partly because hearing the sub-division of the block on the actual land would be helpful in delineating the internal boundaries of the block.<sup>259</sup> The Government officials were initially dismissive of this request, claiming that since Moawhango was too distant from the telegraph lines, it would be inconvenient to hold the hearing there.<sup>260</sup>

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<sup>257</sup> Committee of Ngati Whiti to Native Minister, 24 August 1889, *ibid*, p.12054.

<sup>258</sup> Hoani Taipua to Native Minister, 20 September 1889, *ibid*, p.12057.

<sup>259</sup> H. Mitchell to Native Minister, 22 September 1889, *ibid*, p.12078.

<sup>260</sup> P. Sheridan memorandum for Native Minister, *ibid*, p.12077.

The calls for holding the hearing at Moawhango continued, however. In January 1890, Ngati Whiti, Ngati Hauiti, Ngati Ohuake and Ngati Whititama met at Moawhango to decide on the best approach to take with regard to the Awarua subdivision. They all agreed that holding the Native Land Court hearing at Moawhango was the best option.<sup>261</sup> Following the meeting, Ihakara Te Raro and Horima Paerau set out their proposal for dealing with the upcoming Awarua subdivision:

We are of the opinion that all the leading men and elders of the various hapus [sic] should be called for the purpose of discussing and settling their respective portions. When this is done the whole thing can be referred to the Court for approval. We are convinced that this is a very good plan and cheaply carried out. Even if some of the sections cannot be settled, the Court will still find it easier to deal with the whole case on account of some of the cases or sections having already been settled. We have also talked over as to the best place for holding this meeting where you can go to and explain your views respecting the above matter and we have come to the conclusion that Moawhango is the most suitable place for it being the most central place, because we thought that if the meeting was held elsewhere the case could not be satisfactorily dealt with. We also thought that the hearing of the Awarua block might be held at the same place so that it might be near to give effect to any decision which we might arrive at in the matter.<sup>262</sup>

This proposal was also fully endorsed by Utiku Potaka and Winiata Te Whaaro.<sup>263</sup>

This strong sentiment to hold the Awarua subdivision hearing at Moawhango, as well as the proposal to arrange the subdivision informally between the hapu involved, was driven by twin forces. Firstly, there is no doubt that a large part of thinking behind the proposals was political in nature. Awarua was the 'rohe potae' block and the centre of the district, and the desire to decide its fate on the actual land was a strong assertion of mana by the people who lived on, and had a deep connection to it.

But just as evidently, economic reasons also played a major part. Putting blocks through the Native Land Court was an altogether expensive affair – Court fees, along with the inevitable costs that came along with the Court process including lawyers, interpreters and a host of other unsavoury characters all formed a heavy financial burden on the Maori claimants. Survey costs, which were extremely high and inevitably charged against the block, were the

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<sup>261</sup> Ihakara Te Raro to Native Minister, 24 January 1890, *ibid*, p.12085.

<sup>262</sup> Ihakara Te Raro and Horima Paerau to Native Under-Secretary, 24 January 1890, *ibid*, pp.12083-12084.

<sup>263</sup> Utiku Potaka and Winiata Te Wharo to Native Minister, 31 January 1890, *ibid*, p.12082.

heaviest. Yet such costs, as high as they were, were almost impossible to avoid under the Native Land Court machinery. But the associated costs attendant with the Native Land Court process – travel, accommodation, provision of food and other life necessities, were just as high a burden for those attending the Court. The hapu from Mokai Patea were particularly badly affected in this respect, as they literally had to travel the breadth of the country – from Whanganui in the west to Napier and Hastings in the east – to attend the hearings relating to their lands. The Awarua hearings took months to complete, and it is very clear that costs of accommodation and life necessities would be inevitably high. Indeed, Utiku Potaka complained of this at the Awarua title investigation hearing, strongly objecting to any further adjournments noting that the cost of attending the Court was already proving too high.<sup>264</sup>

Perhaps the most eloquent statement about the grievances the hapu from Mokai Patea had endured through the Native Land Court came from Hiraka Te Rango, before the Native Land Laws Commission of inquiry, conducted by W. L. Rees and James Carroll, at Waipawa in 1891:

Myself and hapu are people who have suffered grievously through the operation of the Native Land Court. The way in which we have been afflicted by it is having to repair to distant places in order to attend the sittings of the Court. Another grievance under which we labour is having our cases gazetted for hearing and called on, say, at Napier, and then, on our attending there, finding that our cases had been adjourned without being proceeded with at all. Yet another grievance under which myself and hapu labour is what has already been referred to with respect to the employment of agents in the Court. A further grievance of which we have to complain relates to the Assessors and the interpreters, and likewise the Judges. The fault that we find with the Judges, the Assessors, and the interpreters is that they have feelings of partisanship with one side or the other before the Court. In fact, they take sides. The interpreters in the Court will not correctly interpret all the evidence, but it will be misinterpreted to the Court. I object to them also on the ground of their incompetency. But the source of all these troubles is the Native Land Court itself.<sup>265</sup>

The dissatisfaction with the operation of the Court, and the outcomes the Court was producing, was also noted in the petition of Winiata Te Whaaro and others to hold the Awarua partition hearing at Moawhango, from June 1890. Te Whaaro and other petitioners stated that:

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<sup>264</sup> Wanganui MB 10, pp.44-46.

<sup>265</sup> Hiraka Te Rango evidence to the Native Land Commission, 5 May 1891, G-1, AJHR 1891, p.53.

During these past years' experience in the Native Land Court your petitioners have grievously suffered in the wrongful alienation of great areas of the estates held by them from their ancestors down to the present generation.

The petitioners stated further on that:

They attribute the loss of these ancestral lands...to the cruel and unjust practice of holding the Native Land Courts at places remote from the lands and the people living in the localities under adjudication, vide Oruamatua Kaimanawa block, Owhaoko Block, Te Kapua block, Mangaohane block, all of which judgements have been or are now the subjects of petitions to Parliament for rehearings, while the first two instances were of such a glaring character as to cause your Honourable House, in 1886, to grant rehearings, under special enactment, only one of which (Owhaoko) has been yet reheard, although four years have elapsed since the date of that Act.<sup>266</sup>

The opposition to the Native Land Court was also existed on a more general level. Some of the leading rangatira in Mokai Patea – including Winiata Te Whaaro, Utiku Potaka, Paramena Te Naonao, and Irimana Ngahou – clearly saw the Court as an instrument of Government policy rather than an impartial judicial body. In a letter to the Native Minister A. J. Cadman in March 1891 (which mainly dealt with the concerns relating to the Awarua partition hearing) the four rangatira outlined their less than flattering view of the Native Land Court:

The Court constituted under the Native Land Court Acts commencing from 1862 has not given satisfaction. In the matter of hearing claims to land between contending Native parties the Court should be independent and [illegible]. It is utterly wrong, for instance, for the Court to be partial towards either one party or the other. As the Government itself is a land purchaser it is not right that it should hold judgment upon Native claims to land, for then the mind would accuse the Government of favouring those Natives who are friendly towards it and who are also ready to sell. On reference to clause 7 of the Native Land Court 1886 we find that the Governor is the head of the Native Land Court and that the judges hold their offices during their pleasure. Sir, the office of an arbitrator who is appointed by Parliament on our account should never be in this position, but the judges of the Native Land Court should be placed on a similar footing to those of the Supreme Court, that is to say, they should be independent of the Government. This will avoid the reflection of partiality being cast on the Government, that is, partiality for any of the parties claiming the land.<sup>267</sup>

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<sup>266</sup> Winiata Te Whaaro and others, Petition to Native Affairs Committee, 25 June 1890, MA-MLP 1/1905/93. ANZ. Porirua ki Taihape Purchasing Document Bank, pp.12118-12120.

<sup>267</sup> Winiata Te Whaaro, Utiku Potaka, Paramena Te Naonao and Irimana Ngahou to Native Minister, 5 March 1891, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, pp.12149-12150.

The Government appeared to be less dismissive of the requests to hold the partition hearing at Moawhango this time around. The requests were forwarded to the Chief Judge of the Native Land Court for his opinion, who in turn passed the requests to Judge O'Brien for his comment. O'Brien dismissed the proposal altogether, claiming that there was no proper accommodation at Moawhango, and that hearing cases at smaller settlements was a greater cost to the colony. O'Brien also claimed the inconvenience of not having the telegraph lines near-by, and somewhat condescendingly concluded that "[w]ith regard to these letters, representations from Natives are not always an exponent of their own wishes."<sup>268</sup>

The Government's preference for holding the Awarua partition hearing at Marton received support from some of the other claimants living away from the block. Donald Fraser, who would conduct several claims before the Native Land Court during the partition hearing, appealed to the Native Minister on behalf of Warena Hunia, one of the claimants, not to have the Court hear the Awarua partition at Moawhango, stating that his clients would prefer the Court to sit at Marton or Palmerston North.<sup>269</sup> It would appear that at the time of Fraser's writing, the Native Department and Native Land Court officials had all but decided that the hearing would be held at Marton. Despite this, Ngati Whiti continued to lobby to have the hearing at Moawhango. Within two days of Fraser's letter to the Native Minister, Retimana Te Rango again appealed on behalf of Ngati Whiti to have the hearings relating to all their lands, including Awarua, heard at Moawhango and not at more distant centres.<sup>270</sup> Their efforts, however, were ultimately in vain. In early May 1890, the Chief Judge of the Native Land Court, H. G. Seth-Smith, decided that the hearing would take place in Marton. Seth-Smith argued that whatever his decision was, it would have caused dissatisfaction to some of the claimants involved, and that in such circumstances holding the hearing where it was originally scheduled was the most prudent course of action.<sup>271</sup>

Yet despite the Chief Judge's decision, the Awarua owners continued to press for the partition hearing to take place at Moawhango. In late June 1890, Winiata Te Whaaro and others petitioned the Parliament on the matter, requesting that the Awarua partition hearing scheduled for Marton in July 1890 be adjourned and heard over the summer months at Moawhango. The petition, although primarily pleading the case to have the Awarua partition

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<sup>268</sup> L. O'Brien to Chief Judge, 6 March 1890, *ibid*, p.12081.

<sup>269</sup> Donald Fraser to Native Minister, 23 April 1890, *ibid*, p.12098.

<sup>270</sup> J. F. Richardson to Native Minister, 25 April 1890, *ibid*, p.12096. The telegram also stated that the 'natives' wished to retain the open lands near Moawhango in the Awarua block on which they then had sheep running.

<sup>271</sup> H. G. Seth-Smith to T. W. Lewis, 8 May 1890, *ibid*, pp.12106-12107.

hearing held at Moawhango, also traversed some wider grievances in relation to the operation of the Native Land Court, mentioned earlier. The petitioners, as some of the principal owners resident on the block, stated that:

[they] have year after year, moved the authorities to alter the practice hitherto invariably pursued in respect of their land claims, viz. holding the Court in distant places in order that all future Courts for inland Patea lands be held in the district – a very extensive one; but all your petitioners' appeals to this effect have been in vain.

They went on to state that:

Your petitioners are now again notified that the Court for the subdivision of the largest and most valuable of their blocks of land in Patea, called the “Awarua” containing over three hundred thousand acres [sic], is about to sit, in the depth of winter, in a place called Marton, on the West Coast of this island, distant seventy miles by the nearest but a very bad road through the primeval forests, or two hundred miles by the alternate road via the East Coast from the main settlements from your petitioners.

Furthermore, they stated that:

The satisfactory subdivision and individualization of this great area will involve a very minute and accurate knowledge of the country and its local features is apparent to anyone conversant with the subject, and your petitioners naturally view with alarm the evident determination of the authorities to attempt this most important work at a place so remote from the locality and so difficult of access to those old and feeble chiefs born and bred on the land, without whose evidence a true elucidation of the many questions coming before the Court cannot be obtained.<sup>272</sup>

Unfortunately for the petitioners, the petition reached the Native Affairs Committee in August 1890, after the Awarua partition hearing had commenced. Indeed, this very fact was the grounds for dismissing the petition, since the Native Affairs Committee claimed that:

as the Court now sitting at Marton has proceeded far into the investigation of the Awarua block, the Committee cannot recommend that the prayer of the petition be complied with, as it would probably cause considerable loss and inconvenience to the many Natives interested.

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<sup>272</sup> Winiata Te Whaaro and others, Petition to the Native Affairs Committee, 25 June 1890, *ibid*, pp.12118-12119.

The Committee, did, however, also make the following observations in relation to the issues raised by the petition:

It is alleged that the holding of Land Courts in European townships at unsuitable seasons, is productive of much sickness and even worse evils among the natives who attend the Courts on these occasions. The Committee therefore desire to express the opinion that in fixing the time and place for sittings of the Court, the utmost consideration compatible with the efficiency of the Court and the speedy ascertainment of titles should be extended to the Natives, and their interests consulted as far as possible.<sup>273</sup>

While these discussions over the possibility of holding the Awarua partition hearing at Moawhango were going on, it appears that the Awarua owners continued to have lingering concerns over the Crown potentially commencing the purchase of parts of the block before the partition hearing. In late April 1890, Hiraka Te Rango, Te Oti Pohe and Wiremu Paratene asked the Native Minister Edwin Mitchelson once again that no advance payments on account of Awarua be paid before the partition hearing.<sup>274</sup> It seems that this concern may have been driven by some of the owners requesting advance payments on account of the block before the partition hearing. As late as August 1890, with the partition hearing having already commenced, Paramena Te Naonao had asked for an advance payment for his interests in the block.<sup>275</sup>

The Crown, however, insisted that its approach to the purchase of Awarua had not changed, and that no advance payments would be made until the block was partitioned.<sup>276</sup> An interesting feature of Te Naonao's letter is his comment that J. Butler, the Government Land Purchase Officer in the area, was well acquainted with the matter. Butler was undoubtedly well aware of the Crown policy towards the purchase of Awarua, which had not changed since late 1889, and while it is not clear what Butler's role was in relation to Te Naonao's request, the possibility that the former was attempting to facilitate the Crown's purchase of Te Naonao's interests in Awarua cannot be discounted. It certainly appears that T. W. Lewis, the Under-Secretary of the Native Department, was not entirely comfortable with the mention of Butler's name in the latter, and Lewis requested him to write to the Native Department,

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<sup>273</sup> Native Affairs Committee Report on Petition of Winiata Te Whaaro, 19 August 1890, *ibid*, pp.12116-12117.

<sup>274</sup> Hiraka Te Rango, Te Oti Pohe, Wiremu Paratene to Native Minister, 24 April 1890, *ibid*, p.12100.

<sup>275</sup> Paramena Te Naonao to Native Minister, 19 August 1890, *ibid*, p.12112.

<sup>276</sup> T. W. Lewis memorandum for Native Minister, 25 April 1890, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, MA-MLP 1905/93, p.12103; T. W. Lewis to Native Minister, 22 August 1890, *ibid*, p.12111.

presumably to explain his position in the matter.<sup>277</sup> Butler's reply, however, does not appear to be on file.

#### **4.4 Native Land Court Partition Hearing, 1890-1891**

The much awaited partition of Awarua commenced in Marton in July 1890, in another protracted hearing which was not finally concluded until July 1891. In all there were thirteen separate claimants laying claims to parts or the whole of the block at the hearing.<sup>278</sup>

##### ***Main Claims***

*Anaru Te Wanikau: Ngati Haumoetahanga, Ngati Honomokai, Ngati Hinemanu, Ngati Toroa*  
Anaru Te Wanikau's case was conducted by A. L. D. Fraser, and he claimed on the basis of ancestry and occupation. The ancestors he claimed through were Ohuake, Whitikaupeka, Hauti and Hinemanu. He appears to have laid claim to the entire block.

*Maharata Kohiti (for Hemi Papakiri): Ngati Haumoetahanga, Ngati Haukaha*

Maharata Kohiti's claim was conducted by Ratima, and the basis of the claim was ancestry and occupation. The ancestors the claim was based on were Haumoetahanga (and Irokino, Tautahi, Tukokoki – all direct descendants of Haumoetahanga), Haukaha, and Anutonga. The portion of the block claimed was in the vicinity of the Kaiwatau [?] river.

*Noa Huke: Ngati Hinemanu (Ngati Mataora, Ngati Ruaiti, Ngati Kea)*

Noa Huke's case was conducted by A. L. D. Fraser, and he claimed on the basis of ancestry, occupation, mana and bravery. The ancestors claimed through were Hinemanu, Hauti, Whitikaupeka and Te Ohuake. The claim was over the whole block.

*Wiari Turoa: Ngati Te Kea, Ngati Hauti and Ngati Hinemanu*

Wiari Turoa conducted the case by himself; he claimed on the basis on ancestry and occupation. His claim on the eastern side of the block was through Hauti and his descendants Kea and Tuterangi, and his claim on the western side was through Irokino, Te Ohuake, Tutemohuta and Haumoetahanga. The claim covered the eastern side of Rangitikei and the upper western side.

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<sup>277</sup> T. W. Lewis note to Butler, 23 August 1890, *ibid*, p.12111.

<sup>278</sup> The information in this section is collated from Wanganui MB No.'s 18, 19, and 20.

*Te Rina Mete Kingi*

The claim was conducted by Wirihana Hunia and was based on ancestry, occupation, bravery and mana. The ancestors claimed through were Hauti, Te Ohuake, Tutemohuta, Haumoetahanga, Punakiao, and Whitikaupeka, and the claim covered both sides of the Rangitikei river.

*Heperi Pikirangi: Ngati Tama*

The claim was conducted by Tupaoa, and was based on ancestry, conquest and occupation. The ancestors claimed through were Tamakopiri, Whitikaupeka and his wife Haumoetahanga. The claim was for the land situated between Moawhango and Rangitikei and Moawhango and Hautapu and between Hautapu and Otairi boundary.

*Wi Te Roiuku*

The claim was conducted by A. L. D. Fraser, and was based on ancestry, occupation and a gift from Te Hoeroa. The ancestor the claim was based on was Te Ohuake (through Honomokai). The claim covered both eastern and western sides of the Rangitikei river.

*Ihakara Te Raro: Ngati Whiti, Ngati Tama, Ngati Hauti and Ngati Te Ohuake*

The claim was conducted by Blake, and was based on ancestry and occupation. The ancestors the claim was based on were Ohuake, Tutemohuta, Rangiwahakamahuku, and Hauti, and the claim covered the eastern side of the Rangitikei river.

*Te Oti Pohe: Ngati Whiti, Ngati Tama and Ngati Te Ohuake*

The claim was conducted by both Blake and Te Oti Pohe himself. The claim was based on ancestry and occupation, and the ancestors he claimed through were Whitikaupeka, Tamakopiri and Te Ohuake for the portion of the block known as Awarua 2, Whitikaupeka and Tamakopiri for Awarua 3, and Whitikaupeka, Tamakopiri and Tutaikakawaiho for Awarua 4. The claim thus covered Awarua 2, 3, and 4.

*Paramena Te Naonao: Ngati Hinemanu*

The claim was conducted by McDonald, and was based on ancestry and occupation. The ancestors claimed though were Nukukaio, Te Ohuake, Hinemanu, Hauti and Whitikaupeka. The claim covered the entire block.

*Raita Tuterangi: Ngati Whiti, Ngati Hauti, Ngatu Te Ohuake, Ngati Hinemanu, Ngati Te Haukaha*

The claim was conducted by Paramena Te Naonao, and was based on ancestry and occupation. The ancestor claimed through was Hauti, and it appears to have covered the entire block.

*Winiata Te Whaaro: Ngati Te Ohuake, Ngati Whiti, Ngati Hauti, Ngati Hinemanu, Ngati Paki, Ngati Te Ngahoa, Ngati Kautere, Ngati Te Ngaruru, Ngati Rangi*

Te Whaaro's case was conducted by McDonald, and was based on ancestry and occupation. The ancestors claimed through were Te Ohuake, Whitikaupeka, and Hauti, and the claim was over the entire block.

### **Specific Claim**

There was also a more specific claim to a part of Awarua that was put forward at the partition hearing.

*Hiha Reone Akatarawa: Ngati Tama*

This was a Ngati Tama claim to the portion of the block east of the Rangitikei river, and it was heard separately at the start of the hearing. The case was conducted by Ransfield, and was based on ancestry, occupation and conquest. The ancestors claimed through were Tuwhakapuru, younger brother of Whitikaupeka, and Wharepurakau, son of Whitikaupeka.

The Court, however, dismissed this claim, finding that Ngati Tama had no rights east of the Rangitikei River and that the occupation for time at Kai Inanga by certain of Ngati Tama was not of right but due to being friends and relations of the owners.<sup>279</sup>

### **Court Judgment**

The Court found that the descendants of Tamakopiri, Ohuake, Whitikaupeka, Hinemanu and Hauti who could prove occupation on the block should be enrolled as the owners. The Court identified Ngati Tamakopiri, Ngati Hauti, Ngati Whitikaupeka, Ngati Hinemanu, Ngai Te Upokoiri, Ngati Haukaha, Ngai Te Ngahoa, Ngati Tukokoiri, and many other hapu as general inhabitants of the block. All of those mentioned except the first two derived their rights from Te Ohuake.

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<sup>279</sup> Wanganui MB 18, p.196.

The Court also stated that no ancestral divisional boundaries were formally laid down within the block but various hapu or communities were living at different places scattered over the block and there was an understanding according to custom that these communities owned the land in the localities they occupied. These hapu lived amicably on the block and in times of danger some of them united for purposes of protection and defence.

The Rangitikei River and certain well-known tracks through this block were used by war parties passing up and down and at times the danger to the residents was so great the block was except for a few stragglers denuded of all its people, who had fled to other parts of the country and remained there until it was safe to return to their homes again.

The Court also made comment on several aspects of the claims that were presented before it. The Court found that the descendants of Te Ngahoa and of Tukokoko had no rights by occupation on the block west of the Rangitikei River and it was found that Winiata Te Whaaro had not proved satisfactorily any connection with the ancestors of Ngati Hauiti and Ngati Whiti except through Te Ngahoa so he and his descendants were seen to have no rights west of the Rangitikei River – however, this party was admitted by Utiku Potaka, leading Ngati Hauiti chief into the Ngati Hauiti lands. Ngati Haukaha were also admitted into Ngati Hauiti lands by Utiku Potaka.

The Court was not satisfied that Tauke was a child of Whitikaupeka and Haumoetahanga – so could not see a way to enrol the names of Utiku Potaka and his party on the lists of owners of Ngati Whiti lands on the west side of the Rangitikei River. Likewise, the Court was not satisfied that the ancestor Tutekaiwhara set up by Paramena te Naonao was a child of Whitikaupeka and Haumoetahanga or that this person had any rights on the block.

The Court found the descendants of Ruaiti and Te Kea to have stronger claims to the land through permanent occupation than other of Ngai Te Upokoiri. The Court found that other Ngai Te Upokoiri did not have many, if any, rights through occupation but needed to be provided for as they were in the list of owns as ordered by the Court at the first investigation. Also they assisted the resident inhabitants of the land in certain important fights on this land. Further to this the individual claim of Renata Kawepo was viewed favourably as he rendered valuable services on the occasion of the dispute with Te Heuheu about this land.

The Court found that Anaru Te Wanikau did not prove rights to the East of Ikawetea Steam, but he and his relations had occupation rights within Awarua No.2 where they were enrolled

with others of Ngati Whiti. Claims by Anaru Te Wanikau and others on the west side of the Rangitikei River through Te Honomakai were disallowed.

The block was partitioned as follows:<sup>280</sup>

#### *Awarua 1*

The boundaries of Awarua 1 were described as that part of the east side of the Rangitikei River, lying to the northward of a line running from trig 4 to the SE boundary of the block straight to the Rangitikei River. This line runs straight through the old settlement of Awahaehae. It was awarded to: Noa te Hianga & Wi Wheko – Ngati Hinemanu, certain of Ngati Ruaiti, Ngati Kea & others, 500 interests, Winiata te Wharo – Ngati Paki, 150 interests, Renata Kawepo – Ngai Te Upokoiri, 25 interests, and Ihaka Te Konga – descendants of Tamakorako, 25 interests.

#### *Awarua 1A*

The boundaries of Awarua 1A were described as the land on the east side of the Rangitikei River, lying to the south of the above-mentioned line, and extending to the south boundary of the block. The block was awarded to certain members of Ngati Hauti, Ngai Te Ngaruru, Ngati Haukaha and certain of the Whiti-Hauti people.

#### *Awarua 2*

The boundaries of Awarua 2 were described as all the portion of the block between the Moawhango and the Rangitikei Rivers, excepting the Ngata-rua gift land. The block was awarded to Ngati Whiti and certain descendants of Tamakorako.

#### *Awarua 2A*

The boundaries of the block were described as a parcel of land lying between the Moawhango and Rangitikei Rivers. The block was awarded to Ngati Mataora.

#### *Awarua 3*

The boundaries were described as the land lying between the Moawhango and Hautapu Rivers, the western boundary of which is the western boundary of the block there. The SE boundary is from the mouth of the Waikakahu Stream on the Moawhango River, up said stream, following its western branch to its source, from thence in a straight line to

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<sup>280</sup> Judge Ward MB 8, pp.195-196.

the source of the Oraukura Stream, down that stream to its confluence with Hautapu River. The block was awarded to Ngati Tamakopiri.

*Awarua 3A (Papakai)*

The block is described as being bounded on the north-west by the south-eastern boundary of Awarua 3. The block was awarded to some of the Ngati Whiti-Tama.

*Awarua 3B*

This block was described as the land that lies between the Moawhango, Hautapu and Rangitikei Rivers and its SW boundary adjoins Awarua No.3A. It was awarded to Ngati Hauti (including Winiata Te Whaaro) with 100 interests, and those Ngati Hauti-Whiti who were descended from Te Kotiu and Te Orietepo [?], who also received 100 interests.

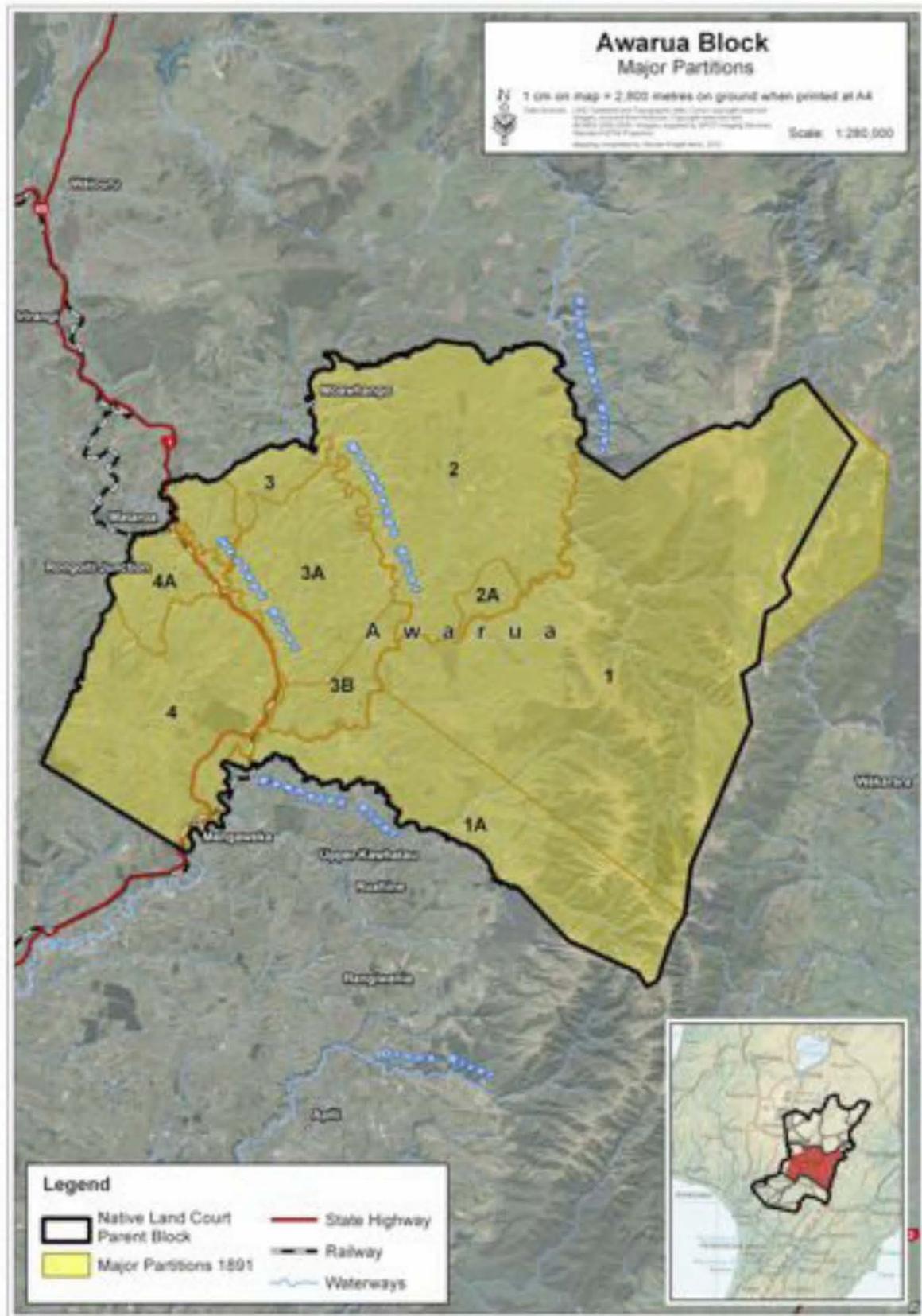
*Awarua 4*

The boundaries of the block were described as bounded on the north by the Hautapu river, on the east by the Rangitikei river, on the south by the Otairi block, and on the west by Te Kapua block – except for the land included in Awarua 4A. The block was awarded to Ngati Hauti, including Winiata Te Whaaro, and Ngati Haukaha, who received 320 interests, and those Ngati Hauti-Whiti who were descended from Te Kotiu and Te Orietepo [?], who received 80 interests.

*Awarua 4A (Pukeanua)*

The block was awarded to all of those who were awarded Awarua 3, with the exception of Topia Turoa and his descendants, and Raita Tuterangi and her brother Wakaru.

The first partition of Awarua is shown on Map 12 overleaf.



Map 12: Awarua Partitions, 1891

### *Survey Issues during the Partition Hearing, 1891*

An important issue which arose during the partition hearing related to the surveying of the sub-divisions of the block. By January 1891, no such surveys of the Awarua block had taken place, and the Court was working with fairly incomplete plans. The original survey of Awarua (which also suffered from delays) had been paid for by the Crown, and there was a survey lien of £3,100 on the block. It appears that the Crown and Utiku Potaka had originally made an agreement that in exchange for the discharge of this lien, after the partition of the block the owners would vest an area of the block along the railway line to the Crown.<sup>281</sup> During the partition hearing, the owners requested the Government to complete the sub-division surveys, and the Crown, after some hesitation, eventually agreed to follow through on the request, on condition that 20,000 acres of the block be set aside and vested in the Crown in satisfaction of both the original survey lien, but also as cover for the subdivision survey which was estimated at around further £3,000.<sup>282</sup> Some of the owners, led by Utiku Potaka and Winiata Te Whaaro, were frustrated since they believed the Government's reply was unnecessarily delayed, and they requested a meeting with the Land Purchase Officer W. J. Butler to discuss how to proceed, but also to lay out their grievances and general dissatisfaction over the proceedings before the Court.<sup>283</sup>

The survey issue was further complicated over the next weeks. In late January 1891, the Chief Judge of the Native Land Court, H. G. Seth-Smith, raised the issue of the ill-defined eastern boundary of the Awarua block, arguing that the failure to rectify the problem soon could potentially lead to future disputes which only the legislature could resolve. Seth-Smith outlined the current situation:

A large block of land was brought before the Court for investigation of title under the name of Awarua and an order was made for the issue of certificate under the Native Land Court Act 1880. Subsequently it was discovered that the Crown claimed to have acquired a portion of the land prior to the investigation and as this claim ousted the jurisdiction of the Court over the portion to which the claim was made a Certificate was issued for the residue of the block exclusive of that portion. As the native owners disputed a part of the claim the matter was referred to a Commission, who I understand have reported that the claim is only partially established

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<sup>281</sup> P. Sheridan to Chief Judge of Native Land Court, 15 January 1891, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, p.12129; W. J. Butler to J. M. Fraser, 20 January 1891, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, p.12126.

<sup>282</sup> W. J. Butler to J. M. Fraser, 20 January 1891, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, p.12126.

<sup>283</sup> Utiku Potaka, Winiata Te Whaaro and Wiremu Te Ota to W. J. Butler, 20 January 1891, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, p.12124.

and the Crown has accordingly abandoned its claim to that part of the block which was not found by the Commission to be Crown land. The Awarua block therefore now consists of three parts: 1. The portion owned by Natives under the Certificate issued, 2. The portion owned by Natives excluded from the certificate, 3. Crown land. I do not think there is any power to issue two Certificates under one order of the Court. It has therefore become necessary to amend the existing Certificate already issued by making it extend to the whole of the land owned by the Natives. If this is not done before the partition now in progress is completed I am afraid difficulties will arise in the future which may require the intervention of the legislature to remove.<sup>284</sup>

Seth-Smith claimed that in order to successfully resolve this problem, a survey of the disputed boundary was absolutely necessary before the plan could be prepared for endorsement on the amended Certificate of Title. Seth-Smith was aware that by this stage the Crown had committed to completing the Awarua subdivision surveys in exchange for 20,000 acres of the block, but he noted that both the Judges at the partition hearing and himself believed that such an arrangement had to be agreed upon outside of the Court, as “the Natives are so suspicious that they would probably view the Court as acting for the Crown and in their minds it would act prejudicially on their sense of the impartiality of the Court”.<sup>285</sup> The Chief Judge also noted that it would be necessary to adjourn the partition hearing until the survey was completed, which he believed would cause no inconvenience – an opinion quite contrary to that of the claimants in the Awarua partition hearing, who were clearly frustrated with the delays and the prolonged nature of the hearing.

As noted earlier, the Crown had already, and somewhat reluctantly, agreed to complete the survey, but now approached the matter with more urgency. The Native Department Under-Secretary, T. W. Lewis, informed the Native Minister A. J. Cadman that completing the survey soon was necessary and that it would have to be paid for by the Crown, since it would be difficult to make a binding agreement with the claimants in the block until they were in actual ownership of their various subdivisions – which in itself could not happen before the survey was completed. Instead, Lewis proposed that the purchase officer Butler proceed to Marton immediately and make “the best arrangement possible for the future recovery of land in payment” for the surveys.<sup>286</sup>

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<sup>284</sup> H. G. Seth-Smith to Native Under-Secretary, 30 January 1891, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, pp.12137-12138. This disputed boundary led to the establishment of the Te Koau block, see the entry for Te Koau.

<sup>285</sup> *Ibid.*, pp.12138-12139.

<sup>286</sup> T. W. Lewis to Native Minister, 6 February 1891, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, pp.12134-12135.

Butler met with the principal owners in the Awarua partition hearing in mid-February 1891. He reported that they were reluctant to commit to any arrangements with the Crown with regard to the payment for the surveys until the partition hearing was completed. There was still uncertainty over the exact area and localities each claimant group would be awarded, and until that matter was settled it was nearly impossible to come to any sort of arrangement with the Crown. The owners thus asked the Native Department to defer any settlement of the survey payment issue until after the completion of the partition hearing, and Butler himself found their request perfectly reasonable and recommended that it be acceded to.<sup>287</sup>

The dissatisfaction of the owners with the way the Awarua partition hearing had proceeded crystallised the following month, voiced by Winiata Te Whaaro, Utiku Potaka, Paramena Te Naonao and Irimana Ngahou. They identified several areas of discontent:

The hearing of the Awarua block has afforded us an opportunity of being fully convinced of the irregularity and confusing nature of the Native Land Court Acts. These acts have been very irregular all along but we have only now felt their effects. There are several irregularities but only principal ones will be pointed out here.<sup>288</sup>

Stung by the Awarua partition hearing experience, one of the problems the rangatira identified related to the relationship between the Native Land Court and the Lands and Survey Office:

The ...fault which we have noticed in these Acts is the separation of the Survey Office from the Native Land Court. This, in our opinion, is a grave mistake. If the Survey Office is kept under the Native Land Court the work will be more effective and clear. Whereas at present the Court is having its own way and the Survey Office its own, thereby causing much trouble both to the departments themselves and also to us.<sup>289</sup>

Relating this issue more closely with their experience with the Awarua partition hearing, the rangatira stated:

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<sup>287</sup> W. J. Butler to Under-Secretary Land Purchase Department, 20 February 1891, MA-MLP 1/1905/93. ANZ. Porirua ki Taihape Purchasing Document Bank, pp.12144-12146. An interesting side-note in Butler's letter is that he suggested that all the claimant groups at the partition hearing, with the exception of Ngati Whiti, were 'anxious' for the Crown to complete any other surveys in the block found as necessary for the issue of titles, pp.12145-12146.

<sup>288</sup> Winiata Te Whaaro, Utiku Potaka, Paramena Te Naonao, and Irimana Ngahou to the Native Minister, 5 March 1891, *ibid*, p.12149.

<sup>289</sup> *Ibid.*, p.12150.

This is to show the trouble and hardship experienced by us in connection with the land known as the Awarua block, and brought about by the adverse action of the Survey Office and of the Government. The hearing of this block had already proceeded for 8 months when we heard that no judgment could be given owing to the plans being wrong. Now! Why did not the Survey Office declare that the plan was wrong before? Sir, do not say that you and your Government are not to blame for the trouble which has come upon us, but consider our difficulty and endeavour to amend matters so that we who are suffering from the effect of this extraordinary action of the Survey Office and of the Government may find relief.<sup>290</sup>

Having outlined their primary grievance, the rangatira went on to ask the Native Minister to:

Give us consideration on the matter of our second survey of Ruahine [i.e. the eastern boundary of Awarua] in consequence of the seizure of land by the Government. We also ask you to take into consideration our long stay here and the heavy expense we have incurred for nothing in consequence of the plan forwarded by the Survey Office being wrong. There are two mistakes in this plan, namely the survey of Ruahine and the internal boundaries not being made to facilitate the working of the Court.<sup>291</sup>

Needless to say, such entreaties were not likely to resonate with the Government. However, the financial strain on the claimants at the Awarua partition hearing, and their desire to have the hearing speedily concluded, meant that further calls came to expedite the process, this time from R. Blake, who acted as an agent for Ngati Whiti. Blake requested on behalf of Ngati Whiti for the Government to complete the internal surveys of Awarua subdivisions, and also requested financial assistance in the form of an advance for Ngati Whiti:

The Ngati Whiti who are the important owners in this block have been put to heavy expense in attending at Marton conducting their claim for this land, and have incurred liabilities which they are anxious to discharge but having no available means at hand whereby to raise the money required, are desirous that the Government will assist them to the extent of one thousand (£1,000) pounds. The Government has already advanced £3,200 for the cost of survey of the outside boundaries of the block – for this, and the £1,000 to cover expenses which is now asked for together with what may be required to pay for surveys required in the subdivisional work – a piece of land may be arranged for when the Court meets again to make partition orders to be cut off to refund the whole of the monies advanced upon the land by the Government.<sup>292</sup>

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<sup>290</sup> Ibid., pp.12150-12151.

<sup>291</sup> Ibid., p.12151.

<sup>292</sup> R. Blake memorandum on Awarua block, 11 March 1891, *ibid.*, pp.12172-12173.

Once again, the Crown was unwilling to respond affirmatively. The Government officials did not think that any internal surveys were absolutely necessary, and were reluctant to return to the policy of making advances on land which was still being dealt with by the Native Land Court. In his reply to Blake and Ngati Whiti, the Native Under-Secretary T. W. Lewis stated that the Government was unable to provide the advance in the manner desired, but that it was prepared to 'deal with the owners' as soon as title was ascertained.<sup>293</sup> Similar request for an advance came from Te Oti Pohe in September 1891, who offered land at Pukeanua (Awarua 4A), which was near the railway line, in return for a £100 advance to cover the expenses incurred during the course of the hearing.<sup>294</sup> Once again, the Government's response was that it was unable to deal with the land until the case was adjudicated upon, but that it was prepared to negotiate as soon as the Native Land Court passed judgment. The debt accumulated by Ngati Whiti and other claimant groups at the partition hearing presumably continued to mount.

#### **4.5 Crown Purchasing in Awarua, 1892-1896**

The acquisition of parts of Awarua was highly important for the Crown. The driving force behind the Crown's interest was the central position Awarua assumed in completing the North Island Main Trunk Railway, connecting Wellington and Auckland. By the early 1880s the line extended to Te Awamutu in the north and Marton in the south. As Cleaver has noted, the Crown was unwilling to risk aggravating its relationship with various iwi, and was unwilling to take Maori land for the purposes of the railway before entering into negotiations with the owners first. The Crown, for example, entered into negotiations with the King Country and Whanganui Maori between 1883 and 1885, with the result that in 1885 an agreement was reached whereby the Maori owners consented to the construction of the railway subject to certain conditions – namely that the land was required for track and station purposes, and that compensation would be paid.<sup>295</sup>

In 1882 the Government passed twin legislation – the North Island Maori Trunk Railway Loan Act and the New Zealand Loan Act – which authorised the borrowing of £4 million for the construction of the line, but not land purchase. The final route of the main trunk had not been yet finalised at this stage, but it was widely recognised that whichever route was to be

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<sup>293</sup> T. W. Lewis to R. Blake, 22 April 1891, *ibid*, p.12165.

<sup>294</sup> Te Oti Pohe to the Native Minister, 16 September 1891, *ibid*, p.12257.

<sup>295</sup> P. Cleaver, 'The Taking of Maori Land for Public Works in the Whanganui Inquiry District, 1850-2000', Report commissioned by Waitangi Tribunal, September 2004, p.183.

followed depended on 'settling the native difficulty'.<sup>296</sup> Further legislation to facilitate the construction of the railway was introduced in 1884, when the Native Land Alienation Restriction Act re-imposed Crown pre-emption over a large area of land, and in the same year the Railway Authorisation Act defined the route which the line would eventually take, connecting Marton and Te Awamutu via Murimotu, Taumaranui and the Ongarue River Valley.<sup>297</sup> The settling of the route going through the central North Island as the best of the three considered options (western and eastern routes were also considered) placed the Awarua block high on the agenda for acquiring the land for the railway line.

However, the North Island Main Trunk railway was not the only reason Government officials were interested in acquiring Awarua. In March 1889, Resident Magistrate in Hawke's Bay, J. Preece, wrote to the Under-Secretary of the Native Department, urging the purchase of the Awarua block. Preece wrote:

I beg to state for your information that I think it is of utmost importance that the Crown should secure every inch of land in the Awarua and Motukawa blocks that it is possible to buy. I have been informed by the Messrs. Claytons who surveyed the blocks that there is a large area of land therein suitable for settlement, also that there are valuable deposits of coal beds and copper. This fact will make it absolutely necessary that the Crown should secure the fee simple, as it will be a very great help to the central railway to have such a large area of land suitable for settlement, and for mining purposes within easy reach thereof. I am confident that the land in question will carry a large population, and no effort should be lost in securing it.<sup>298</sup>

The timing for the purchase, however, was not yet right in the eyes of the officials in the Native Department. Following Preece's letter, the Native Department Under-Secretary T. W. Lewis wrote a memorandum for the Native Minister, in which he set out the current position as regards to the Awarua block. Lewis noted that there was no question as to the desirability of acquiring the block, but that the purchase will require a considerable amount of money, as the owners were well aware of the value of the land, and were generally disinclined to sell. He observed, however, that the block was due to come before the Native Land Court once again, this time for a sub-division, and he believed that the partition would facilitate the purchase. He also noted that he had been paying attention to the situation relating to the block

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<sup>296</sup> N. Bayley, 'Murimotu and Rangipo Waiu, 1860-2000', Report commissioned by Waitangi Tribunal, June 2004, p.141.

<sup>297</sup> Bayley, p.143.

<sup>298</sup> J. Preece to Under-Secretary, 29 March 1889, MA-MLP 1/1905/93. ANZ. Porirua ki Taihape Purchasing Document Bank, p.12051.

for a long time, but that no opportunity had presented itself to acquire it. He concluded by stating that the Crown had a claim before the Native Land Court for a survey lien.<sup>299</sup>

The protracted nature of the ascertainment of title process for the block was one factor hindering the Crown's purchase plans. As noted earlier, the Crown had also resisted requests for advances which offered parts of the block in return throughout the Native Land Court process, preferring to deal with the land once the titles to the block were completed.

The owners, too, were resigned to selling large parts of the block to the Crown. In addition to the fact that the Crown's interest was driven by the North Island Main Railway Trunk line, the owners also found themselves incurring heavy expenses on account of the block, due to both the high survey costs and the indebtedness that the prolonged nature of the Native Land Court process caused among most of the owners. With the title issues seemingly settled by August 1892, the negotiations for the purchase of parts of Awarua finally commenced.

In August 1892, William Broughton (Renata Kawepo's nominated successor) approached the Native Department over the potential purchase of parts of Awarua. Broughton noted that the owners were prepared to sell (out of necessity, if nothing else), but that they desired to have a conference with Government representatives prior to the commencement of any purchase in order to settle on a plan on which to proceed. Broughton noted that the owners opposed a purchase of entire subdivisions, preferring instead to sell only portions of them. The subdivisions had been arranged to reflect customary interests rather than blocks set aside for sale, so it would not be appropriate to alienate all of the land in particular subdivisions. He also pointed to some continued resentment among the owners over all of the restrictions which had been placed on the block in the preceding years:

It is submitted by the people, too, that their position as owners is so fettered by legal restrictions, and has been for a long time, that they have been and are still unable to acquire a title (such as is ordinarily given to land which has passed the Court) to the smallest portion of this large block and other adjoining lands. In these days of advancement the position is more keenly felt, and when it is taken into consideration that there are people who only own land within the restricted area – the lands defined by the Native Land Alienation Restriction Act 1884 are here alluded to – it must be admitted that they are not being treated in the same manner as those whose territory did not happen to be anywhere within reasonable distance of the proposed Main Trunk of Railway.<sup>300</sup>

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<sup>299</sup> T. W. Lewis Memorandum for Native Minister, 13 May 1889, *ibid*, p.12049.

<sup>300</sup> W. Broughton to the Native Minister, 24 August 1892, *ibid*, pp.12279-12280.

The proposed conference between Government representatives, which included the Native Minister, and Awarua owners took place on 7 September 1892. Only two days later, Utiku Potaka and others forwarded a proposal from the owners on how to proceed with the purchase of parts of Awarua, which had apparently been discussed at the meeting from 7 September. The proposal was comprehensive and thorough and it is worth quoting from it at length:

We the undersigned aboriginal natives of New Zealand for ourselves and others of our hapu, Ngati Whiti, Ngati Hauiti, Ngati Hinemanu and Ngati Tama being owners in the Awarua block – and Motukawa block which is really a subdivision of the Awarua – propose selling out of the said block of land 100,000 acres in different parts thereof as shown hereunder to the Government at fair prices to be hereafter agreed upon: Awarua 1 – 50,000 acres, Awarua 1A – 16,000 acres, Awarua 3B – 8,000 acres, Awarua 4 – 10,000 acres, Awarua 4A – 5,000 acres, Motukawa – 11,000 acres.<sup>301</sup>

The owners also placed several demands in relation to the proposed purchase. Firstly, they asked that the lands outside the 100,000 acres to be sold be made inalienable by either sale or lease unless an exception is agreed to by the owners. Secondly, the owners demanded that the Native Land Court allocate the lands, without delay, to the different groups and families that they may apply for in various Awarua subdivisions. They also asked that no further surveys on the block be authorised at the owners' expense, unless with the application and consent of the owners. But they also proposed that the remaining lands in the block be administered by block committees, in a clear effort to retain the lands under tribal ownership. In light of this, the owners asked that:

Legislation be at once enacted to empower the owners of the said blocks [i.e. portions of Awarua remaining in Maori ownership] to form themselves into a company or companies with a committee or committees of management. Any such company may comprise a family or a group of families, and any such committee, to consist of not more than ten persons elected from themselves, the members of the company.

That the Government will on the application of any company so formed advance to its committee from the funds of the Government Insurance Department or any other fund at its disposal a sum of money not exceeding half the value of the land owned by the persons for whom the said committee may be acting. Such advance to be made at the same rate of interest as is charged by said Department to Europeans and to be made solely for the purpose of improving and stocking the land upon which the said money is borrowed, the expenditure of said money so advanced to be made

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<sup>301</sup> Utiku Potaka and others to the Native Minister, 9 September 1892, *ibid*, p.12272.

under such official supervision as the Government may deem necessary.

That should any of the owners in the said blocks wish at any time to sell some portion of their land they may do so only through the particular committee of management having authority over the land desired to be sold – but if there should be no such committee, the owners of the said land shall not be able to dispose of the same until they have formed themselves into a company and elected a committee of management from themselves.

That should any of the owners in the said block wish at any time to lease some portion of their land they may do so only in the same manner of sale except that as regards each such lease the land comprised therein shall first be allocated and divided by fence from users' occupation of other owners, before tenant can enter into possession.<sup>302</sup>

The owners also stressed their desire to hold on to their ancestral and current homes, and outlined the successful farming efforts they had already commenced on the block:

We wish it to be fully recognised that the homes of most of us are within the Awarua block including Motukawa and therefore it is our desire to have our interests guarded with more care than has been shown in the past in respect to our lands.

For many years we have had our lands under Parliamentary restrictions, yet at this moment we have over 100,000 sheep and a large number of cattle and horses on these blocks, but these are practically running in common over the land, which is objectionable for many reasons and must soon cause serious trouble and disturbances from overstocking through increase, and others wanting to put on stock, who at present have none on the land.

Our open country only requires fencing and surface sowing to make it carry three times the number of stock it now does. There are some of our people whose interests are situated in those portions of the block which are principally bush and for those persons it is very necessary there should be some means thrown open to them by which they may bring their lands under cultivation and grass.

Therefore it is for these reasons we now approach the Government with the earnest hope that the conditions we ask may be granted and that the Government will introduce such other measures as they may seem fit towards supporting and carrying out our views and so bring about without delay a better state of things for our people and our lands than that which now exists.<sup>303</sup>

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<sup>302</sup> Ibid., pp.12273-12274.

<sup>303</sup> Ibid., pp.12274-12275. There is also a list of the individual sheep owners on the block, and the numbers of their respective flocks.

An additional problem for the owners was that the various restrictions placed on the block by the Government prevented the owners from exchanging their shares within various subdivisions. This seems to have presented a particular problem to flock owners, some of whom may not have had large enough shares in any one subdivision to run their flocks on, but who, with an exchange of shares between subdivisions, could thereby form a run large enough for their pastoral purposes. Consequently, it appears that some of the owners also desired the Government to remove the impediments and restrictions which prevented such land exchanges within the block from being transacted legally.<sup>304</sup>

The Crown seemed ready to enter the purchase process between October and November 1892. It does not appear that the Crown took any heed to the proposals put forward by the Awarua owners, and simply planned to acquire as many shares as could be purchased from the owners willing to sell, and then defining the Crown interests and the interests of the remaining owners before the Native Land Court.<sup>305</sup> The Crown prepared deed drafts in November, and also had the Department of Lands and Survey value the land in the various Awarua subdivisions.<sup>306</sup> Although it also appears that some negotiations regarding the price to be paid had already taken place by this time (quite possibly at the meeting on 7 September 1892), Native Minister Cadman was expected to arrive at Moawhango in November 1892, presumably to conclude the arrangements.<sup>307</sup> In December 1892 Utiku Potaka approached the Land Purchase Officer Butler stating he and his hapu were prepared to sell 10,000 acres in Awarua 4 at the price offered by the Crown (£1 per acre according to Utiku Potaka).<sup>308</sup> However, Butler suggested that the price approved by the Native Minister was only 17s. 6d. per acre, and Sheridan, the head of the Land Purchase Department, instructed Butler to adhere to the prices fixed by the Native Minister, and it appears that no further negotiations were entered into after this on this matter.<sup>309</sup> It does appear, however, that the Crown's Land Purchase Officers were collecting signatures for the deed throughout 1893.

An issue which may well have complicated the purchase process was the bankruptcy of some of the most prominent rangatira in the area, who had considerable interests in Awarua. The most prominent amongst the bankrupts were Ihakara Te Raro and Hiraka Te Rango. Hiraka Te Rango initiated the bankruptcy proceedings in May 1887 and met with his creditors

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<sup>304</sup> W. Parker to the Native Minister, 17 September 1892, *ibid*, p.12270.

<sup>305</sup> P. Sheridan memorandum for A. J. Cadman, 14 October 1892, *ibid*, p.12269.

<sup>306</sup> Assistant Surveyor General to A. T. Bate, 14 November 1892, *ibid*, p.12287.

<sup>307</sup> *Wanganui Herald*, 29 November 1892.

<sup>308</sup> W. J. Butler to the Native Minister, 8 December 1892, MA-MLP 1905/93, Porirua ki Taihape Purchasing Document Bank, pp.12306-12307.

<sup>309</sup> W. J. Butler to the Native Minister, 8 December 1892, *ibid*, pp.12306-12307; P. Sheridan to W. J. Butler, 9 December 1892, *ibid*, p.12311.

around this time, while Ihakara Te Raro was declared bankrupt in September 1890, at the instance of Bank of New Zealand.<sup>310</sup> While the files do not give the specific reasons behind their respective bankruptcies, it is more than reasonable to assume that the prolonged nature of the proceedings before the Native Land Court, and the high cost of the proceedings, played a highly significant part. Ihakara Te Raro's bankruptcy came to the Government's attention in October 1892, and Hiraka Te Rango's early the following year, in February 1893. The Government was in both cases approached by the Official Assignees who offered to sell the bankrupts' shares in Awarua to the Crown, but there was some doubt over the legality of such moves considering that the block was still inalienable by the order of the Native Land Court from 1886, and it was not clear whether the Crown could legally acquire the land in such manner. It appears that when the Crown was approached by the Official Assignee for Ihakara Te Raro in October 1892, it stated that it was prepared to deal with them if the Official Assignee was able to register as the proprietor of Ihakara Te Raro's shares in the block for which title could be set up on the Provincial Land Transfer Register.<sup>311</sup> However, the Official Assignee ran into problems attempting to accomplish this because the District Land Registrar would not effect the transfer without a subdivisional survey of the Ihakara Te Raro's interests.<sup>312</sup>

The Government officials continued to have doubts over the legality of any such transfer considering that legal restrictions on Awarua were still in place. The head of the Land Purchase Department P. Sheridan also deemed it risky to hand over the funds for the shares of the bankrupt owners to the Official Assignee without the latter being registered as the proprietor of the shares, and which could not be accomplished without an expensive subdivisional survey being completed. Sheridan also noted that "the natives" – presumably Ihakara Te Raro and Hiraka Te Rango – had offered what was seen by the Government as a reasonable compromise, although Sheridan did not elaborate on what such a compromise entailed.<sup>313</sup> The new Native Minister, James Carroll, decided that the best course of action for the Government was to "stay its hand" in the case for the time being:

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<sup>310</sup> *Daily Telegraph*, 14 May 1887; *Hawke's Bay Herald*, 27 September 1890.

<sup>311</sup> Buckley, Stafford and Treadwell to the Native Minister, 29 June 1893, MA-MLP 1/1905/93. ANZ. Porirua ki Taihape Purchasing Document Bank, p.12322.

<sup>312</sup> *Ibid.*, pp.12322-12333.

<sup>313</sup> P. Sheridan Memorandum for the Minister of Lands, 15 August 1893, *ibid.*, pp.12318-12319. It should be noted that one of the other bankrupt owners, Te Otene Toatoa, agreed to transfer his interests to the Official Assignee and have them sold to the Crown in March 1893. It was proposed that both Te Otene's and the Assignee's signatures be attached to the deed, with the purchase money being paid to the latter (A. Turnbull to P. Sheridan, 14 March 1893, Porirua ki Taihape Purchasing Document Bank, p.12352). However, Sheridan instructed Turnbull, to have Te Otene sign both the deed and the payment voucher, with the Official Assignee witnessing both, and that the payment cheque be placed in Te Otene's hands (P. Sheridan to A. Turnbull, no date, *ibid.*, p.12351). It is not clear whether Sheridan suggested this in order to circumvent any potential legal ramifications mentioned earlier.

In view of the efforts that are being made on behalf of the bankrupt natives to effect a reasonable compromise with their creditors the Government might in the meantime stay its hand. I think this is a case that may fairly claim good grounds for an amicable settlement and in that respect the creditors should meet the natives in a fair spirit. The Government would lay itself open to severe reflection if it favoured any course which would hand the natives completely over to the Official Assignee regardless of any provision for their maintenance as implied in our acts.<sup>314</sup>

By December 1893 both Hiraka Te Rango and Ihakara Te Raro had arranged a repayment plan with their creditors with the aim of closing the respective bankruptcies.<sup>315</sup>

The Crown gathered signatures for shares of various subdivisions of Awarua through 1893, and probably into early 1894. The price per acre offered was fixed differently for each subdivision within which the Crown was purchasing, with sections in Awarua 2A fetching a price of £1/7/6 per acre, while a section of Awarua 1 only fetching a price of 6/- per acre.<sup>316</sup>

In various sittings between April and May 1894, the Native Land Court defined the Crown's interests in the various subdivisions that the Crown had purchased. These are summarised in the table below and shown on Map 13 below:<sup>317</sup>

#### **Crown Purchases as Defined in Awarua Subdivisions, 1894**

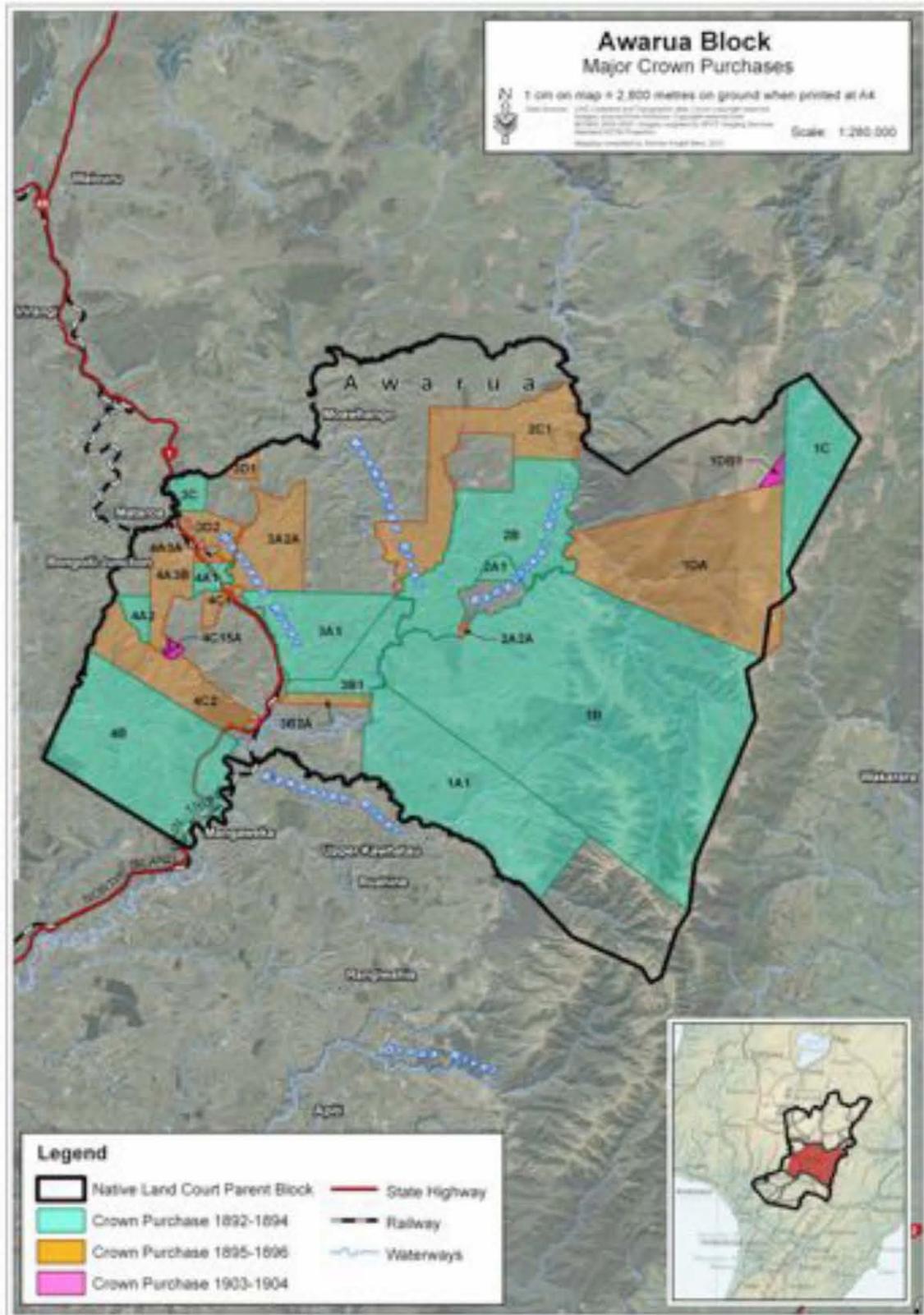
<b>Subdivision</b>	<b>Area (acres)</b>
Awarua 1A1	18,852
Awarua 1B	57,500
Awarua 1C	18,806
Awarua 2A1	735
Awarua 2B	13,729
Awarua 3A1	7,462
Awarua 3B1	3,396
Awarua 3C	1,204
Awarua 4A1	770
Awarua 4A2	770
Awarua 4B	19,361
<b>TOTAL</b>	<b>142,585</b>

<sup>314</sup> James Carroll Memorandum, 17 August 1893, *ibid*, p.12319.

<sup>315</sup> *Hawke's Bay Herald*, 1 December 1893.

<sup>316</sup> P. Sheridan to Surveyor General, 11 June 1894, *ibid*, p.12363.

<sup>317</sup> The information in the table is collated from the Awarua Crown purchase file MA-MLP 1 1905/93. ANZ.



Map 13: Awarua Crown Purchases, 1892-1904

Thus, by the middle of 1894, the Crown had acquired 142,585 acres of Awarua, more than half of the original area of the block.

The Crown purchasing process in Awarua by no means complete in 1894. In late May and early June 1894, Joshua Cuff, writing of behalf of some of the owners, contacted P. Sheridan, the head of the Land Purchase Department, stating that Ngati Whiti were desirous for the purchase to resume.<sup>318</sup> Sheridan's reply was fairly curt, noting that there was little prospect of the Awarua purchase being resumed at 'anything like former prices', adding that Ngati Whiti probably 'played the waiting game too long'.<sup>319</sup> The prices referred to by Sheridan were those previously offered to owners in the subdivisions which remained in Maori ownership, and which, as noted earlier, ranged from 6/- to £1/7/6 per acre.

The Crown, however, was committed to resuming the purchase by August 1894. Early in August, Sheridan urged Native Land Court Judge Mair to complete the partitions of Awarua 1A2 and 1A3 (subdivisions of 1A which remained in Maori ownership), without which the purchase could not be resumed, and, Sheridan noted, 'the natives are pressing'.<sup>320</sup> The Crown records are largely silent on the reasons why the owners in Awarua were desiring to resume the purchase. However, considering the financial strife that many of the owners found themselves in following the protracted nature of the Native Land Court proceedings, it is reasonable to assume that they may be a correlation between the two.

The continuing sale of the block was not the only avenue through which the owners sought financial relief. In April 1895, Hiraka Te Rango approached the Minister of Lands, John McKenzie, asking for a further subdivision, and for consolidation of the block. He claimed that Ngati Whiti desired to have:

A further subdivision of made of the Awarua block so that each family may have their interest allocated and defined on the ground and be placed in a position to occupy permanently and improve what is their own.<sup>321</sup>

Furthermore, he noted that:

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<sup>318</sup> J. Cuff to P. Sheridan, 30 May 1894, *ibid*, p.12366.

<sup>319</sup> P. Sheridan to J. Cuff, no date, *ibid*, p.12365.

<sup>320</sup> P. Sheridan to W. Mair, *ibid*, p.12401.

<sup>321</sup> Hiraka Te Rango to John McKenzie, 18 April 1895, *ibid*, p.12415.

We have sold a great deal of the Awarua to the Crown but a further subdivision would show what other portions of the block it would be to our advantage to part with.<sup>322</sup>

With regard to the consolidation, Hiraka Te Rango stated that it:

Is our wish to have our interests consolidated and located as nearly as possible in one place. Many of us have interests in several of the Awarua subdivisions (some of which are of small area) and would be unworkable unless consolidated.

How the consolidating is to be done is the question we submit to your consideration. I and Captain Blake had a conversation with Mr. Carroll here on 6<sup>th</sup> April in respect to this matter as well as the other subject. We suggested that the shares sought to be transferred might be sold to the Crown and in exchange a grant to be made to such sellers for like area in value out of Government land in the block in which they wished to have their land interests consolidated. Mr. Carroll remarked that such grant would have to be as a Native Reserve – with which I agreed. He told us you were coming soon to Hastings and advised me to lay what I had to say on these two subjects before you in writing.<sup>323</sup>

Throughout the letter, however, Hiraka Te Rango expressed frustration at how the Native Land Court process stifled Ngati Whiti efforts to utilise their land profitably:

Through want of allocation of our interests in Awarua we have been caused, and continue to suffer, a great deal of trouble, pain and unhappiness. We have constant quarrelling and wrangling over this spot of land or the other piece of land – as to who has the better or sole right here or there – quite preventing us making improvement to the land and fixing permanent homes for ourselves.

There were certain reasons long since past which led to our forming the ‘village in common’ where it is now at Moawhango – and had our interests in Awarua been early allocated we would long ago have moved out on to the land and made separate holdings and dwellings on different portions of our country. This would have broken up to a great extent the communal style of living as existing in the village of Moawhango and have brought about a better a better state of things for my people.<sup>324</sup>

As it was, the current state of affairs was clearly unsatisfactory:

The only persons really benefiting by the existing state of things on our lands in Patea, in the past and up to the present, have been the

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<sup>322</sup> Hiraka Te Rango to John McKenzie, 18 April 1895, *ibid*, p.12420.

<sup>323</sup> Hiraka Te Rango to John McKenzie, 18 April 1895, *ibid*, pp.12419-12420.

<sup>324</sup> Hiraka Te Rango to John McKenzie, 18 April 1895, *ibid*, pp.12416-12417.

storekeepers and Mercantile Loan Companies holding mortgages and wool liens over the sheep.<sup>325</sup>

While the Crown does not appear to have been overly interested in Hiraka Te Rango's proposals, it did, however, resume purchasing activities in the block during 1895 and 1896. During this time, the Crown purchased a number of shares in the subdivisions which had remained in Maori ownership following the partitions to define Crown interests in Awarua in April and May 1894. It is not clear, however, whether the prices paid in these purchases were the same as those offered, for the same subdivisions, in 1894. These Crown acquisitions are summarised in the table below (see also Map 13 above):<sup>326</sup>

#### **Crown Purchases as Defined in Awarua Subdivisions, 1895–1896**

<b>Maori Land Title</b>	<b>Area (acres)</b>	<b>Crown Award</b>	<b>Area (acres)</b>
Awarua 1D	34,250	Awarua 1D1	22,807
Awarua 2C	35,900	Awarua 2C1	10,905
Awarua 3D	6,975	Awarua 3D1 and Awarua 3D2 (two separate pieces)	2,172
Awarua 3A2	13,559	Awarua 3A2A	5,388
Awarua 3B2	2,859	Awarua 3B2A	862
Awarua 4A3	5,854	Awarua 4A3A and Awarua 4A3B (two separate pieces)	3,041
Awarua 4C	15,632	Awarua 4C1 and Awarua 4C2 (two separate pieces)	6,801
Awarua 2A2	1,615	Awarua 2A2A	84
<b>TOTAL</b>	<b>116,644</b>		<b>52,060</b>

Thus, between 1895 and 1896 the Crown purchased a further 52,060 acres of Awarua. Combined with the purchases the Crown had completed in 1894, this means that by August 1896, the Crown had purchased 194,495 acres of Awarua, or around three-quarters of the entire block.

There was a further offer of sale of a part of Awarua (referred to as Papakai, but known as Awarua 3A2D) in November 1896.<sup>327</sup> The offer was made by Joseph Kells, ostensibly on the behalf of the owners, but it does not appear that the Crown proceeded with this purchase. In a

<sup>325</sup> Hiraka Te Rango to John McKenzie, 18 April 1895, *ibid*, p.12420.

<sup>326</sup> The information in the table is collated from the Awarua Crown purchase file MA-MLP 1 1905/93. ANZ.

<sup>327</sup> J. Kells to R. Seddon, 3 November 1896, MA-MLP 1/1905/93. ANZ. Porirua ki Taihape Purchasing Document Bank, p.12474.

memorandum for the Native Minister on the matter, the head of the Land Purchase Department P. Sheridan noted that:

The purchase of the Awarua block was for the second time closed by the Native Land Court in September last, defining the interests of the Crown and non-sellers. The Government has now acquired the greater portion of the block, in fact I think we are about done with it. The unsold portion has been partitioned among the non-sellers.<sup>328</sup>

Sheridan also noted that the portion in question appeared to have been owned by minors, and that his Department does not deal “with the Natives through an agent in any case”.<sup>329</sup> With this, the large-scale Crown purchasing activities in Awarua ceased, although the Crown did acquire a further 221 acres in Awarua 4C15A in 1904.<sup>330</sup> Furthermore, over 350 acres were taken from various subdivisions in 1900 for roading purposes.<sup>331</sup>

### *Utiku Potaka’s Reserve*

In March 1894, as the Crown was concluding its first round of purchasing activity in Awarua, Utiku Potaka sought to buy back a small section (of around 15 acres) of the block, in Awarua 4B. His request was for bush land that had a frontage on the main road, and he undertook to pay £1 per acre for the land, and cover the cost of the survey himself.<sup>332</sup> Utiku Potaka had already authorised Robert Batley, a settler from Moawhango, to fell the bush and fence the section for a paddock. It appears that Utiku Potaka’s plan was to transfer the section to Batley.

The issue was revisited over a year later, when J. R. Cash and L. Cohen, lawyers representing Utiku Potaka and Batley, wrote to the Native Land Purchase Department suggesting that the whole process would be simplified if the Crown simply transferred the land straight to Batley.<sup>333</sup> Sheridan replied that Batley could not be involved in the matter at all, and that Utiku Potaka had to pay an as yet undetermined amount (presumably the cost of the survey, plus the £1 per acre Utiku Potaka had already undertaken to pay) after which he would obtain

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<sup>328</sup> P. Sheridan memorandum for the Native Minister, n.d., *ibid.*, pp.12475-12476.

<sup>329</sup> *Ibid.*, p.12476.

<sup>330</sup> Native Land Court Orders, Block Order File Awarua 4A and 4C Wn. 600, Vol. 2, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.618.

<sup>331</sup> *New Zealand Gazette*, 1900, p.1128.

<sup>332</sup> P. Sheridan, 31 March 1894, MA-MLP 1/1905/93. ANZ. Porirua ki Taihape Purchasing Document Bank, p.12383.

<sup>333</sup> J. R. Cash and L. Cohen to P. Sheridan, 3 April 1895, *ibid.*, p.12410.

either a Crown grant or a Land transfer certificate. Only then could Utiku Potaka transfer the section to Batley.<sup>334</sup> It appears, however, that this was not completed until November 1896.<sup>335</sup>

#### **4.6 Awarua in the 20<sup>th</sup> Century**

The Government records dealing with Maori affairs tend to become much more mundane and bureaucratic in nature from the early 20<sup>th</sup> century. This is a general reflection of the decreasing importance that the successive Governments placed on handling issues of importance to Maori, and records relating to Awarua are no exception. The great majority of the alienation files, for example, are simply collections of bureaucratic forms and declarations which provide no context or details of the transactions themselves. Despite this, some patterns are observable, and the most notable is the continued fragmentation of title within Awarua subdivisions, and there appears to have been little effort aimed at incorporation and land development. It appears that there may have been a land development scheme operating on a part of Awarua from 1959 (including two successive farming operations: that of Hira Wharawhara Bennet from 1959 to 1963, and then N. A. and J. C. Duncan from 1963 to 1984). However, the files for these farming operations are subject to restrictions on access, and access requires the permission of Te Puni Kokiri, who, in turn, are likely to require the permission of the Duncans or their descendants.<sup>336</sup>

The following sections will outline the title and alienation activity within the various Awarua subdivisions.

#### **4.7 Awarua 1 and 1A**

After the partition in 1892, Awarua 1 totalled 145,428 acres and Awarua 1A 33,072 acres. The great majority of Awarua 1 was alienated to the Crown within three years of that partition hearing. The Crown purchased a portion of Awarua 1A, and purchased Awarua 1B and 1C in their entirety, amounting to a total of 96,950 acres, well over a third of the total area of

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<sup>334</sup> P. Sheridan to J. R. Cash and L. Cohen, 15 April 1895, *ibid*, p.12412.

<sup>335</sup> P. Sheridan to Mr. Barron, 17 November 1896, *ibid*, p.12436.

<sup>336</sup> AAMK 869 W3704 box 600a 15/5/100, Development Units – Land Settlement – Bennet, Hira Wharawhara – Taihape Development Scheme, 1959-1963; AAMK 869 W3704 box 600a 15/5/100, Development Units – Land Settlement – Duncan N. A. And J. C. – Taihape Development Scheme, 1963-1984, ANZ. It is not at all clear if this farm was on the Awarua block.

Awarua. The Crown's interests in Awarua 1 were defined at the Native Land Court hearing in May 1894:<sup>337</sup>

#### Crown Purchasing in Awarua 1, 1892-1894

Title	Area
Awarua 1A	33,072 acres (Crown purchase – 18,852 acres)
Awarua 1B	59,300 acres – Crown purchase
Awarua 1C	18,806 acres – Crown purchase
Awarua 1D	34,250 acres

The Crown's acquisition of a portion of Awarua 1A necessitated a further partition of the 1A block in May 1894 in order to also define the non-sellers interests (see Map 13 above).<sup>338</sup>

Title	Area
Awarua 1A1	18,852 acres – Crown purchase
Awarua 1A2	4,060 acres
Awarua 1A3	10,160 acres

Further partitions followed in the succeeding years. In March 1895, Awarua 1A2 was partitioned into Awarua 1A2 East and West:<sup>339</sup>

Title	Area
Awarua 1A2 East	1,416 acres
Awarua 1A2 West	2,587 acres

Awarua 1A2 East was further partitioned in 1899:<sup>340</sup>

Title	Area
Awarua 1A2 East 1	637 acres 32p
Awarua 1A2 East 2	389 acres 1r 24p
Awarua 1A2 East 3	389 acres 1r 24p

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<sup>337</sup> Information in the table is collated from Awarua Block Order Files Wn. 591, Vols. 1-3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 1-2.

<sup>338</sup> Native Land Court Order, 9 May 1894, Block Order File Wn. 591 Vol. 1, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.55.

<sup>339</sup> Information in the table is collated from Awarua Block Order Files Wn. 591, Vols. 1-3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 1-2.

<sup>340</sup> *ibid.*

Awarua 1A2 East 1 was transferred to Bridget O'Rourke on 4 October 1901.<sup>341</sup>

Awarua 1A2 East 3 was also further partitioned in 1905.<sup>342</sup>

<b>Title</b>	<b>Area</b>
Awarua 1A2 East 3A	247 acres 3r 8p
Awarua 1A2 East 3B	141 acres 2r 16p

Awarua 1A West was partitioned in 1909.<sup>343</sup>

<b>Title</b>	<b>Area</b>
Awarua 1A West A	653 acres 2r 26p
Awarua 1A West B	217 acres 3r 24p
Awarua 1A West C	217 acres 3r 24p
Awarua 1A West D	217 acres 3r 24p
Awarua 1A West E	217 acres 3r 24p
Awarua 1A West F	217 acres 3r 24p
Awarua 1A West G	181 acres 2r 24p
Awarua 1A West H	662 acres 33p

Awarua 1A West A had a grant of metal rights issued to R. S. Capill and D. M. Coutts for a term of 5 years, from 16 March 1965. The grant was extended for a further five years from 16 March 1970.<sup>344</sup> The block was also leased to W. J. Henery for a term of 10 years starting from 31 March 1967.<sup>345</sup> Awarua 1A West C was leased to Mabel Curham for a term of 42 years from 21 July 1913. This lease then was sub-leased to Hannah Maria Brown in October 1913 for a period of 20 years, and was then seemingly transferred to H. W. Nicols and A. E. and J. Rayner in August 1920.<sup>346</sup> Awarua 1A2 West D was leased to Alfred Te Huki Potaka for a term of 9 years from 1 March 1956. Potaka purchased a portion of the block (54 acres 1r 36p) on 31 March 1958 for a sum of £1,050.<sup>347</sup> Awarua 1A2 West E was leased to E. R. Bason for a term of 5 years from 1 July 1961.<sup>348</sup>

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<sup>341</sup> Native Land Court Order, 9 May 1894, Block Order File Wn. 591 Vol. 2, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.108.

<sup>342</sup> Information in the table is collated from Awarua Block Order Files Wn. 591, Vols. 1-3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 1-2.

<sup>343</sup> *ibid.*

<sup>344</sup> Block Order File Wn. 591 Vol. 2, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.90.

<sup>345</sup> Block Order File Wn. 591 Vol. 2, *ibid.*, p.93.

<sup>346</sup> Block Order File Wn. 591 Vol. 2, *ibid.*, p.85.

<sup>347</sup> Block Order File Wn. 591 Vol. 2, *ibid.*, p.84.

<sup>348</sup> Block Order File Wn. 591 Vol. 2, *ibid.*, p.77.

Awarua 1A2 West H was mortgaged on 24 April 1912 due to unpaid survey costs to the amount of £83 16s. 9d.<sup>349</sup> The block had also been partitioned some two years earlier.<sup>350</sup>

<b>Title</b>	<b>Area</b>
Awarua 1A2 West H1	181 acres 15p
Awarua 1A2 West H2	181 acres
Awarua 1A2 West H3	300 acres 3p

Both Awarua 1A2 West H2 and 1A2 West H3 had unpaid survey costs in May 1911, to the amounts of £16 6s., and £27 respectively.<sup>351</sup> In September 1951, Mervyn Bland purchased a large portion of Awarua 1A2 West H3 (297a 3r 12p out of the total of 300 acres 3p in the block) for £5,500.<sup>352</sup> Bland also leased Awarua 1A2 West H2 for a period of 21 years from 1 January 1954.<sup>353</sup>

On 28 January 1949, several small sections of the Awarua 1A2 West subdivisions were proclaimed and taken for a public road.<sup>354</sup> The portions proclaimed were:<sup>355</sup>

#### **Awarua 1A2 West Public Works Takings for Road, 1949**

<b>Title</b>	<b>Area Taken For Road</b>
Awarua 1A2 West B	2 acres 3r 31p
Awarua 1A2 West C	6 acres 2r 10p
Awarua 1A2 West D	3 acres 35p
Awarua 1A2 West E	3 acres 1r 5p
Awarua 1A2 West F	2 acres 3r 38p
Awarua 1A2 West G	2 acres 2p
Awarua 1A2 West H1	1 acre 2r 1p
Awarua 1A2 West H2	1 acre 1r 14p
Awarua 1A2 West H3	2 acres 31p

In March 1895, Awarua 1A3 was also partitioned.<sup>356</sup>

<sup>349</sup> Native Land Court Order, 24 April 1912, Block Order File Wn. 591 Vol. 2, *ibid*, p.70.

<sup>350</sup> Information in the table is collated from Awarua Block Order Files Wn. 591, Vols. 1-3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 1-2.

<sup>351</sup> Native Land Court Orders, 17 May 1911, Block Order File Wn. 591 Vol. 2, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, pp.61, 64.

<sup>352</sup> Confirmation of Alienation, 6 September 1951, Block Order File Wn. 591 Vol. 2, *ibid*, p.60.

<sup>353</sup> Confirmation of Alienation, 1 January 1954, Block Order File Wn. 591 Vol. 2, *ibid*, p.67.

<sup>354</sup> NZG, 3 February 1949, p.144.

<sup>355</sup> Information in the table is collated from Awarua Block Order Files Wn. 591, Vols. 1-3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 1-2.

<b>Title</b>	<b>Area</b>
Awarua 1A3A	118 acres
Awarua 1A3B	236 acres
Awarua 1A3 South	3,420 acres
Awarua 1A3 North	6,386 acres

Both Awarua 1A3A and 1A3 North were made inalienable at the partition hearing.<sup>357</sup> In 1915, Awarua 1A3 North was further partitioned.<sup>358</sup>

<b>Title</b>	<b>Area</b>
Awarua 1A3 North 1	294 acres 3r 24p
Awarua 1A3 North 2	147 acres 1r 32p
Awarua 1A3 North 3	294 acres 3r 24p
Awarua 1A3 North 4	147 acres 1r 32p
Awarua 1A3 North 5	147 acres 1r 24p
Awarua 1A3 North 6	6,354 acres

In 1956, the partition orders for Awarua 1A3 South and North (including the subdivisions) were cancelled, and the two blocks combined to form Awarua 1A3C, totalling 9806 acres.

In 1959, Awarua 1A3C was incorporated under part XXII of the Maori Affairs Act 1953.

In 1964 the New Zealand Forest Service desired to acquire the subdivisions of Awarua 1A3 for addition to the adjoining State Forest. Originally the Department of Lands and Survey assumed that all three subdivisions were part of the incorporation, and offered the purchase price of £4,500 for all the subdivisions. However, on learning that the incorporation only covered Awarua 1A3C, the purchase price was reduced to £4,000.<sup>359</sup>

The meeting of the assembled owners to consider the Crown's offer was scheduled for 26 February 1965. On 10 February 1965, Karaitiana Taiuru, one of the owners in the block wrote to Ministers of Maori Affairs and Forests and Lands outlining his concerns over the offered price for the block. Taiuru wrote:

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<sup>356</sup> *ibid.*

<sup>357</sup> Native Land Court Orders, 14 March 1895, Block Order File Wn. 591 Vol. 2, *ibid.*, pp.30, 48.

<sup>358</sup> Information in the table is collated from Awarua Block Order Files Wn. 591, Vols. 1-3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 1-2.

<sup>359</sup> R. J. MacLachlan to the Secretary of Maori Affairs, 2 November 1964, MA 1/5/5/191, ANZ. Central Taihape Blocks Document Bank pp.22-25.

I have received a notice of meeting of Assembled Owners, which is administered by the Department of Maori Affairs. My concern is as a beneficiary in the block to be considered, i.e. Awarua 1A3C of 9806 acres and timber thereon, for a total value of £2610.

While the price may be thought reasonable by the Crown, I know the block and consider that the price is unreasonably low. I also am aware of the practice at meetings of Assembled Owners where the approval of a few will constitute alienation, which is supported by beneficiaries who perhaps are not really interested or whose shares are small and lastly some who prefer money to ownership.

I appeal to you as Minister of Forests, whose officers I understand appraised the block of land and timber as at Government Valuation, that this transaction be not rushed through and that I and other interested beneficiaries be granted a discussion with your officers on the spot, or if this course is too inconvenient might I suggest we meet prior to the meeting of Assembled Owners at Whanganui on Friday 26 February 1965.

I feel such a discussion would enable us to go to the meeting with a clearer picture in our minds and possibly result in a quicker and fairer settlement of the matter.

In conclusion may I state that while I would have no objection to the transaction if the Government's desire is protection of forest lands but knowing the block in question I do feel that the proposed price is unfair to the beneficiaries.<sup>360</sup>

The Minister of Maori Affairs replied to Taiuru saying that there was no compulsion on the owners to accept the Crown's offer, clearly ignoring Taiuru's concerns over the flaws of the Assembled Owners system.<sup>361</sup>

The meeting of Assembled Owners accepted the Crown's offer, but not unanimously, with three owners voting against the sale. What is notable, however, is that the meeting was attended by only 15 owners, proxy forms for a further 7 were also received. The total number of owners in the block was 99, and the notice of the meeting was sent to 72 of them. In this respect, Karaitiana Taiuru's concerns appeared almost prophetic, whereby consent of 19 out of 99 owners was enough for the Crown's offer to purchase the block to be accepted.<sup>362</sup> Taiuru was advised to raise his concerns over the sale, if he still held them, to appear before

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<sup>360</sup> Karaitiana Taiuru to Minister of Forests and Lands, 10 February 1965, *ibid.* Central Taihape Blocks Document Bank pp.22-25.

<sup>361</sup> Minister of Maori Affairs to Karaitiana Taiuru, no date, *ibid.* Central Taihape Blocks Document Bank pp.22-25.

<sup>362</sup> E. W. Williams Memorandum, 12 March 1965, *ibid.* Central Taihape Blocks Document Bank pp.22-25.

the Native Land Court at the hearing for the confirmation of the resolution of the Assembled Owners, scheduled for Levin on 5 April 1965.<sup>363</sup>

The Native Land Court confirmed the resolution of the Assembled Owners on 13 April 1965, and the block was subsequently acquired by the Crown.

The only remaining Maori land in Awarua 1A is Awarua 1A3B (236 acres), a block isolated within the Ruahine Forest Park.

### ***Awarua 1D***

By 1896, the Crown purchased a large portion of Awarua 1D. The Crown's interest in Awarua 1D was defined on 4 August 1896, and totalled 22,156 acres. This necessitated a partition of Awarua 1D.<sup>364</sup>

#### **Crown Purchasing in Awarua 1D, 1894–1896**

<b>Title</b>	<b>Area</b>
Awarua 1DA	22,156 acres – Crown purchase
Awarua 1DB	12,094 acres

In 1903, the Crown acquired a further 354 acres from Awarua 1DB, leading to a further partition of the block. Combined with the earlier large purchase in the Awarua 1D block, the Crown's total acquisition of land in the Awarua 1D block totalled 22,510 acres (see Map 13 above).<sup>365</sup>

#### **Crown Purchasing in Awarua 1DB, 1896–1903**

Awarua 1DB1	354 acres – Crown purchase
Awarua 1DB2	11,740 acres

<sup>363</sup> Ibid. Central Taihape Blocks Document Bank pp.22-25.

<sup>364</sup> Information in the table is collated from Awarua Block Order Files Wn. 591, Vols. 1-3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Vols. 1-2.

<sup>365</sup> *ibid.*

Awarua 1DB2 had a charging order for outstanding rates for the period between 1938 and 1940, which totalled £2 3s. 9d.<sup>366</sup>

By 1903, the Crown purchased a very large majority of the Awarua 1 and 1A blocks. After the partition hearing in 1891, Awarua 1 and 1A contained 178,500 acres. By 1903, the Crown had acquired 119,468 acres of the block, around two-thirds of the two blocks. Today, Awarua 1DB2 is the only remaining Maori land in Awarua 1, being rugged land adjacent to Awarua maunga within the Ruahine Forest Park.

#### 4.8 Awarua 2

Awarua 2 (49,629 acres) is the eastern portion of Awarua, being bound on the west by the Moawhango River, in the north by Makomiko Stream, and in the east and south by the Rangitikei River.<sup>367</sup> (The original surveyed area was 51,979 acres, but Awarua 2A (2,350 acres) has to be deducted from this; see below.) As set out earlier, it was partitioned out of the Awarua parent block in July 1891, at the end of the protracted and contested partition hearing of 1890-1891. It was awarded to Ngati Whiti, “i.e., the descendants of Te Ikatakitahi and “certain descendants of Tamakorako.”<sup>368</sup> A list of 122 owners was then drawn up, and relative interests determined: the title was divided into 618 shares with most individual owners being awarded as little as a single share, while only a handful were awarded more than 10, with one individual receiving 40 shares.<sup>369</sup>

Crown purchasing of individual shares in Awarua 2 began in 1892 and by March 1893 a total of 5,393 acres had been acquired at a price of £1 per acre. Despite paying the Awarua 2 vendors a total of £5,393, a larger sum was ascribed to the purchase by the Government (£6,278 12s. 6d.); the difference, £885, may relate to survey costs and other expenses charged against the acquisition.<sup>370</sup> From April 1893 to March 1894, the Crown acquired a further 8,336 acres in Awarua 2 at £1 per acre, taking its total to 13,729 acres.<sup>371</sup>

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<sup>366</sup> Charging order for rates, 21 August 1940, Block Order File Wn. 591 Vol. 3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, p.116.

<sup>367</sup> Awarua 2 title plan. MLC Records, Volume 2, p.408.

<sup>368</sup> Whanganui MB 20, pp.472-474.

<sup>369</sup> Whanganui MB 20, pp.501-504.

<sup>370</sup> AJHR, 1893, G-4, p.6.

<sup>371</sup> AJHR, 1894, G-3, p.3.

In April 1894, Awarua 2 was partitioned to enable the Crown to subdivide out the interests it had acquired. These were awarded as Awarua 2B, while the interests of the remaining Maori owners were awarded as Awarua 2C, as set out below. As noted above, Awarua 2A was not part of the 1894 partition as it was awarded as a separate title when the Awarua parent block was first partitioned in 1891.

### ***Awarua 2B***

Awarua 2B (13,729 acres) was awarded to the Crown by the Native Land Court in April 1894, and was proclaimed as Crown land later that year (see Map 13 above).<sup>372</sup>

### ***Awarua 2C***

Awarua 2C (35,900 acres) was awarded to 122 owners by the Native Land Court in April 1894, and represented the remaining Maori interests in Awarua 2. It is located in the north of Awarua 2, being bound by the Makomiko stream, the Moawhango river, and the Rangitikei river.<sup>373</sup>

The Crown continued to purchase individual interests in Awarua 2C, and by March 1895 had acquired 6,505 acres at 15s. per acre (a lower price than the £1 per acre previously paid for Awarua 2 interests); a total of £4,878 (although the published expenditure was only £4,751 13s. 11d.).<sup>374</sup> Over the following year, the Crown purchased a further 3,855 acres, which should have cost £2,891 but the published expenditure was £3,078. The total area acquired was 10,360 acres on which the Crown had expended £7,830.<sup>375</sup> By mid-1896 the Crown had acquired a further 545 acres, at which point it moved to partition out the interests it had acquired. These totalled 10,905 acres, on which a total of £8,129 15s. 9d. had been expended.<sup>376</sup> In 1898, soon after title was awarded to the Crown for this area (see below), it offered the lands for sale for settlement at prices ranging from 18s. 6d. per acre up to £1 8s. 6d. per acre.<sup>377</sup>

When the Native Land Court partitioned the block to define the Crown's interests, they amounted to the slightly lower area of 10,793 acres (see 1896 partition table below and Map

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<sup>372</sup> Awarua 2B title order, 2 April 1894. MLC Records, Volume 2, pp.389 and 405; AJHR, 1894, G-3, p.3; and, *New Zealand Gazette*, 12 July 1894.

<sup>373</sup> Awarua 2C title order, 2 April 1894. MLC Records Volume 2, p.387.

<sup>374</sup> AJHR, 1895, G-2, p.11.

<sup>375</sup> AJHR, 1896, G-3, p.11.

<sup>376</sup> AJHR, 1897, Session II, G-3, p.5.

<sup>377</sup> *New Zealand Gazette*, 1898, pp.243-244.

13 above).<sup>378</sup> Yet when the Crown later proclaimed its title to Awarua 2C1, it continued to refer to an area of 10,905 acres.<sup>379</sup> Defining exact areas in Awarua 2 block was no easy task, and the acreages of the Awarua 2C partitions were not finalised until 1898. By 1898 officials had realised that the area of Awarua 2C was 486 acres less than had been supposed when the 1896 partition orders were made. As a result, the Native Land Court ordered that the title orders for all blocks over 50 acres would be reduced to make up the shortfall.<sup>380</sup> This probably explains why the Crown's award was reduced to 10,793 acres.

The partition triggered by the Crown's application for the Native Land Court to define its interests in Awarua 2C saw the block divided into 46 new titles in August 1896, from 2C1 to 2C21, and ranging in size from a ¼ acre up to over 3,500 acres.<sup>381</sup>

#### Awarua 2C Partition, 1896

Title	Area (acres)	No. of Owners	Survey Costs (£)
Awarua 2C1	10,793	Crown	n/a
Awarua 2C2	3,185	3	120
Awarua 2C3	3,276	5	99
Awarua 2C4	157	5	6
Awarua 2C5	157	4	6
Awarua 2C6	474	3	15
Awarua 2C7	1,104	8	42
Awarua 2C8	441	n/a	17
Awarua 2C9	946	1	28
Awarua 2C10	3,587	1	106
Awarua 2C11	675	2	26
Awarua 2C12	1,140	5	n/a
Awarua 2C12A	1,144	n/a	43
Awarua 2C12B	32	1	2
Awarua 2C12C	11	4	1
Awarua 2C12D	9	1	1
Awarua 2C12E	12	4	n/a
Awarua 2C12F	12	1	1
Awarua 2C13A	5	1	3
Awarua 2C13B	12	1	4
Awarua 2C13C	10	1	3
Awarua 2C13D	5	1	3
Awarua 2C13E	50	n/a	4
Awarua 2C13F	39	4	4

<sup>378</sup> Awarua 2C1 title order, 4 August 1896. MLC Records Volume 2, pp.380-381.

<sup>379</sup> *New Zealand Gazette*, 1897, p.1748.

<sup>380</sup> *New Zealand Gazette*, 1898, p.1005.

<sup>381</sup> Information in the table is collated from Awarua Block Order Files Wn. 602 Vols. 1-12, MLC Records Volumes 2 and 3.

<b>Title</b>	<b>Area (acres)</b>	<b>No. of Owners</b>	<b>Survey Costs (£)</b>
Awarua 2C13G	6	1	3
Awarua 2C13H	0.75	4	4
Awarua 2C13I	0.25	1	2
Awarua 2C13J	122	8	16
Awarua 2C13K	1	1	2
Awarua 2C13L	8	8	3
Awarua 2C13M	2	3	2
Awarua 2C13N	2	1	2
Awarua 2C13O	2	1	2
Awarua 2C13P	4	1	6
Awarua 2C13Q	4	1	6
Awarua 2C14	1,404	1	40
Awarua 2C15	1,948	1	59
Awarua 2C15A	15	1	2
Awarua 2C15B	6	1	2
Awarua 2C15C	181	1	6
Awarua 2C16	2,205	8	67
Awarua 2C17	328	1	10
Awarua 2C18	1,495	1	57
Awarua 2C19	559	5	23
Awarua 2C20	892	2	27
Awarua 2C21	50	5	4

The extent to which Awarua 2 was becoming fragmented is reflected in the very small area of numerous blocks and the small number of remaining owners included on the titles. Most titles were awarded to a single owner, and the highest number of owners identified on any title is eight. The effect of the disproportionate shareholding allocated to different owners is also evident in the disparity between individual holdings that range from a few acres up to 3,587 acres (Awarua 2C10).

Survey costs are not always evident from the available records, but those that are identified show the impact of such costs on smaller titles, particularly if expressed in terms of cost per acre. It should be remembered that these are not the costs of the initial parent block surveys (which the Crown is likely to have recouped in land during its early rounds of purchasing), but only those charged to each of the Awarua 2C subdivisions. The survey of a larger title could amount to a considerable sum, such as the £67 survey lien against Awarua 2C16, or the £106 charged against Awarua 2C10. The cost per acre is a less daunting; about 7d. per acre for 2C10 and 2C16, but the total cost is still a significant one. In contrast, the charges for smaller blocks, while not large do represent a very high cost per acre for those with very small holdings. Awarua 2C13A is a mere 5 acres but the survey charges are £3, or 12s. per acre, which is 20 times the cost per acre for larger blocks. Even smaller blocks, such as Awarua 2C13M, cost £1 per acre for survey charges.

It should be noted that the survey lien figures obtained from Maori Land Court records often date from several years after the initial survey charges are imposed, so they include interest charges. For instance, the survey lien of £5 10s. (rounded up to £6 in the table above) on Awarua 2C13Q was imposed in 1907. The original survey charge, as notified in 1899, was £2 9s. 7d.; the rest of the sum being five years interest charges on the original sum.<sup>382</sup> In other cases, the figure given in the table above is the original survey charge.<sup>383</sup>

The awarding of Awarua 2C1 to the Crown in 1896 represented the end of Crown purchasing in Awarua 2C. Thereafter, private alienations commenced. The Native Land Act 1894 (s.117) restricted all private alienations but these restrictions could be removed on application to the Government, with confirmation of any resulting alienation by the Native Land Court. Through the late 1890s and early 1900s, numerous applications were made and granted for the removal of restrictions from Awarua 2C subdivisions, with alienations subsequently confirmed. The alienations included mortgages (some from the Government Advances to Settlers Office), leases, and sales.

After 1896, the process of title fragmentation also continued, with further partitioning of many of the Awarua 2C subdivisions, extending over the period 1898 to 1962.<sup>384</sup>

#### **Subdivisions of Awarua 2C Titles, 1898-1962**

<b>Title</b>	<b>Area (acres)</b>	<b>Partition (Year)</b>	<b>New Titles</b>	<b>Area (acres)</b>	<b>No. of Owners</b>
2C2	3,185	1910	2C2A	1,061.5	1
			2C2B	2,127.5	1
2C3	3,276	1898	2C3A	115.8	2
			2C3B	3,160	2
			2C3C	0.3	2
2C6	474	1915	2C6A	99.6	1
			2C6B	99.8	2
			2C6C	278	1
2C7	1,104	1919	2C7A	551	1
			2C7B	553	10
2C10	3,587	1917	2C10A	1,597	1

<sup>382</sup> *New Zealand Gazette*, 1899, p.143; and, Awarua 2C13Q survey lien. MLC Records Volume 2, p.819.

<sup>383</sup> See, for instance, the published lists of survey charging orders sought by the Commissioner of Crown Lands in 1899 and 1900 (*New Zealand Gazette*, 1899, p.143; 1900, p.249; 1907, p.2606; 1908, p.3324; and, 1909, p.1809).

<sup>384</sup> Information in the table is collated from Awarua Block Order Files Wn. 602 Vols. 1-12, MLC Records Volumes 2 and 3.

Title	Area (acres)	Partition (Year)	New Titles	Area (acres)	No. of Owners
			2C10B	1,158	n/a
			2C10C	832	3
2C10C	832	1936	2C10C1	261	1
			2C10C2	573	
2C12A	1,145	1918	2C12A1	747	1
			2C12A2	393	1
2C12A2	393	1928	2C12A2A	102	1
			2C12A2B	100	1
			2C12A2C	193	n/a
2C12B	32	1912	2C12B1	16	2
			2C12B2	16	1
2C12C	11	1936	2C12C1	1.4	1
			2C12C2	1.4	1
			2C12C3	8.2	10
2C12C3	8.2	1946	2C12C3A	3.8	1
			2C12C3B	5.5	n/a
2C13C	10	1952	2C13C1	1	1
			2C13C2	9	8
2C13C2	9	1954	2C13C2A	5.7	2
			2C13C2B	3.3	6
2C13H	0.8	1934	2C13H1	0.5	1
			2C13H2	0.3	5
2C13J	122	1912	2C13J1	17.5	5
			2C13J2	20	n/a
			2C13J3	74	10
			2C13J4	1	1
			2C13J5	0.6	1
			2C13J6	0.4	1
			2C13J7	8.5	10
2C13J2	20	1949	2C13J2A	10	2
			2C13J2B	10	15
2C13J2A	10	1960	2C13J2A1	1	1
			2C13J2A2	9	1
2C13J2 A2	9	1962	2C13J2 A2A	0.7	1
			2C13J2 A2B	8.5	1
2C13J3	74	1912	2C13J3A	27	n/a
			2C13J3B	47	n/a
2C13J7	8.5	1915	2C13J7A	0.8	1
			2C13J7B	7.7	9
2C14	1,404	1907	2C14A	703	2
			2C14B	703	1
2C15B	6	1948	2C15B1	3	1
			2C15B2	3	1
2C16	2,205	1912	2C16A	492	4
			2C16B	521	1
			2C16C	1,192	3
2C16A	492	1925	2C16A1	369	3
			2C16A2	123	1
2C16A1	369	1927	2C16A1A	123	1
			2C16A1B	123	1
			2C16A1C	123	1

Title	Area (acres)	Partition (Year)	New Titles	Area (acres)	No. of Owners
2C16C	1,192	1913	2C16C1	589	1
			2C16C2	421	1
			2C16C3	182	1
2C18	1,495	1925	2C18A	1,251	2
			2C18B	244	2

Those title that were not partitioned tended to be those that were alienated before any partitioning occurred. Often, partitioning was a precursor to the alienation of the shares being partitioned out.

Few of the Awarua 2C partitions remain in Maori ownership, with most alienated by purchase:<sup>385</sup>

#### Awarua 2C Alienations

Title	Alienation	Area (acres)	Year	Notes	Maori Land Today (acres)
2C2	Public Works taking	156	1900	Taking for roads (New Zealand Gazette, 1900, p.1128)	0
2C2	Mortgage	1,062	1910	Mortgage of Rangiapoia Waikari's interests for £1,000 to NLC clerk Sydney East, who was criticised by Chief Judge and Native Dept, and later resigned, but mortgage stood. Was subject of Court of Appeal action, 1912 (MA 1/1910/5129. ANZ, Central Taihape Blocks Document Bank pp. 82-96).	-
2C2A	Lease	1,062	1927	Lease to Margaret Hintz, 21 years at £212 per annum (Block Order File Wn. 602 Vol. 1, MLC Docs Vol. 2, p.371)	1,062
2C2B	Purchase	2,128	1912	Purchase by Edith Hartnell, no details (Block Order File Wn. 602 Vols. 1 and 12, MLC Docs Vol. 2, p.376 and Vol. 3, p.141)	0
2C3	-	3,160	1994	2C3A, 2C3B, 2C3C, and other land aggregated (Block Order File Wn. 602 Vol. 2, MLC Docs Vol. 2, p.409).	3,693
2C3B	Mortgage	3,160	1929	Mortgage to Pukekahu-Taoroa Rabbit Board for £275	-
2C3B	Public Works takings	4.8	n/a & 1983	c.1900 taking and 1983 taking (Block Order File Wn. 602 Vol. 2, MLC Docs Vol.2, pp.436 & 438)	-
2C4	Lease	157	1907	Lease to Batley, 1907, then lease to Rosamond James, 1912; no details.	-
2C4	Purchase	157	1954	Interests of two minors purchased by Dorothy Batley for £910 (Block Order File Wn. 602 Vol. 2, MLC Docs Vol. 2, p.426).	0

<sup>385</sup> The sources for the information in the table are included in the Notes section of the table.

Title	Alienation	Area (acres)	Year	Notes	Maori Land Today (acres)
2C5	Purchase	157	1920	Purchased by Rosalie Batley for £878, 1915 to 1920 (Block Order File Wn. 602 Vol. 2, MLC Docs Vol. 2, pp.409 & 423; and, MLC-WG W1645, 82, 3/1920/229, ANZ, Central Taihape Blocks Document Bank pp. 108-126).	0
2C6	Lease	474	1907	Leased by Emily Batley (later Robert Batley) for 21 years at £71 per annum (MLC-WG W1645, 36, 3/1915/107. ANZ, Central Taihape Blocks Document Bank pp. 127-144).	-
2C6A	Purchase	100	1915	Purchased by Arthur Paerau Batley at Govt valuation (no details) (MLC-WG W1645, 36, 3/1915/107. ANZ, Central Taihape Blocks Document Bank pp. 127-144).	0
2C6B	Purchase	100	1915	Purchased by Arthur Paerau Batley at Govt valuation, £2,094 (MLC-WG W1645, 37, 1915/214. ANZ, Central Taihape Blocks Document Bank pp. 145-150).	0
2C6C	Purchase	278	1915	Purchased by Arthur Paerau Batley at Govt valuation, £1,219 (MLC-WG W1645, 39, 3/1915/228. ANZ, Central Taihape Blocks Document Bank pp. 151-168).	0
2C7	Lease	1,104	1912	Lease to Arthur James for 42 years at £150 per annum (G. W. Batley application for lease 1907 not completed) (MLC-WG W1645, 17, 3/1912/116. ANZ, Central Taihape Blocks Document Bank pp. 168-183).	-
2C7A	Public Works taking	8	n/a	Taking noted on title plan (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2/478). Survey lien of £42, 1920; rose to £113 when paid in 1955 (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, pp.476-7).	0
2C7A	Purchase	551	n/a	No details of purchase, probably 1955 when survey lien discharged (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.449).	0
2C7B	Public Works taking	11	n/a	Taking noted on title plan (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.475). Survey lien of £114; £72 paid in 1955 and balance remitted (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.471).	0
2C7B	Lease	553	1953	Leased for 10 years to Dorothy Batley at £75 10s. per annum (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.473).	-
2C7B	Purchase	553	n/a	No details of purchase; General land by 1965 (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.471).	0
2C8	-	441	-	-	441
2C9	Lease	946	1899 & 1931	Lease of 2C9 & 10 to Batley, no details ( <i>New Zealand Gazette</i> , 1899, p.1909). Lease of 2C9 & 10A to Moores for 42 years for £381 total per annum (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.464).	-
2C9	Mortgage	946	1920	Mortgaged to Public Trustee; no details (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.464).	-

Title	Alienation	Area (acres)	Year	Notes	Maori Land Today (acres)
2C9	Europeanised	946	1970	Block Order File Wn. 602 Vol. 3, MLC Docs Vol 2, p.464.	0
2C10A	Lease	1,597	1899 & 1931	Lease of 2C9 & 10 to Batley, no details ( <i>New Zealand Gazette</i> , 1899, p.1909). Lease of 2C9 & 10A to Moores for 42 years for £381 total per annum (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.464).	-
2C10A	Mortgage	1,597	1919	Mortgaged to Public Trustee for £5,000 (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.453).	-
2C10A	Europeanised	1,597	1970	Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.453.	0
2C10B	Purchase	1,158	n/a	No details (Block Order File Wn. 602 Vol. 3, MLC Docs Vol. 2, p.449)	0
2C10C	Lease	832	1925	Leased to Fitzherbert for 42 years at 10s./acre per annum in 1925	-
2C10C1	Lease	261	1937	Fitzberbert lease 1C10C allocated for 21 years at £142 per annum.	-
2C10C1	Purchase	261	1954	Purchased by Duncan for £4,500 (Block Order File Wn. 602 Vol. 7, MLC Docs Vol. 2, p.663).	0
2C10C2	Lease	572	1935	Leased to Woolaston for 42 years , no details	-
2C10C2	Purchase	572	1978 & 1981	1978 purchase under 1953/Pt XXIII by Mokohore Thompson and Ngahua Teehi; no details. 1981 purchase under 1953/Pt XIX to McFetridge and Thomas; no details (Block Order File Wn. 602 Vol. 4, MLC Docs Vol. 2, p.521).	0
2C11	Public Works taking	7.5	1895	Road taking 2 acres and 5.5 acres (Block Order File Wn. 602 Vols. 4 and 12, MLC Docs Vol 2, p.518 & Vol. 3, p.4410)	0
2C11	Lease	675	1907	Leased by D & C Wright in two portions (640 acres and 35 acre) for 21 years at £260 per annum (MA 1/1906/1259. ANZ).	-
2C11	Mortgage	675	1908	Mortgaged to Govt Advances to Settlers Office for £800 to develop other lands (MA 1/1908/469. ANZ, Central Taihape Blocks Document Bank pp. 261-299).	-
2C11	Lease	668	1920	Leased to Whittle for 50 years at £309 per annum (Block Order File Wn. 602 Vol. 12, MLC Docs Vol. 3, p.4410).	-
2C11	Europeanised	668	1969	Block Order File Wn. 602 Vol. 4, MLC Records Vol. 2, p.515.	0
2C12-A1	Purchase	747	1921	Purchased by Amy Batley for £5,705 (Block Order File Wn. 602 Vol. 4, MLC Docs Vol. 2, p.505).	0
2C12-A2A	Purchase	102	n/a	Survey lien £29 paid 1954; probable date of purchase; no other details (Block Order File Wn. 602 Vols. 3 and 4, MLC Docs Vol. 2, p.481 and 495).	0
2C12-A2B	Lease	100	1952 & 1974	Leased to Robert Batley for 21 years at £57 per annum. Leased to Robert Batley for 5 years at \$732 per annum, extended for 5 years in 1979, 1984, and 1989.	-

Title	Alienation	Area (acres)	Year	Notes	Maori Land Today (acres)
2C12-A2B	Purchase	100	1991	Acquired by Robert Batley; no details (note Batley sold land as General land to Sewell and others in 1991 for \$968,000) (Block Order File Wn. 602 Vol. 4, MLC Docs Vol. 2, p.487).	0
2C12-A2C	Mortgage	193	1929	Mortgaged by sole owner, Kotuku Hakopa, to MLB for £1,000 (Batley as guarantor) (MA 1/1929/101. ANZ, Central Taihape Blocks Document Bank pp. 322-326).	193
2C12B1 & B2	Mortgage	32	1930	Mortgage of 2B1 & 2B2 to MLB for £450 (MA 1/1930/258. ANZ, Central Taihape Blocks Document Bank pp. 327-338).	-
2C12B1	Europeanised	16	1968	Block Order File Wn. 602 Vols. 4 and 5, MLC Docs Vol. 2, pp.486 and 554.	0
2C12B2	Lease	16	1913	Leased for 14 years to ? at £20 10s. per annum (MLC-WG W1645, 25, 3/1913/154. ANZ, Central Taihape Blocks Document Bank pp. 339-344).	-
2C12B2	Europeanised	16	1968	Block Order File Wn. 602 Vol. 4, MLC Docs Vol. 2, p.485.	0
2C12C1	Mortgage	1.4	1961	Mortgaged by Taonui Matana to State Advances (probably for housing), no details (Block Order File Wn. 602 Vol. 6, MLC Docs Vol. 2, p.613).	-
2C12C1	Europeanised	1.4	1968	Block Order File Wn. 602 Vol. 6, MLC Docs Vol. 2, p.613.	0
2C12C2	-	1.4	-	-	1.4
2C12C-3A	-	3.75	-	-	3.75
2C12C-3B	-	5.5	-	-	5.5
2C12D	Vesting	9	n/a	Vested in Public Trustee (to administer for minor); no details.	-
2C12D	Lease	9	1911 & 1940	1911 lease by Public Trustee to Wardle; no details ( <i>New Zealand Gazette</i> , 1911, p.184). 1940 lease to Arthur Batley for 21 years at £12 per annum (Block Order File Wn. 602 Vol. 6, MLC Docs Vol. 2, p.602).	-
2C12D	Purchase	9	n/a	No details (Block Order File Wn. 602 Vol. 6, MLC Docs Vol. 2, p.576).	0
2C12E	Purchase	12	1920	Purchase by Harold Shepherd for £262 (MLC-WG W1645, 79, 3/1920/191. ANZ, Central Taihape Blocks Document Bank pp. 345-363).	0
2C12F	Europeanised	12	1968	Block Order File Wn. 602 Vol. 6, MLC Docs Vol. 2, p.577.	0
2C13A	Purchase	5	1918	Purchased by Jessie Shepherd for £50 (MLC-WG W1645, 58, 3/1918/163. ANZ, Central Taihape Blocks Document Bank pp. 364-372).	0
2C13B	Purchase	12	1914	Purchased with 2C13Q by Robert Loughnan (Hastings lawyer acting for Harold Shepherd) for £108 (MLC-WG W1645, 3/1914/183. ANZ, Central Taihape Blocks Document Bank pp. 373-387).	0

Title	Alienation	Area (acres)	Year	Notes	Maori Land Today (acres)
2C13C	Vesting & Lease	10	1905	Interest of H. Hakopa (minor) in Public Trustee to enable lease. Note total rates charging orders of £146 10s. by 1952 (MLC-WG W1645, 118, 3/1303. ANZ, Central Taihape Blocks Document Bank pp. 388-438).	-
2C13C1	Purchase	1	1953	Purchase by Mariana Chase for £80 (Govt valuation was £3,215, but Unimproved value only £25). Note total rates debt by 1952 of £18. (MLC-WG-W1645, 118, 3/1303. ANZ, Central Taihape Blocks Document Bank pp. 388-438).	0
2C13C-2A	-	3.3	-	Note rates debt totalling £64 leads to land being vested in Maori Trustee to clear debt (Block Order File Wn. 602 Vol. 7, MLC Docs Vol. 2, p.654).	3.3
2C13C-2B	-	5.7	-	Note 5 acres of 2C13C set aside as Native Reservation (marae) in April 1936 (Block Order File Wn. 602 Vol. 12, MLC Docs Vol. 3, p.141).	5
2C13D	Purchase	0.1	1950	14.8 perches sold to Kotuku Hakopa for £1 Note rates debt of £87 from 1928-1950. (Block Order File Wn. 602 Vol. 7, MLC Docs Vol. 2, p.641).	5
2C13E	Purchase	50	1886	Robert Batley (storekeeper) claimed through Validation Court in 1898 on basis of agreement with Horima Paerau in 1886 for land in payment for “services rendered and the love which Horima Paerau bore him.” Horima died 1897, leading to 1898 claim. Payment not specified ( <i>New Zealand Gazette</i> , 1897, p.270 and 1898, p.570).	0
2C13F	Purchase	39	n/a	Title still Maori-owned in 1912 but no longer; no further details (Block Order File Wn. 602 Vol. 7, MLC Docs Vol. 2, pp.622 & 631).	0
2C13G	Lease	6	1951	Leased with 2C15A by Madeline Batley for 21 years at £21 per annum (Block Order File Wn. 602 Vol. 8, MLC Docs Vol. 2, p.718).	-
2C13G	Europeanised	6	1968	Block Order File Wn. 602 Vol. 8, MLC Docs Vol. 2, p.718.	0
2C13H	Purchase	0.5	1929	Purchased by Native Trustee from Tukino Hakopa for £70, on behalf of minor Paora Hekenui, as an investment for Paora (on whose behalf Native Trustee held £900) (MLC-WG W1645, 148, 3/3508. ANZ, Central Taihape Blocks Document Bank pp. 439-456).	0.25
2C13H1	Europeanised	0.5	n/a	Subdivision of land bought by Native Trustee for Paora Hekenui. Later Europeanised (post-1967) (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.725).	0
2C13H2	-	0.25	-	-	0.25
2C13I	Europeanised	0.25	1968	Block Order File Wn. 602 Vol. 8, MLC Docs Vol. 2, p.692.	0
2C13J1	Purchase	17.5	1921	Purchased by Harold Shepherd for £519 (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.751).	0

Title	Alienation	Area (acres)	Year	Notes	Maori Land Today (acres)
2C13J2A	Europeanised	10	1968	Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, pp.723-734.	0
2C13J2B	-	10	-	-	10
2C13J3	-	74	-	-	74
2C13J4	Public Works taking	0.1	1916	20.99 perches taken for Post Office ( <i>New Zealand Gazette</i> , 1916, p.3884); transferred to Moawhango Social Club 1937 (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.808 and AADI W3190, Box 35, File 16/14. ANZ).	0
2C13J4	Lease	0.9	1926	Leased to Neill for 21 years, no details (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.808).	-
2C13J4	Europeanised	0.9	1968	3 roods 19 perches balance vested in NZI as trustee in 1960 before Europeanisation in 1968 (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.808).	0
2C13J5	Europeanised	0.6	1971	Vested in NZI as trustee in 1960 before Europeanisation in 1968 (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.792). Maori land status determined 1999	0.6
2C13J6	-	0.4	-	Note rates debt of £33 led to vesting in Maori Trustee in 1950s (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.781).	0.4
2C13J7	-	8.5	-		8.5
2C13K	Europeanised	1	1968	Note rates debt totalling £40 by 1957 (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, pp.871-874).	0
2C13L	Gift	2	1919	Land transferred to Whanganui Education Board for school site (9s. nominal sum paid) (MLC-WG W1645, 76, 3/1920/6. ANZ, Central Taihape Blocks Document Bank pp. 471-488.).	0
2C13L	Public Works taking	1.5	n/a	Takings for roads, no details (MLC-WG W1645, 76, 3/1920/6. ANZ, Central Taihape Blocks Document Bank pp. 471-488.).	0
2C13L	Public Works taking	0.5	1944	Taking for land for school teacher's house when school transferred from Board to Native School (MLC-WG W1645, 76, 3/1920/6. ANZ, Central Taihape Blocks Document Bank pp. 471-488).	0
2C13L	-	4		Residue of original 8 acres set aside as Maori reserve in 1949 (MA 1/21/3/201. ANZ, Central Taihape Blocks Document Bank pp. 488-496).	4
2C13M	Lease	2	1908	Lease of 13M & 13O to Batley (who owns surrounding land; these blocks unoccupied and only useful to him) for 21 years at £2 per acre per annum (MLC-WG W1645, 211, 3/1915/211. ANZ, Central Taihape Blocks Document Bank pp. 497-521).	-
2C13M	Purchase	2	1915	Purchased by Norman Paerau Batley for £20 (MLC-WG W1645, 211, 3/1915/211. ANZ, Central Taihape Blocks Document Bank pp. 497-521).	0

<b>Title</b>	<b>Alienation</b>	<b>Area (acres)</b>	<b>Year</b>	<b>Notes</b>	<b>Maori Land Today (acres)</b>
2C13N	Lease	2	1908 & 1945	1908 lease to Batley with 13O; no details (MA 1/1908/470. ANZ, Central Taihape Blocks Document Bank pp. 522-538). 1945 lease to Batley of 13N & 13O for 21 years at £12 per annum total (MLC-WG W1645, 118, 3/1304. ANZ, Central Taihape Blocks Document Bank pp. 539-563).	-
2C13N	Europeanised	2	1968	Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.818.	0
2C13O	Lease	2	1908 & 1945	1908 lease of 13M & 13O to Batley (who owns surrounding land; these blocks unoccupied and only useful to him) for 21 years at £2 per acre per annum (MLC-WG W1645, 211, 3/1915/211. ANZ, Central Taihape Blocks Document Bank pp. 497-521). 1945 lease to Batley of 13N & 13O for 21 years at £12 per annum total (MLC-WG W1645, 118, 3/1304. ANZ, Central Taihape Blocks Document Bank pp. 539-563).	-
2C13O	Europeanised	2	1968	Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.818	0
2C13P	Lease	4	1949	Leased to Batley for 21 years at £7 per annum (Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.830).	-
2C13P	Europeanised	4	1968	Block Order File Wn. 602 Vol. 9, MLC Docs Vol. 2, p.830	0
2C13Q	Purchase	4	1914	Purchased with 2C13B by Robert Loughnan (Hastings lawyer acting for Harold Shepherd) for £59 (MLC-WG W1645, 3/1914/183. ANZ, Central Taihape Blocks Document Bank pp. 373-387).	0
2C14	Purchase	1,404	1909	Purchased by Matthew Morrison from Public Trustee, acting for minors Kathleen Hirani Blake and Ralph Wellwood (in 1904 and 1909, restrictions on alienation removed for lease to Morrison at £298 per annum) (J 1/1904/1666 and MA 1/1908/689. ANZ).	0
2C15	Purchase	1,948	1910	Restrictions removed in 1900 for leasing; lease notified in 1903; then purchased c.1910 by Matthew Morrison for £7,678 (MLC-WG W1645, 135, 3/2231. ANZ, Central Taihape Blocks Document Bank pp. 575-630).	0
2C15A	Lease	15	1927	Leased with 2C13G by Batley for 21 years at £21 per annum, and re-leased 1951 on same terms (Block Order File Wn. 602 Vols. 9 and 10, MLC Docs Vol. 2, p.721 and 3, p.65. ANZ).	-
2C15A	Europeanised	15	1968	Block Order File Wn. 602 Vols. 9 and 10, MLC Docs Vol. 2, p.721 and 3, p.265.	0
2C15B1	Europeanised	3	n/a	Block Order File Wn. 602 Vol. 10, MLC Docs Vol 3, p.50.	0

Title	Alienation	Area (acres)	Year	Notes	Maori Land Today (acres)
2C15B2	Vesting & Purchase	3	1969	Order appointing Maori Trustee as agent in 1967, then in 1968 vested in Rangitikei County Council for rates debt and sold by Council in 1969 to Batley; price not stated (Govt valuation, 1967 £100) (AAMK 869 W3074/407b, 12/1251. ANZ, Central Taihape Blocks Document Bank pp. 564-574).	0
2C15C	Purchase	181	1921	Interests of 7 owners (141 acres) purchased by Shepherd 1921 for £2,512, and interests of 2 remaining owners (minors) (40 acres) leased at 14s./acre until purchased in 1927 for £600 (MLC-WG W1645, 135, 3/2231. ANZ, Central Taihape Blocks Document Bank pp. 575-630).	0
2C16A	Lease	492	1915	Leased to Bennett for 42 years at £215 per annum. Title subdivided into 16A1 and 16A2 in 1925, and then 16A1A, B, & C in 1927, but all partitions cancelled in 1928 when land sold (see below) (MLC-WG W1645, 3/2979. ANZ, Central Taihape Blocks Document Bank pp. 631-675).	-
2C16A	Purchase	492	1925	Purchased by Grace Ngawai Hatrick, Whanganui, for £7,134 . Note survey liens of £94 8s. 6d. and Native Land Tax of £32 9s. 9d. deducted from purchase price by MLB. Note MLB held sale proceeds for the vendor, Katarina Peneti (MLC-WG W1645, 142, 3/2979 and 275, 4/2979. ANZ, Central Taihape Blocks Document Bank pp. 631-675)	0
2C16B	Lease	521	1912	Leased by Harold Bennett for 42 years at £104 per annum (MLC-WG W1645, 26, 3/1913/213 ANZ, Central Taihape Blocks Document Bank pp. 676-710).	-
2C16B	Purchase	521	1913	260 acres purchased by Hugh Johnson from Huta Pamariki (Ramariki?) Park for £2,080 (who in 1912 had purchased 521 acres from the owner, Puau Rangipo, but Park's finance fell through so land re-sold to Johnson; no details as to Park's payment; likely to have been Govt valuation, c.£3,400) (MLC-WG W1645, 26, 3/1913/213 ANZ, Central Taihape Blocks Document Bank pp. 676-710).	0
2C16C	Mortgage	1,192	1920 & 1922	Mortgaged to Public Trustee for £3,300 for development finance. Mortgaged to Dalgety for current account up to £1,000 (out of total debt to Dalgety of £2,500; balance secured against stock), but fell behind interest payments in 1922 when £318 was owed. Foreclosure was threatened; outcome unclear but land subdivided in 1913; see below for fate of subdivisions (MLC-WG W1645, 150, 3/3582. ANZ, Central Taihape Blocks Document Bank pp. 711-791).	-

Title	Alienation	Area (acres)	Year	Notes	Maori Land Today (acres)
2C16C1	Purchase	589	1913 & 1929	76 acres (interests of Te Mamae Pine) purchased by Bennett in 1913 for c.£532. 512 acres balance leased 1923 by Gardner for 21 years at £320 per annum. 1924 purchase offer of £6,399 by Cooper rejected due to lease and a 1928 offer rejected as not being in the interests of the owners. 1929 purchase by Arthurina Daisy Duncan, Taoroa, for £6,655. Note MLB gave mortgage on behalf of owners to Duncan to finance purchase, but she fell behind with payments in 1930s to their cost (MLC-WG W1645, 150, 3/3582. ANZ, Central Taihape Blocks Document Bank pp. 711-791)	0
2C16C2	Leased	421	1921 & 1936	Leased to O'Keefe for 21 years at £1 3s. per acre (£485) per annum. Leased to Moore (with 2C16C3) for 21 years at £289 per annum (Block Order File Wn. 602 Vol. 11, MLC Docs Vol. 3, pp.112, 115, and 124).	-
2C16C2	Mortgaged	421	1921	Mortgaged to Dalgety for trading account up to £1,000 (Block Order File Wn. 602 Vol. 11, MLC Docs Vol. 3, p.124).	-
2C16C2	Europeanised	421	1968	Block Order File Wn. 602 Vol. 11, MLC Records Vol. 3, pp.79 and 117.	0
2C16C3	Leased	182	1921 & 1936	Leased to O'Keefe for 21 years at £1 3s. per acre (£209) per annum. Leased to Moore (with 2C16C3) for 21 years at £289 per annum (MLC Docs Vol. 3, pp.112, 115, and 124).	-
2C16C3	Mortgaged	182	1931	Mortgaged to Public Trustee, amount not known, until 1957.	-
2C16C3	Europeanised	182	1968	Block Order File Wn. 602 Vol. 11, MLC Records Vol. 3, pp.79 and 112.	0
2C17	Lease	328	1927 & 1973	Leased to Fitzherbert for 42 years at £158 per annum. Lease apparently renewed, and in 1973 transferred to S & H Wipaki (Block Order File Wn. 602 Vol. 11, MLC Docs Vol. 3, p.106).	-
2C17	Mortgage	328	1983	Mortgaged with 2C18, no details (Block Order File Wn. 602 Vol. 11, MLC Docs, Vol. 3, p.106)	-
2C17	Status Change	328	1998	Status change to General Land; no details (Block Order File Wn. 602 Vol. 11, MLC Docs Vol. 3, p.106)	0
2C18A	Lease	1,494	1927	Leased to Fitzherbert in three lots for 42 years at £571 per annum.	-
2C18A	Purchase	1,251	n/a	Purchased by S & H Wipaki; no details (may be linked to 1973 lease of 2C17). (Note, still Maori Land as purchased by Maori, and mortgaged to Rural Banking & Finance Corp in 1985 for \$383,000, and to Wrightson NMA in 1986 for \$451,000. Then declared to General Land in two titles in 1990s (Block Order File Wn. 602 Vol. 11, MLC Docs Vol. 2, pp.92-94).	-

<b>Title</b>	<b>Alienation</b>	<b>Area (acres)</b>	<b>Year</b>	<b>Notes</b>	<b>Maori Land Today (acres)</b>
2C18B	Purchase	243	n/a	No details but no longer Maori land (Block Order File Wn. 602 Vol. 11, MLC Docs Vol. 3, pp.79 and 90).	0
2C19	Lease	559	1906	Leased to Emily Batley for 21 years at £100 per annum (MLC-WG-W1645, 32, 3/1914/258. ANZ).	-
2C19	Mortgage	559	1909	Owners first applied to Govt Advances to Settlers Office for £500, but then mortgaged to Public Trustee for £1,400 (MLC-WG-W1645, 32, 3/1914/258. ANZ, Central Taihape Blocks Document Bank pp. 816-848).	-
2C19	Purchase	559	1914	Purchased by Rosalie Carr (Batley) for £3,155 (MLC-WG-W1645, 32, 3/1914/258. ANZ, Central Taihape Blocks Document Bank pp. 816-848).	0
2C20	Lease	892	1903	Restrictions removed 1903 to enable lease with Orumatua-Kaimanawa NIJ, with intention for rents from that and Owhaoko D7 to be applied to mortgage repayments on 2C20 ( <i>New Zealand Gazette</i> , 1903, p.1579; J 1/1901/1423; and, J 1/1903/1579. ANZ).	-
2C20	Mortgage	892	1903	Mortgaged to Govt Advances to Settlers Office; no details (Block Order File Wn. 602 Vol. 12, MLC Docs Vol. 3, p.153).	-
2C20	Purchase	892	n/a	No details; no longer Maori land (Block Order File Wn. 602 Vol. 12, MLC Docs Vol. 3, p.140).	0
2C21	Purchase	50	n/a	No details; no longer Maori land (Block Order File Wn. 602 Vol. 12, MLC Docs Vol. 3, p.140).	0

The bulk of Awarua 2C was alienated through private purchases, most of which took place under the Maori Land Board regime instituted under the Native Land Act 1909, which streamlined the alienation of Maori land. In many instances, land was initially leased before subsequently being purchased outright. Of the land that survived the main era of private purchasing (from 1910 to about 1930), a significant number of blocks lost their status as Maori land as a result of being Europeanised under the contentious Maori Affairs Amendment Act 1967. In only one instance (Awarua 2C13J5, 0.6 acres) has land that was Europeanised subsequently had its status returned to Maori land (as provided for in *Te Ture Whenua* 1993).

## *Awarua 2 Summary*

<i>Awarua 2 original area:</i>	<i>49,629 acres</i>
<i>Crown purchasing (1891–1896):</i>	<i>24,522 acres</i>
<i>Private purchasing (1900–1998):</i>	<i>19,596 acres</i>
<i>Europeanised:</i>	<i>3,904 acres</i>
<i>Remaining Maori Land:</i>	<i>5,511 acres</i>

### **4.9 Awarua 2A (Ngatarua)**

Awarua 2A (2,350 acres), also known as Ngatarua, and is located in the south of Awarua 2 but was awarded title separately from Awarua 2 in July 1891 (rather than being a later subdivision of Awarua 2). It lies between the north bank of the Rangitikei river and the trig points Kotupokonui and Totarapuroa.<sup>386</sup> It was awarded to Ngati Mangaora. Awarua 2A was awarded separately from Awarua 2 as the Native Land Court found that it was land that had been gifted by Pokaitara to Tauranga “and his people” for assisting them in avenging the death of Tamakahurirangi. The gift was said to be “not disputed by anyone, so we have no difficulty to contend with here.” The block was referred to as Ngatarua.<sup>387</sup> A list of 26 owners was finalised, holding a total of 56 shares, with all but one holding only a single share of one-and-a-half shares, whereas Noa Te Hianga was awarded 27 shares (nearly half the block).<sup>388</sup>

The title to Awarua 2A was inalienable.<sup>389</sup> The restrictions on alienation imposed on Awarua 2A were not so much intended to prevent the alienation of the land as they were to prevent it being alienated to private purchasers: such restrictions did not hinder the Crown, which proceeded to acquire individual interests in the title in 1891. By March 1893 it had acquired interests equal to 236 acres, paying 7 shillings per acre, or a total of £83. For reasons that are not apparent, the price for Awarua 2A is barely one-third of the £1 per acre being paid for the adjacent Awarua 2 block. Despite paying the Awarua 2A vendors only £83, a total of £223

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<sup>386</sup> Awarua 2A title plan. MLC Records, Volume 2, p.404.

<sup>387</sup> Whanganui MB 20, pp.472-474.

<sup>388</sup> Whanganui MB 20, pp.505-506.

<sup>389</sup> Awarua 2A title order, 23 July 1891. MLC Records, Volume 2, p.403; AJHR, 1894, G-3, p.3; and, *New Zealand Gazette*, 12 July 1894.

12s. 11d. was ascribed to the purchase; the difference, £141, may relate to survey costs and other expenses charged against the acquisition.<sup>390</sup>

The Crown continued purchasing and in the year from April 1893 acquired interests equal to almost 500 acres more at the same price of 7 shillings per acre. In May 1894 moved to partition out the interests it had purchased to date for a total of £258. This land was awarded as Awarua 2A1 (735 acres) and was subsequently proclaimed Crown land (see Map 13 above).<sup>391</sup>

### *Awarua 2A2*

The remaining land in Awarua 2A was awarded to the remaining Maori owners as Awarua 2A2 (1,615 acres) when the Crown's interests were partitioned out of Awarua 2A in May 1894. It continued to be subjected to Crown purchasing, although by 1896 this had resulted in the acquisition of interests equal to just 84 acres. The Crown paid the marginally higher price of 8 shillings per acre for interests in Awarua 2A2 (half what it was paying for interests in the adjacent Awarua 2C block). These interests were partitioned out at a major partition hearing in August 1896, when the Crown was awarded Awarua 2A2A (84 acres), and the remaining 10 owners were awarded Awarua 2A2B (1,545 acres).<sup>392</sup> In 1909, the Crown set aside its Awarua 2A2A land as a scenic reserve.<sup>393</sup>

Restrictions on alienation were placed on the remaining Maori land, Awarua 2A2B, before it was further subdivided in August 1901.<sup>394</sup>

<b>Title</b>	<b>Area (acres)</b>	<b>No. of Owners</b>
Awarua 2A2B1	10.5	1
Awarua 2A2B2	42.3	1
Awarua 2A2B3	1,531	2

It is not clear why the number of owners in the three subdivisions (a total of four owners) is less than that in the parent block (10 owners). The most probable cause is that the Batley brothers (G. W. and R. T. Batley) had been acquiring individual interests. Prior to the 1901 subdivision, G. W. Batley applied in 1900 for the removal of the restrictions on alienation on

<sup>390</sup> AJHR, 1893, G-4, p.6.

<sup>391</sup> Awarua 2A1 title order, 9 May 1894. MLC Records, Volume 2, pp.401 and 405.

<sup>392</sup> Awarua 2A2A and 2A2B title orders, 4 August 1896. MLC Records, Volume 2, pp.395-397; and, AJHR, 1897, G-3, p.5.

<sup>393</sup> *New Zealand Gazette*, 1909, p.3023.

<sup>394</sup> Awarua 2A2B1-3 title orders, 8 August 1901. MLC Records, Volume 2, pp.391-393.

Awarua 2A2B, and evidently sought to purchase interests in the block. The restrictions were duly removed in 1900.<sup>395</sup> Two groups of owners in Awarua 2A2B had evidently become indebted to the Batleys, and in 1901 the Batley brothers applied for confirmation of two mortgages over Awarua 2A2B (one to Pene Te Umairangi and others and one to Wiki Te Umairangi and others).<sup>396</sup> Typically, such mortgages were a step on the way to converting debt into land, and this was the case here.

The 1901 partition was then made on the application of Robert Batley (rather than the Maori owners), indicating he had acquired all the interests that had been mortgaged.<sup>397</sup> The resulting subdivision indicates that Batley had acquired all but one of the interests in Awarua 2A2B3, which was then awarded to him and the remaining owner; Huriwai Raurimu. In October 1902 his application to purchase the interest of Huriwai Raurimu in Awarua 2A2B came before the Native Land Court for confirmation, which seems to have completed his purchase.<sup>398</sup> No other records relating to the purchase of the main block, Awarua 2A2B3 have been located, but it was purchased, probably by Batley in the early 1900s.<sup>399</sup>

In 1908, Batley completed his purchase of Awarua 2A2B1 and 2A2B2 (a total of 53 acres), paying £240 for both. The Government valuation was then £2 10s. per acre (or £132 for both blocks).<sup>400</sup>

There is no Maori land remaining in Awarua 2A.<sup>401</sup>

#### Awarua 2A Alienations

<b>Block</b>	<b>Area (acres)</b>	<b>Date of Title</b>	<b>No. of Owners</b>	<b>Crown Purchase (acres)</b>	<b>Private Purchase (acres)</b>	<b>Remaining Maori Land (acres)</b>
Awarua 2A	2,350	1891	26	735	0	1,615
Awarua 2A1	735	1894	Crown	735	0	0
Awarua 2A2	1,615	1894	n/a	84	0	1,531
Awarua 2A2A	84	1896	Crown	84	0	-
Awarua 2A2B	1,531	1896	10	0	0	1,531
Awarua 2A2B1	10.5	1901	1	0	10.5	0
Awarua 2A2B2	42.3	1901	1	0	42.3	0
Awarua 2A2B3	1,478	1901	2	0	1,478	0

<sup>395</sup> *New Zealand Gazette*, 1900, pp.2066 and 2070.

<sup>396</sup> *New Zealand Gazette*, 1901, p.1086.

<sup>397</sup> *New Zealand Gazette*, 1901, p.1328.

<sup>398</sup> *New Zealand Gazette*, 1902, p.2441.

<sup>399</sup> MLC Records, Volume 2, p.365 and Volume 3, p.155.

<sup>400</sup> MA 1/1908/352. ANZ; Central Taihape Blocks Document Bank pp.53-81; and *New Zealand Gazette*, 1908, p.2421.

<sup>401</sup> The information in the table is summarised from the above section.

### *Awarua 2A Summary*

<i>Awarua 2A original area:</i>	<i>2,350 acres</i>
<i>Crown purchasing (1891–1896):</i>	<i>819 acres</i>
<i>Private purchasing (1900–1908):</i>	<i>1,531 acres</i>
<i>Remaining Maori Land:</i>	<i>0 acres</i>

### **4.10 Awarua 3, 3A, and 3B**

Awarua 3 came into existence following the protracted partition hearing in Marton between 1890 and 1891. At this hearing, it was also further partitioned into Awarua 3 (8,179 acres), Awarua 3A (20,936 acres) and Awarua 3B (6,234 acres). The total area of the block was 35,349 acres. Following the Crown purchasing in the block in 1893 and 1894, the blocks were further partitioned to define the interests of the Crown and the non-sellers. The partition from 1894 is summarised in the table below (see Crown awards on Map 13 above):<sup>402</sup>

#### **Awarua 3, 3A, and 3B Subdivision of Interests Purchased by the Crown, 1894**

<b>Title</b>	<b>Subdivision</b>	<b>Area (acres)</b>
Awarua 3	Awarua 3C	1,204 – Crown land
	Awarua 3D	6,975
Awarua 3A	Awarua 3A1	7,377 – Crown land
	Awarua 3A2	13,559
Awarua 3B	Awarua 3B1	3,375 – Crown land
	Awarua 3B2	2,859

Following the further Crown purchasing in Awarua 3A2 and 3B2 through 1895 and 1896, there was a further partition to define the interests of the Crown and the non-sellers. The details of this partition are summarised below (see Crown awards on Map 13 above):<sup>403</sup>

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<sup>402</sup> The information in the table is collated from the Awarua Block Order Files Wn. 593 and 598A, Vols. 1-2A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1.

<sup>403</sup> *ibid.*

### Awarua 3A, 3B, and 3D Subdivision of Interests of Crown and of Non-Sellers, 1896

Subdivision	Area (Acres/roods/perches)	No. of owners
3A2A	5,388a	Crown
3A2B	348a	1
3A2C	1,030a 1r 3p	3
3A2D	1,036a 24p	5
3A2E	1,158a 2r 19p	5
3A2F	763a 20p	3
3A2G	519a 1r 27p	1
3A2H	259a 2r 5p	1
3A2I	256a 3r 35p	1
3A2J	2,340a 3r 20p	9
3A2K	2,332a 3r 15p	unknown
3B2A	865a 6p	Crown
3B2B	517a 3r 6p	6
3B2C	458a 2r	6
3B2D	87a 1r 10p	1
3B2E	29a	1
3B2F	29a	1
3B2G	143a	4
3B2H	169 2r 10p	1
3B2I	84a 2r 16p	3
3B2J	445a 2r	18
3D1	560a	Crown
3D2	1,492a	Crown
3D3	4,765a 19p	97

After 1896, the Crown made no further purchases in Awarua 3. In total, the Crown acquired 20,261 acres from Awarua 3, amounting to around two-thirds of the block. There was, however, on-going title activity in the sub-divisions remaining in Maori ownership.

#### *Awarua 3A2*

The subdivisions created from Awarua 3A2 at the partition hearing in 1896 were those that saw further alienation, mostly to private interests, in the twentieth century. The remaining subdivisions were also further fragmented through further partition.

In 1904, 3A2E was partitioned.<sup>404</sup>

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<sup>404</sup> *ibid.*

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3A2E1	unknown	unknown
3A2E2	128a 1r 7p	1
3A2E3	515a	2
3A2E4	unknown	unknown

In 1910, 3A2F was partitioned:<sup>405</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3A2F1	254a 1r 20p	1
3A2F2	254a 1r 20p	1
3A2F3	254a 1r 20p	1

Also in 1910, 3A2E3 was partitioned:<sup>406</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3A2E3A	257a 3r 3p	2
3A2E3B	200a 2r 28p	1
3A2E3C	57a	1

In 1911, 3A2C was partitioned:<sup>407</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3A2C1	513a 3r 19p	1
3A2C2	513a 3r 19p	1

In 1916, 3A2K was partitioned:<sup>408</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3A2K1	260a 1r 30p	1
3A2K2	260a 1r 30p	1
3A2K3	260a 1r 10p	1
3A2K4	325a 1r 10p	1
3A2K5	715a 2r 30p	2
3A2K6	260a 1r 15p	1
3A2K7	260a 1r 10p	1

In 1918, 3A2K5 was partitioned:<sup>409</sup>

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<sup>405</sup> *ibid.*

<sup>406</sup> *ibid.*

<sup>407</sup> *ibid.*

<sup>408</sup> *ibid.*

<sup>409</sup> *ibid.*

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3A2K5A	325a 1r 10p	1
3A2K5B	325a 1r 10p	1
3A2K5C	65a 10p	1

In 1928, 3A2D was partitioned:<sup>410</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3A2D1	254a 24p	1 owner
3A2D2	761a 25p	6 owners

During the course of all these partitions, several of the subdivision had unpaid survey liens stemming from the partition hearings. Some of these are summarised in the table below:<sup>411</sup>

#### **Awarua 3A Survey Liens, 1900**

<b>Subdivision</b>	<b>Amount (£/s/d)</b>	<b>Year imposed</b>
3A2C	41/8/7	1900
3A2D	41/11/11	1900
3A2E	48/7/2	1900
3A2F	31/13/8	1900
3A2G	34/19/11	1900
3A2H	11/5/4	1900
3A2I	10/18/10	1900
3A2J	11/2/2	1900
3A2K	97/12	1900
<b>Total</b>	<b>£328 19s. 7d.</b>	

It is not clear when, and how, these liens were satisfied. Some other survey liens, however, were paid and released, and are summarised in the table below:<sup>412</sup>

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<sup>410</sup> *ibid.*

<sup>411</sup> *ibid*

<sup>412</sup> *ibid*

### Awarua 3A Survey Liens Released, 1910–1929

Subdivision	Amount paid (£/s/d)	Year survey lien released
3A2E1	13/6/10	1910
3A2E3B	18/5/6	1914
3A2F2	12/5/9	1914
3A2F2	12/14/3	1914
3A2C1	19/14/6	1916
3A2K2	23/13/6	1918
3A2K7	23/6/-	1918
3A2K1	23/6/1	1919
3A2K5B	71/12/10	1920
3A2K5A	76/17/6	1922
3A2K6	29/2/8	1925
3A2K5C	16/6/4	1923
3A2E3C	9/6/-	1926
3A2E3A	39/1/7	1926
3A2E3A	19/14/1	1926
3A2D1	22/10/1	1929
<b>Total</b>	<b>£431 3s. 6d.</b>	

As briefly noted earlier, several of the Awarua 3A2 subdivisions were alienated during the course of the twentieth century, both by sale and lease. In 1917, 3A2K2 was leased to Patrick Collins 12s. 6d. per acre per annum.<sup>413</sup> In 1918, 3A2K5C was sold to Maud Cooper for £585.<sup>414</sup> In the same year, 3A2F3 was sold to Margaret Scott for £3,104.<sup>415</sup> Also in 1918, part of 3A2K5 was leased to Maud Cooper for 42 years at an annual rental of 9s. per acre.<sup>416</sup> In 1920, 3A2K5B was sold to Maud Cooper for £3,650.<sup>417</sup> The Coopers continued to purchase sections of 3A2K over the following years. In 1920 3A2K2 was sold to John Cooper for £3,400, and the following year John Cooper purchased 3A2K3 for £2340 13s. 6d.<sup>418</sup> In 1921 Maud Cooper purchased 3A2K5 for £4,000, and the following year John Cooper purchased 3A2K4 for £5,000.<sup>419</sup>

The Coopers, however, were not alone in alienating sections of the block. In 1923, 3A2E2 was sold to John Bartosh for £1,800.<sup>420</sup> In the same year, 3A2J Lot 2 was leased to Nellie

<sup>413</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.420.

<sup>414</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.418.

<sup>415</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.417.

<sup>416</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.409.

<sup>417</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.404.

<sup>418</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, pp.403 and 406.

<sup>419</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, pp.399 and 401.

<sup>420</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.398.

Bertha Smith for 21 years at £130 pounds per annum.<sup>421</sup> Also in 1923, 3A2J Lot 1 was sold to Phoebe Smith for £818.<sup>422</sup> In 1925, 3A2K6 was sold to William Richard Duncan for £2,681.<sup>423</sup> In 1926, John Bartosh leased parts of 3A2E3A and 3A2E3C for the term of 42 years, at an annual rental of £104 11s. 6d. The title to these sections was then Europeanised in 1968.<sup>424</sup> In 1927, Joseph Mortland leased a part of 3A2D for the term of 21 years at an annual rental £495 14s. 3d.<sup>425</sup> In the same year, Margaret Jane Cook also leased a part of 3A2D for the term of 21 years at an annual rental of £165 3s.<sup>426</sup> In 1931, 3A2D2 was leased to Grace Mary Scott, for the term of 21 years, with an annual rental of £304/9/3.<sup>427</sup> In 1934, William McClennan leased 3A2E3 and 3A2E4 for the term of 43 years, at annual rentals of £189 15s. and £160 19s. 9dd. respectively.<sup>428</sup> In 1935, Catherine Mortland leased 3A2K1 for the term of 42 years at an annual rental of £50 5s.<sup>429</sup>

There were also a few alienations after 1950. In 1955, part of 3A2D2 was sold to Kotu Estates Ltd. for £750.<sup>430</sup> In 1958, 3A2K7 was leased to John Haitana for the term of 21 years, at an annual rental of £390 9s. 4d. The title to this section was then Europeanised in 1968.<sup>431</sup> In 1960, part of 3A2D2 was leased to Roy Sherson for the term of 5 years at an annual rental of £575. The title to this section was also Europeanised in 1968.<sup>432</sup>

### ***Awarua 3B2***

Following the partition in 1896, there was further title activity in the remaining Maori owned sections of Awarua 3B2. In 1902, 3B2B was partitioned:<sup>433</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3B2B1	461a 32p	4
3B2B2	56a 2r 14p	2

<sup>421</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.397.

<sup>422</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.396.

<sup>423</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.395.

<sup>424</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.388.

<sup>425</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.385.

<sup>426</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 1, *ibid*, p.384.

<sup>427</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 2A, *ibid*, p.512.

<sup>428</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 2A, *ibid*, pp.510-511.

<sup>429</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 2A, *ibid*, p..494.

<sup>430</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 2A, *ibid*, p.508.

<sup>431</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 2A, *ibid*, p.505.

<sup>432</sup> Confirmation of alienation, Block Order File Wn. 598A Vol. 2A, *ibid*, p.496.

<sup>433</sup> The information in the table is collated from the Awarua Block Order File Wn. 593, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1.

In 1907, restriction on alienation by sale was placed on 3B2B2.<sup>434</sup>

In 1905, 3B2J was partitioned:<sup>435</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3B2J1	173a 2r 10p	6
3B2J2	62a 2r 10p	1

In 1909, 3B2C was partitioned:<sup>436</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3B2C1	124a 3r 20p	1
3B2C2	125a 2r 20p	1
3B2C3	208a	9

In 1910, 3B2G was partitioned:<sup>437</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3B2G1	28a 3r	3
3B2G2	57a 32p	1
3B2G3	57a 32p	2

In 1912, 3B2D was partitioned:<sup>438</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3B2D1	43a 2r 25p	1
3B2D2	43a 2r 25p	1

In 1925, 3B2C3 was partitioned:<sup>439</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3B2C3A	121a 1r 17p	1
3B2C3B	86a 2r 23p (?)	(?)

In 1951, 3B2C1 was partitioned:<sup>440</sup>

<sup>434</sup> Confirmation of alienation, Block Order File Wn. 593, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.162.

<sup>435</sup> The information in the table is collated from the Awarua Block Order File Wn. 593, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1.

<sup>436</sup> *ibid.*

<sup>437</sup> *ibid.*

<sup>438</sup> *ibid.*

<sup>439</sup> *ibid.*

Subdivision	Area	No. of Owners
3B2C1A	2a (?)	(?)
3B2C1B	123a 3r 30p	13

In the course of these partitions, several sections had unpaid survey liens over them. Some of those are summarised in the table below:<sup>441</sup>

#### Awarua 3B Survey Liens, 1900

Subdivision	Amount (£/s/d)	Year imposed
3B2B	32/4/-	1900
3B2C	28/11/-	1900
3B2E	2/14/9	1900
3B2G	9/11/4	1900
3B2H	11/4/10	1900
3B2I	6/3/1	1900
3B2J	27/12/5	1900
3B2C3	15/3/7	1927
<b>Total</b>	<b>£133 5s.</b>	

The outstanding survey lien for 3B2J was satisfied in 1912 and for 2B2C3 in 1928. It is not clear when the other survey liens were satisfied.

In 1968, 3B2C2 was leased from for the term of 15 years by E. W. Anderson and H. L. Gibbs, with an annual rental of \$500 for the first seven years, and six percent of capital value for the balance of the lease.<sup>442</sup>

#### *Awarua 3D*

Following the partition to ascertain Crown's interests in 1896, only Awarua 3D3 remained in Maori ownership. 3D3 was further partitioned in 1896:<sup>443</sup>

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<sup>440</sup> *ibid.*

<sup>441</sup> *ibid.*

<sup>442</sup> Confirmation of alienation, Block Order File Wn. 593, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.130.

<sup>443</sup> The information in the table is collated from the Awarua Block Order Files Wn. 598 Vols. 1-4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1.

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 1	100a 2p 33r	2
3D3 2	178a 2p 4r	4
3D3 3	-	-
3D3 4	135a	3
3D3 5	-	-
3D3 6	91a 24p	2
3D3 7	91a 35p	2
3D3 8	612a	12
3D3 9	596a	13
3D3 10	93a	2
3D3 11	45a 3r	1
3D3 12	533a	12
3D3 13	-	-
3D3 14	3a (?)	9
3D3 15	2a	2
3D3 16	176a	2
3D3 17	638a	4
3D3 18	159a 3r 3p	2
3D3 19	226a	3

There were further partitions in the twentieth century. In 1900, 3D3 17 was partitioned:<sup>444</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 17A	30a 30p	2
3D3 17B	4a	3
3D3 17C	601a 11p	2

In 1904, 3D3 17C was partitioned:<sup>445</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 17C1	(?)	(?)
3D3 17C2	389a 2r 37p	1

On 25 August 1949, 3r 3p from 3D3 17C2 were taken for a road, and six years later, 3 acres 15p closed road was vested in the owners on 27 April 1955. In 1965, 3D3 17C2 was leased to Claude Mervyn Jansen for 21 years at an annual rental of £700. The title to 3D3 17C2 was Europeanised in 1969.<sup>446</sup>

<sup>444</sup> *ibid.*

<sup>445</sup> *ibid.*

<sup>446</sup> Confirmation of alienation, Block Order File Wn. 598 Vol. 3, *ibid.*, p.375.

In 1901, 3D3 14 was partitioned:<sup>447</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 14A	128a 3r 12p	3
3D3 14B	181a 2r	5
3D3 14C	37a 30p	1

In 1907, 3D3 14A was partitioned:<sup>448</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 14A1	43a 20p	1
3D3 14A2	85a (?)	(?)

In 1903, 3D3 19 was partitioned:<sup>449</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 19A	90a 1r 24p	1
3D3 19B	137a 1r 3p	5

In 1907, 3D3 1 was partitioned:<sup>450</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 1A	59a 1r	1
3D3 1B	44a 1r 34p	1

In 1905, 3D3 1A was partitioned:<sup>451</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 1A1	(?)	1
3D3 1A2	45a 33p	1

In 1911, 3D3 16 was partitioned:<sup>452</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 16A	49a 26p	1
3D3 16B	126a 3r 14p	4

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<sup>447</sup> The information in the table is collated from the Awarua Block Order Files Wn. 598 Vols. 1-4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1.

<sup>448</sup> *ibid.*

<sup>449</sup> *ibid.*

<sup>450</sup> *ibid.*

<sup>451</sup> *ibid.*

<sup>452</sup> *ibid.*

In 1935, 3D3 16B was partitioned:<sup>453</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 16B1	46a 16p	1
3D3 16B2	70a 3r 32p	2

The two sections were leased by J. Webb for a period of 42 years from 1937, at an annual rental of £42. The title to 3D3 16B1 was Europeanised in 1969.<sup>454</sup>

In 1974 3D3 16B2 was partitioned:<sup>455</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 16B2A	(?)	(?)
3D3 16B2B	14.3950ha	1

In 1912, 3D3 6 was partitioned.<sup>456</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 6A	22a 39p	1
3D3 6B	66a 3r 10p	2

In 1915, 3D3 9 was partitioned.<sup>457</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 9A	66a 35p	2
3D3 9B	529a 3r 5p	45

In 1961, 3D3 12 was partitioned.<sup>458</sup>

<b>Subdivision</b>	<b>Area</b>	<b>No. of Owners</b>
3D3 12A	2r	1
3D3 12B	532a 2r (?)	(?)

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<sup>453</sup> *ibid.*

<sup>454</sup> Confirmation of alienation, Block Order File Wn. 598 Vol. 3, *ibid.*, p.368.

<sup>455</sup> The information in the table is collated from the Awarua Block Order Files Wn. 598 Vols. 1-4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1.

<sup>456</sup> *ibid.*

<sup>457</sup> *ibid.*

<sup>458</sup> *ibid.*

It appears that the two sections were leased together at some point. The title was Europeanised in 1968.<sup>459</sup>

In the course of all the partitions, most sections were encumbered with survey liens. Some of these are summarised in the table below:<sup>460</sup>

#### Awarua 3D3 Survey Liens, 1900–1927

Subdivision	Amount (£/s/d)	Year imposed
3D3 14	15/4/6	1900
3D3 13	15/4/3	1900
3D3 12	21/14/9	1900
3D3 11	2/5/6	1900
3D3 1	4/9/3	1900
3D3 2	7/13/2	1900
3D3 3	3/19/-	1900
3D3 4	5/17/7	1900
3D3 5	11/9/4	1900
3D3 6	3/19/-	1900
3D3 7	3/19/10	1900
3D3 9	24/1/4	1900
3D3 8	25/10/4	1900
3D3 10	4/1/3	1900
3D3 15	1/1/2	1902
3D3 17	7/10/2	1902
3D3 17	26/11/4	1902
3D3 18	6/16/4	1902
3D3 19	9/11/5	1902
3D3 19B	10/13/-	1905
3D3 14A, 14B and 14C	22/11/-	1905
3D3 17B1	2/10/-	1905
3D3 19A1	17/16/-	1905
3D3 6A	7/4/7	1913
3D3 1A	21/2/6	1913
3D3 14A2	14/7/-	1914
3D3 4B	28/16/9	1919
3D3 4A	5/16/3	1919
3D3 1A1	5/19/-	1927
3D3 1A2	17/13/-	1927
<b>Total</b>	<b>£354 9s. 7d.</b>	

It is not clear when all of the liens were satisfied; but where the date the lien was released is known, the information is summarised in the table below:<sup>461</sup>

<sup>459</sup> Confirmation of alienation, Block Order File Wn. 598 Vol. 3, *ibid*, p.364.

<sup>460</sup> The information in the table is collated from the Awarua Block Order Files Wn. 598 Vols. 1-4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1.

### Awarua 3D Survey Liens Released, 1906–1927

Subdivision	Amount paid (£/s/d)	Year satisfied
3D3 3	4/19/-	1906
3D3 13	19/0/6	1907
3D3 8	31/18/3	1907
3D3 1	3/3/10	1910
3D3 17A	1/11/8	1910
3D3 15	1/6/7	1910
3D3 17C2	20/7/6	1910
3D3 17B	4/2	1910
3D3 16A	2/12/6	1913
3D3 16	6/15/7	1913
3D3 16B	6/15/7	1913
3D3 1B	17/18/9	1913
3D3 14A1	7/8/6	1914
3D3 6B	13/13/1	1914
3D3 9B	7/7/4	1915
3D3 1A	23/9/9	1916
3D3 1A1	6/1/9	1925
3D3 4A	8/6/3	1925
3D3 4B	42/19/8	1927
3D3 A2	22/1/10	1920(?)
<b>Total</b>	<b>£244 19s. 11d.</b>	

Awarua 3D3 15 was made a reserve in 1929. In 1924, 3D3 3 was leased by Claude Mervyn Jansen for a term of 42 years, with an annual rent of £73/17/- (it was £59/1/8 for first 21 years). From 1966, 3D3 3 was leased by Bruce Malcolm Jansen for 15 years with an annual rent of £182. The title to 3D3 3 was Europeanised in 1968.<sup>462</sup>

#### 4.11 Awarua 4 and 4A

Awarua 4 and 4A came into existence at the 1891 partition hearing in Marton. Awarua 4 totalled 42,110 acres and was awarded to 133 owners, and Awarua 4A totalled 7,660 acres and was awarded to 139 owners. During 1893 and 1894, the Crown purchased significant portions of both blocks, and in 1894 partition hearings were held to define the Crown's

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<sup>461</sup> *ibid.*

<sup>462</sup> Confirmation of alienation, Block Order File Wn. 598 Vol. 3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.361.

interests in both blocks (as set out in more detail in the section below on Crown purchasing).

Awarua 4 block was divided as follows:<sup>463</sup>

#### Awarua 4 Subdivision, 1894

Subdivision	Area (acres)	Owners
Awarua 4B	18,818 <sup>464</sup>	Crown
Awarua 4C	Balance of block	Non-sellers

Awarua 4A was divided as follows:<sup>465</sup>

#### Awarua 4A Subdivision, 1894

Subdivision	Area (acres)	Owners
4A1	903	Crown
4A2	903	Crown <sup>466</sup>
4A3	5,854	Non-sellers

Further purchasing activities by the Crown in 4C and 4A3 between 1895 and 1896 led to further partition hearings in August 1896.

Awarua 4C was divided as shown on the table overleaf:<sup>467</sup>

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<sup>463</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>464</sup> Note that there is a discrepancy in the area acquired between the Native Land Court documents (18,818 acres) and the Native Land Purchase Department documents (19,361 acres).

<sup>465</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>466</sup> Note that there is a discrepancy in the area acquired between the Native Land Court documents (1,806 acres) and the Native Land Purchase Department documents (1,540 acres).

<sup>467</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

### Awarua 4C Subdivision of Crown and Non-Seller Interests, 1896

Subdivision	Area (acres/roods/perches)	Owners
4C1	781a 3r	Crown
4C2	6,002a	Crown <sup>468</sup>
4C3	341a 3r	1 owner
4C4	87a 1r 21p	1 owner
4C5	43a	1 owner
4C6	172a	1 owner
4C7	151a	4 owners
4C8	1370a	4 owners
4C9	?	?
4C10	678a 2r	2 owners
4C11	515a 2r	1 owner
4C12	795a 2r	2 owners
4C13	297a 3r 10p	3 owners
4C14	172a	2 owners
4C15	2,030a	29 owners

Awarua 4A3 was divided as follows:<sup>469</sup>

Subdivision	Area (acres/roods/perches)	Owners
4A3A	207a 1r	Crown
4A3B	2,817a	Crown <sup>470</sup>
4A3C	2,872a	51 owners

### *Awarua 4A3C*

Awarua 4A3C was further partitioned in December 1896:<sup>471</sup>

Subdivision	Area (acres/roods/perches)	No. of owners
4A3C1	616a	12
4A3C2	500a 3r 36p	9
4A3C3	212a	5
4A3C4	581a	11

<sup>468</sup> Note there is also a slight difference in the area here between the Native Land Purchase Department figures (6,801 acres) and the Native Land Court figures (6,783 acres).

<sup>469</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>470</sup> Note there is also a slight difference in the area here between the Native Land Purchase Department figures (3,041 acres) and the Native Land figures (3,024 acres).

<sup>471</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4A3C5	106a	2
4A3C6	106a	2
4A3C7	212a	7
4A3C8	474a	?

In 1922, 4A3C5 was sold to Michael O'Brien, in two parts, for £258/10/8 and £517/1/3 respectively.<sup>472</sup>

In 1903, 4A3C8 was partitioned.<sup>473</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4A3C8A	?	?
4A3C8B	198a 2r	1
4A3C8C	82a 3r 32p	2
4A3C8D	105a 1r 18p	2

4A3C8B was leased by Gustav Anderson for 21 years from 1927 at £178/10/- annual rental.<sup>474</sup> Part of 4A3C8B (9a 2r 8p) was taken for the purposes of the North Island Main Trunk Railway in 1952, and title to the rest of the section was Europeanised in 1968.<sup>475</sup>

In 1905, 4A3C4 was partitioned.<sup>476</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4A3C4A	141a 38p	3
4A3C4B	47a 1r 29p	1
4A3C4C	?	?
4A3C4D	41a 2r 21p	1
4A3C4E	69a 4p	2
4A3C4F	79a 31p	2
4A3C4G	90a 2r 12p	2
4A3C4H	34a 29p	1

<sup>472</sup> Confirmations of Alienation, Block Order File Wn. 600 Vol. 4, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, pp.862-863.

<sup>473</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>474</sup> Confirmations of Alienation, Block Order File Wn. 600 Vol. 4, *ibid*, p.834.

<sup>475</sup> Memorial Schedule, Block Order File Wn. 600 Vol. 7, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.46.

<sup>476</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

In 1925, 4A3C4E and 4A3C4H were sold to James Murphy in 1925 for £1400.<sup>477</sup>

In 1911, 4A3C4A was also partitioned:

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4A3C4A1	47a 14p	1
4A3C4A2	94a 24p	2

4A3C4A1 was leased by Elsie Whiteman for 21 years from 1929 at £1/16/8 per acre annual rental, and was then leased again by Alexander Whiteman for a period of further 21 years from 1950 at £1/4/- annual rental. 2a 2r 10p were taken from this section for a road in 1960.<sup>478</sup>

In 1929, 4A3C4A1 was partitioned:<sup>479</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4A3C4A1A	40a 1r 16p	6
4A3C4A1B	6a 2r 36p	1

4A3C4A1A was leased to Donald Whiteman for 21 years from 1955 at £9 annual rental, and was subsequently sold to Whiteman in 1969. 75p from the section were taken for a road in 1968.<sup>480</sup> 4A3C4A1B was also sold to Donald Whiteman in 1970.<sup>481</sup>

In 1917, 4A3C4B was partitioned:<sup>482</sup>

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<sup>477</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 4, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.852.

<sup>478</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 4, *ibid*, pp.817-818.

<sup>479</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>480</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 4, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.822.

<sup>481</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 4, *ibid*, p.819.

<sup>482</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4A3C4B1	5a 3r 28p	1
4A3C4B2	5a 3r 28p	1
4A3C4B3	5a 3r 33p	1
4A3C4B4	5a 3r 28p	1
4A3C4B5	5a 3r 28p	1
4A3C4B6	17a 3r 4p	3

4A3C4B1, 2, 3, and 5 were leased by Elsie Whiteman for 5 years from 1928 at £50 annual rental.<sup>483</sup> The four sections were then again leased to A. G. Whiteman for 21 years from 1953 at £53/10/- annual rental. Title to the sections was then Europeanised in 1968.<sup>484</sup> 4A3C4B6 was leased by the Tui Street Meat Company for 21 years from 1927 at £26/13/3 annual rental.<sup>485</sup>

4A3C4B4 was leased by Alexander George Whiteman for 21 years from 1946, at £33 annual rent, and the section was sold to D. H. Whiteman in June 1969.<sup>486</sup> 4A3C4B6 was also leased by Alexander George Whiteman for 21 years from 1949, at £25 annual rent, and the section was transferred, as a freehold, to R. J. Williams for \$2057 consideration at a later date.<sup>487</sup>

In 1911, 4A3C7 was partitioned.<sup>488</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4A3C7A	?	?
4A3C7B	108a 25p	1

Also in 1911, 4A3C2 was partitioned.<sup>489</sup>

<sup>483</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 4, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.830.

<sup>484</sup> Memorial Schedule, Block Order File Wn. 600 Vol. 7, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.37.

<sup>485</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 4, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.831.

<sup>486</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 3, *ibid*, p.721.

<sup>487</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 3, *ibid*, p.718.

<sup>488</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>489</sup> *ibid*.

Subdivision	Area (acres/roods/perches)	No. of owners
4A3C2A	289a 1r 36p	4
4A3C2B	211a 2r	4

During the course of these partitions, many of the new sections were encumbered with survey liens, summarised in the following table:<sup>490</sup>

#### Awarua 4A Survey Liens, 1899–1930

Subdivision	Amount (£/s/d)	Year imposed
4A3C1	8/11/6	1899
4A3C1	34/2/9	1899
4A3C2	2/5/8	1899
4A3C2	32/14/8	1899
4A3C3	14/3/8	1899
4A3C4	4/3/10	1899
4A3C4	33/3/11	1899
4A3C5	7/6/10	1899
4A3C6	7/6/10	1899
4A3C7	14/13/8	1899
4A3C8	10/6	1899
4A3C8	32/6/6	1899
4A3C4A1	4/9/10	1913
4A3C2A	21/0/3	1913
4C13A	22/12/3	1913
4C13B	31/11/9	1913
4A3C7B	13/11/8	1913
4A3C4A1A	2/11/8	1930
4A3C4A1B	15/10/-	1930
<b>Total</b>	<b>£312 13s. 9d.</b>	

It is not clear when, and how, all the outstanding survey liens were satisfied. For some, however, it is clear, and these are summarised in the table below:<sup>491</sup>

#### Awarua 4A Survey Liens Released, 1913–1914

Subdivision	Amount paid (£/s/d)	Year satisfied
4A3C7A	10/10/6	1913
4A3C4A2	8/14/7	1913
4A3C2B	19/3/1	1913
4A3C7B	14/15/10	1914
<b>Total</b>	<b>£53 4s.</b>	

<sup>490</sup> *ibid.*

<sup>491</sup> *ibid.*

### *Awarua 4C*

After the partition of Awarua 4C in 1896, there continued to be considerable title activity in the subdivisions of the block remaining in Maori ownership. In 1899, 4C9 was partitioned.<sup>492</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C9A	?	?
4C9B	188a 13p	1
4C9C	297 3r 5p	1
4C9D	298a 2r 14p	1
4C9E	?	?
4C9F	460a 1r 26p	1

Awarua 4C9G–L were also partitioned out in 1899 but this was for the purposes of establishing the Potaka Native Township, discussed in the next chapter of this report.

Part of 4C9A was leased to W. A. Picard at an annual rental of £10 1s. 3d. for 5 years in 1918.<sup>493</sup> Part of 4C9A was also leased by William Becket for 5 years from 1923 at annual rental of £14.<sup>494</sup> Also, part of 4C9A was leased by Sven Carlson for 10 years from 1954 at annual rental of £95. Title to the section was Europeanised in 1968.<sup>495</sup> 4C9C was leased by William James Foley for 10 years from 1960, at an annual rent of £596. It was declared Maori freehold land in 1963, and European land from 1964.<sup>496</sup>

In 1918, 4C9B was partitioned.<sup>497</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C9B1	18a 3r 21p	1
4C9B2	169a 32p	1

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<sup>492</sup> *ibid.*

<sup>493</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 3, Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.715.

<sup>494</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 4, *ibid.*, p.861.

<sup>495</sup> Memorial schedule, Block Order File Wn. 600 Vol. 7, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.57.

<sup>496</sup> Memorial schedule, Block Order File Wn. 600 Vol. 3, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.708.

<sup>497</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

Part of 4C9B1 was sold to Te Uruotu Potaka for £354 6d. in 1928.<sup>498</sup> Part of 4C9B1 was also sold to Arona Potaka for £715 in 1929. Part of 4C9B1 was also sold to Arona Potaka in 1956 for £627 10s.<sup>499</sup> Title to the section was Europeanised in 1968.<sup>500</sup> Title to 4C9B2 was Europeanised in 1968, changed to Maori freehold land in 1977, and became General land in 1994.<sup>501</sup>

In 1934, 4C9F was partitioned:<sup>502</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C9F1	?	?
4C9F2	6a 39p	5
4C9F3	236a 3r 32p	1
4C9F4	182a 2r 22p?	?

4C9F3 was leased in parts to Pene Potaka (211a 3r 32p at an annual rental of £318) and Noel Mitchell (25 acres, in conjunction with 4C9E, at an annual rental of £827 10s. for both sections) for 15 years from 1962, and title was then Europeanised in 1968.<sup>503</sup> Title to 4C9F2 was Europeanised in 1968.<sup>504</sup>

In 1937, 4C9F4 was partitioned:<sup>505</sup>

<sup>498</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 4, *ibid*, p.828.

<sup>499</sup> Memorial schedule, Block Order File Wn. 600 Vol. 5, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.19.

<sup>500</sup> Memorial schedule, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.814; Block Order File Wn. 600 Vol. 7A1 Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.84.

<sup>501</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 5A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.24.

<sup>502</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>503</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 7A1, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.93.

<sup>504</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 7A1, *ibid*, p.90.

<sup>505</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C9F4A	45a 2r 25p	1
4C9F4B	136a 3r 37p	5

Title to 4C9F4A was Europeanised in 1968.<sup>506</sup> After a further partition, 4C9F4B1 was leased by Pene Potaka for 10 years from 1960 at annual rent £68/10/3.<sup>507</sup> 4C9F4B2 was also leased by Pene Potaka for 10 years from 1960 at annual rent 137/0/8.<sup>508</sup> It appears that these sections were also Europeanised in 1972.<sup>509</sup>

In 1936, 4C9D was partitioned.<sup>510</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C9D1	47a	1
4C9D2	?	?

4C9D1 was leased to Alfred Potaka for 10 years from 1960, at an annual rent of £90, and title was Europeanised in 1968.<sup>511</sup>

In June 1903, 4C12 was partitioned.<sup>512</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C12A	630a 2r	2
4C12B	?	1
4C12C	?	2

4C12B and 4C12C were leased by Albert Joseph Mickelson for 21 years from 1931 at 6s. per acre annual rental.<sup>513</sup>

<sup>506</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 7A1, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.96.

<sup>507</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 5, *ibid*, p.2.

<sup>508</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 5, *ibid*, p.3.

<sup>509</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 7A1, *ibid*, p.99.

<sup>510</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>511</sup> Confirmation of Alienation, Block Order File Wn. 600 Vol. 7A1, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.87.

<sup>512</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

In 1908, 4C12A was partitioned:<sup>514</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C12A1	316a 3r 16p	1
4C12A2	(313 3r ?)	?

4C12A2 was leased by William Middleton McCombie for 7 years from 1933 at an annual rental of £200. It appears that the lease was originally arranged for 7 years from 1928 at an annual rent of £345/1/7.<sup>515</sup>

In July 1904, 4C15 was partitioned:<sup>516</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C15A	221a	Crown
4C15B	172a 3r	2
4C15C	61a 2r	1
4C15D	64a 2r	1
4C15E	274a	6
4C15F	1,200a 1r	16

Also in 1904, 4C15F was further partitioned:<sup>517</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C15F1	514a	6
4C15F2	71a 1r	8
4C15F3	140a 2r	6
4C15F4	204a	1
4C15F5	270a 2r	3

In 1919, 4C15F3 was partitioned:<sup>518</sup>

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<sup>513</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.800.

<sup>514</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>515</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, pp.789, 829.

<sup>516</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>517</sup> *ibid.*

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C15F3A	10a	7
4C15F3B	130a 2r	1

In 1921, 4C15F1 was partitioned:<sup>519</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C15F1A	60a	6
4C15F1B	23a 1r 14p	1
4C15F1C	23a 1r 14p	1
4C15F1D	23a 1r 14p	1
4C15F1E	23a 1r 14p	1
4C15F1F	23a 1r 14p	1
4C15F1G	23a 1r 14p	3
4C15F1H	314a	8

4C15F1H was leased by Arthur Boshier for 21 years from 1923 at an annual rental of 10/- per acre.<sup>520</sup> 4C15F1F was leased by Arthur Boshier for 21 years from 1927 at £19 annual rental.<sup>521</sup> 4C15F1G and 4C15F1A2B were leased to Julia Mickelson for 21 years from 1947 for annual rent £31/12/6, and title was Europeanised in 1973.<sup>522</sup> Part of 4C15F1B was sold to Geoffrey Horton in 1976 for \$5,850.<sup>523</sup>

In 1924, 4C15F1A was partitioned:<sup>524</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C15F1A1	1a	1
4C15F1A2	59a	8

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<sup>518</sup> *ibid.*

<sup>519</sup> *ibid.*

<sup>520</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.860.

<sup>521</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, *ibid.*, p.833.

<sup>522</sup> Memorial schedule, Block Order File Wn. 600 Vol. 6, Memorial schedule, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.32.

<sup>523</sup> Memorial schedule, Block Order File Wn. 600 Vol. 5, Memorial schedule, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.10.

<sup>524</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

4C15F1A1 was gifted to Merania Waratini in 1929.<sup>525</sup>

In 1927, 4C15F1A2 was partitioned.<sup>526</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C15F1A2A	3a 1p	8
4C15F1A2B	9a 1r 6p	3
4C15F1A2C	9a 1r 4p	1
4C15F1A2D	?	?
4C15F1A2E	9a 1r 7p	1
4C15F1A2F	?	?
4C15F1A2G	9a 1r 3p	1

Part of Awarua 4C15F1A2 was made a Maori reserve in 1939 for the common use of Ngati Hinemanu and Ngati Paki as a meeting place, burial ground, and a Church site, but the reservation was cancelled in 1985.<sup>527</sup> 4C15F1A2C was gifted to Edward Rihia in 1952.<sup>528</sup> Title to 4C15F1A2G was Europeanised in 1969.<sup>529</sup>

In 1984, 4C15F1A2A was partitioned.<sup>530</sup>

<b>Subdivision</b>	<b>Area (square metres)</b>	<b>Number of owners</b>
5 and 7	9,966	33
6	2,196	33

In 1944, 4C15F1H was partitioned.<sup>531</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>Number of owners</b>
4C15F1H1	161a 2r	8
4C15F1H2	?	?

<sup>525</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.816.

<sup>526</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>527</sup> Memorial schedule, Block Order File Wn. 600 Vol. 5, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.9.

<sup>528</sup> Memorial schedule, Block Order File Wn. 600 Vol. 6, *ibid*, p.30.

<sup>529</sup> Memorial schedule, Block Order File Wn. 600 Vol. 7A1, *ibid*, p.71.

<sup>530</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>531</sup> *ibid*.

Title to 4C15F1H1 was Europeanised in 1968.<sup>532</sup>

In 1909, 4C8 was partitioned:<sup>533</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C8A	515a 3r 26p	7
4C8B	429a 3r 27p	1
4C8C	429a 3r 27p	1

4C8C was sold to Alice Brown in 1918 for £4,674.<sup>534</sup> 4C8B was leased by William Foley for 15 years from 1929 at £322 8s. 9d. annual rental. 4C8B was then leased to Haddon Bros. for 10 years from 1948, at £183 10s. annual rental.<sup>535</sup> It was then leased by Ngahina Haddon for 10 years from 1958 at £429 18s. 6d. annual rental, and title to the section was Europeanised in 1968.<sup>536</sup>

In 1911, 4C8A was partitioned.<sup>537</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C8A1	429a 3r 28p	1
4C8A2	85a 3r 38p	6

Awarua 4C8A1 was leased by William Foley for 15 years from 1929 at £322 9s. annual rental.<sup>538</sup> 4C8A1 was then leased to Ngahina and Mick Haddon for 21 years from 1953 at

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<sup>532</sup> Memorial schedule, Block Order File Wn. 600 Vol. 7A1, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.80.

<sup>533</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>534</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.714.

<sup>535</sup> Memorial schedule, Block Order File Wn. 600 Vol. 6, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.35.

<sup>536</sup> Memorial schedule, Block Order File Wn. 600 Vol. 7, *ibid*, p.54.

<sup>537</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>538</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.827.

annual rental £13 5s., and the was title Europeanised in 1968.<sup>539</sup> Awarua 4C8A2 was also leased by William Foley for 15 years from 1930 at £64/9/10 annual rental.<sup>540</sup> 4C8A2 was then also leased to Ngahina and Mick Haddon for 21 years from 1948 at an annual rental of £30 pounds. It appears that the lease was re-entered into in 1968 by Maori Trustee, but then a new lease to Gordon McLeod for 21 years from 1969 at \$100 annual rent was entered into, which was then transferred to McLeod in 1979, and the section was deemed to be general land.<sup>541</sup>

In 1910, Awarua 4C13 was partitioned:<sup>542</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C13A	125a	1
4C13B	172a 3r 10p	2

Awarua 4C13B was leased by William Anderson for 10 years from 1924 at £108 annual rental.<sup>543</sup> 4C13B was then sold in 1954 to Albert Mickelson for £2,000.<sup>544</sup>

In 1910, 4C14 was partitioned:<sup>545</sup>

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C14A	81a 3r 1p	1
4C14B	81a 3r 1p	1

In 1926, 4C7 was partitioned:<sup>546</sup>

<sup>539</sup> Memorial schedule, Block Order File Wn. 600 Vol. 7, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.51.

<sup>540</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.813.

<sup>541</sup> Memorial schedule, Block Order File Wn. 600 Vol. 5A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.21.

<sup>542</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>543</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.853.

<sup>544</sup> Memorial schedule, Block Order File Wn. 600 Vol. 6, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.31.

<sup>545</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<b>Subdivision</b>	<b>Area (acres/roods/perches)</b>	<b>No. of owners</b>
4C7A	43a	1
4C7B	108a	3

Awarua 4C7A was gifted to William Pine in 1929.<sup>547</sup> 4C7B was sold to Alice Brown in 1926 for £2,214.<sup>548</sup>

Part of Awarua 4C4 was leased by William Becket for 21 years from 1928 at a £35 15s. annual rental.<sup>549</sup> 4C4 was then leased to Ronald Dean for 21 years from 1949 at an annual rental of £28 15s 6d.; 16a 2r 25p from the section was taken for a gravel pit in 1952, and the title was then Europeanised in 1968.<sup>550</sup> 4C10 was leased to Jacob Neil and Oscar Jackson for 21 years from 1953 at an annual rental £646 5s.<sup>551</sup> The section was then sold to Michael O'Connor in 1978 for \$87,795 and became General land.<sup>552</sup>

There were public works takings in Awarua 4C11: 3a 1r 20p for railway purposes, 2a 1r 34p for roading purposes and 24p for roading purposes also in 1954, and title was Europeanised in 1968.<sup>553</sup> Sections from 4C9G to 4C9L became part of the Utiku Potaka township, as discussed in the section of this report on Utiku Potaka township .

During the course of all these partitions, many of the new sections were encumbered with survey liens, summarised in the following table:<sup>554</sup>

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<sup>546</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

<sup>547</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.815.

<sup>548</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 1, p.851.

<sup>549</sup> Confirmation of alienation, Block Order File Wn. 600 Vol. 4, *ibid*, p.832.

<sup>550</sup> Memorial schedule, Block Order File Wn. 600 Vol. 7, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volume 2, p.49.

<sup>551</sup> Memorial schedule, Block Order File Wn. 600 Vol. 5, *ibid*, p.5.

<sup>552</sup> Memorial schedule, Block Order File Wn. 600 Vol. 5, *ibid*, p.4.

<sup>553</sup> Memorial schedule, Block Order File Wn. 600 Vol. 7A1, *ibid*, p.64.

<sup>554</sup> The information in the table is collated from the Awarua Block Order Files Wn. 600 Vols. 1-7A, Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 1 and 2.

**Awarua 4C Survey Liens, 1899–1930**

<b>Subdivision</b>	<b>Amount owed (£/s/d)</b>	<b>Year imposed</b>
4C3	7/11/7	1899
4C3	11/0/11	1899
4C4	4/12/-	1899
4C5	2/5/11	1899
4C6	8/17/5	1899
4C7	8/19/10	1899
4C8	49/12/1	1899
4C8	24/3/8	1899
4C9	79/2/5	1899
4C9	33/8/3	1899
4C10	21/0/1	1899
4C10	15/5/6	1899
4C11	14/16/2	1899
4C11	13/4/6	1899
4C12	25/15/3	1899
4C12	12/7/11	1899
4C13	5/11/2	1899
4C13	10/9/11	1899
4C14	8/17/5	1899
4C14	7/-	1899
4C15	52/15/8	1899
4C15	55/15/8	1899
4C15F3	16/13/6	1912
4C15F4	17/11/-	1912
4C15F5	17/3/-	1912
4C14A	10/11/6	1913
4C12A2	28/4/4	1913
4C8A1	34/18/9	1912
4C8A2	6/17/3	1912
4C8B	41/9/7	1912
4C8C	25/2/1	1912
4C15B	9/4/6	1912
4C15C	9/17/6	1912
4C15D	11/5/6	1912
4C15E	21/15/-	1912
4C9B2	14/1/5	1930
4C15F1A2A	2/12/8	1930
4C15F1A2B	8/2/7	1930
4C15F1A2C	8/2/4	1930
4C15F1A2D	7/5/-	1930
4C15F1A2E	8/2/8	1930
4C15F1A2F	8/2/6	1930
4C15F1A2G	8/2/3	1930
4C15F3A	1/6/6	1930
4C15F1A1	5/10	1927
4C15F1A2	17/2/8	1927
<b>Total</b>	<b>£812 3s. 5d.</b>	

It is not clear when, and how, all the outstanding survey liens were satisfied. For some, however, it is clear, and these are summarised in the table below:<sup>555</sup>

#### Awarua 4C Survey Liens Released, 1908–1949

Subdivision	Amount paid (£/s/d)	Year satisfied
4C7	11/4/10	1908
4C8A1	42/10/4	1916
4C13A	24/10/10	1915
4C14A	11/6/2	1914
4C13	20/1/6	1910
4C15F1A2B	26/6/11	1949
<b>Total</b>	<b>£136 0s. 7d.</b>	

#### 4.12 Conclusion

Awarua block was something of a rohe potae for the Mokai Patea people and the Taihape district. The huge area within Awarua was one of the last of the big blocks in the wider region to go through the Native Land Court and suffer from Crown purchasing. It shares the year of its title investigation (1886) and its importance to the North Island Main Trunk Railway line with other, more familiar, rohe potae blocks, such as Aotea in Te Rohe Potae (the King Country). Between Awarua and Aotea lay the Taupouiatia rohe potae block, which was put through the Court only a few months earlier.

It was not so much the route of the railway line through Taihape that was critical for the Crown to secure (for that was a relatively easy task). More important to the Crown was securing the land around the railway, and it sought to acquire as much of Awarua as possible for as little as possible before the railway was put through. It could then sell the land for a profit to help fund its costly and critical piece of infrastructure. It was assisted in this strategy by the imposition of pre-emption, which excluded private competitors from the market and forced Maori land prices down to the meagre level the Crown was willing to pay. The owners of Awarua were further encouraged into these unfair land deals through heavy debts arising from the the Crown’s title investigation process: the Native Land Court. Survey charges and the myriad costs associated with prolonged Court sittings in distant and notoriously costly venues forced some leading rangatira into bankruptcy and encouraged cheap land sales to the Crown.

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<sup>555</sup> *ibid.*

Survey costs were frequently paid for in land. With base trig surveys completed in the area before title investigation, survey costs were markedly lower on a per-acre basis than in earlier decades – about thruppence an acre, compared to several shillings an acre before trig surveys were done. Even so, these costs still added up: the Crown sought about 20,000 acres of Awarua to pay the £3,100 cost of the initial survey plus another £3,000 for the subdivisional surveys. This was despite the Crown knowing it was to immediately acquire a significant portion of Awarua, leading to further subdivisional survey costs. Given how much of the survey work was to the Crown's immediate benefit, there was ample scope for considering a different approach to paying for the surveys, but as the systems were already in place to enforce payment in land there was little motivation for the Crown to change its *modus operandi*.

As a result of this combination of the policy environment and pressing debts more than three-quarters of Awarua – about 200,000 acres – was gone in a handful of big Crown purchases in the 1890s. This was twice as much as the enormous area the owners had collectively agreed to sell to the Crown at the outset of purchasing in 1892.

As of 1900, just over 50,000 acres of Awarua remained in Maori ownership in a large number of heavily subdivided titles. In fact, quite a few of these titles were subdivided down to the level of the Crown's policy goal of individual ownership: that is, one owner per title. The Native Land Court's succession regime subsequently undid such individual ownership, where land was retained by Maori long enough for succession to affect the title. The Crown ceased purchasing shortly before 1900, but rather than protect the remnant of Awarua it had left in Maori ownership, it opened that land up to private purchasing. Through the early decades of the twentieth century, large areas of the remnant of Awarua were alienated under the streamlined, bureaucratic processes of the Maori Land Board. In the period from 1900 to 1930, almost half of the Awarua land remaining was alienated through private purchases. A much smaller amount was sold thereafter, with the result that today over 26,000 acres – more than half of the land remaining after Crown purchasing – was lost to private purchases.

About one-fifth of the Maori land that survived the private purchase era lost its status as Maori land with the stroke of a legislative pen; being almost 5,000 acres 'Europeanised' under the Maori Affairs Amendment Act 1967. The result is that, today, just over 19,000 acres of Awarua remains Maori land, being less than 8 percent of the original block.

***Summary Data***

<b><i>Awarua original area:</i></b>	c.256,000 acres
<b><i>Crown purchases:</i></b>	205,429 acres
<b><i>Private purchases:</i></b>	26,118 acres
<b><i>Taken for public purposes:</i></b>	415 acres
<b><i>Europeanised:</i></b>	4,897 acres
<b><i>Remaining Maori Land:</i></b>	19,410 acres

## 5. Utiku (Potaka) Native Township

The Potaka Native Township was proclaimed under the Native Townships Act in July 1899,<sup>556</sup> but has long been known simply as Utiku (after the town's founder, Utiku Potaka). The background to the Native Townships Act and the policy and practice surrounding such township has been examined in a separate scoping report and is not further remarked on here.<sup>557</sup> Given that the township is the subject of other research, the focus here is simply on noting the Awarua block titles involved in the township and outlining their fate under the Crown's Native Townships regime, particularly in relation to permanent alienations of township sections and identifying the extent of Maori land remaining in Utiku today.

Potaka Native Township was located on six subdivision of Awarua 4C9 that were partitioned out at a sitting of the Native Land Court in Hastings in January 1899. The partition was apparently for the purpose of establishing the township, as the partitions were oddly shaped and fitted together to comprise what was subsequently formalised as the Potaka Native Township. The 1899 subdivision was evidently arranged by Utiku Potaka, as he and his immediate whanau were identified as the individual owners of each of the six titles taken in by the Township. Those titles were:<sup>558</sup>

**Awarua 4C9 Utiku Township Subdivisions, 1899**

<b>Block</b>	<b>Area (acres)</b>	<b>No. of Owners</b>
Awarua 4C9G	18.6	1 (not identified)
Awarua 4C9H	19.5	1 (Paki Potaka)
Awarua 4C9I	22.8	1 (Arapeta Potaka)
Awarua 4C9J	17.8	1 (Utiku Potaka)
Awarua 4C9K	9.7	1 (Kapi Te Oiroa Potaka)
Awarua 4C9L	21.7	1 (Kaukarahi Potaka)
<b>Total</b>	<b>110.1</b>	

<sup>556</sup> *New Zealand Gazette*, 1899, p.1404.

<sup>557</sup> Bassett Kay Research, 'Local Government, Rating, and Native Township Scoping Report', CFRT, 2012, pp.31-42.

<sup>558</sup> The information in the table is collated from the Awarua 4C9G-9L Block Order files Wh 600A, Volumes 1 and 2. Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 2, pp.102-268.

The Utiku Township land (Awarua 4C9G–L) was bound in the north by Awarua 4C9B, in the west and south by Awarua 4C9A, and in the east by the Hautapu River (see Map 14 below).

The Township land was further subdivided into smaller township sections, ranging from quarter-acre residential and commercial lots through to outlying sections as large as six acres. There were a total of 116 sections, arranged in 7 blocks. This leads to the Township lots being described using the numerical system of sections within blocks, e.g., ‘Section 1 Block II’. As Bassett and Kay have noted, the survey costs charged against the Township land were £76 5s., which consumed almost all of the first year’s rental income of £88 when the Township sections were offered for lease in 1900.<sup>559</sup>

## 5.1 Takings for Public Purposes

By the time the Township titles were surveyed and awarded, roads had already been laid out through them (including the existing Hunterville-Tokaanu Road; now partly SH 1 and partly Carlson Road). The total area enclosed by the Township was 138 acres. From this was deducted 24 acres 1 rood taken for roads and the North Island Main Trunk railway (which bisected the Township), and 3 acres 2 roods 28 perches of steep banks near the Hautapu River excluded from the Township proper. No compensation was paid for the land taken for road and rail purposes, which represented about 17 percent of the land originally set aside for the Township (see Map 14 overleaf).<sup>560</sup>

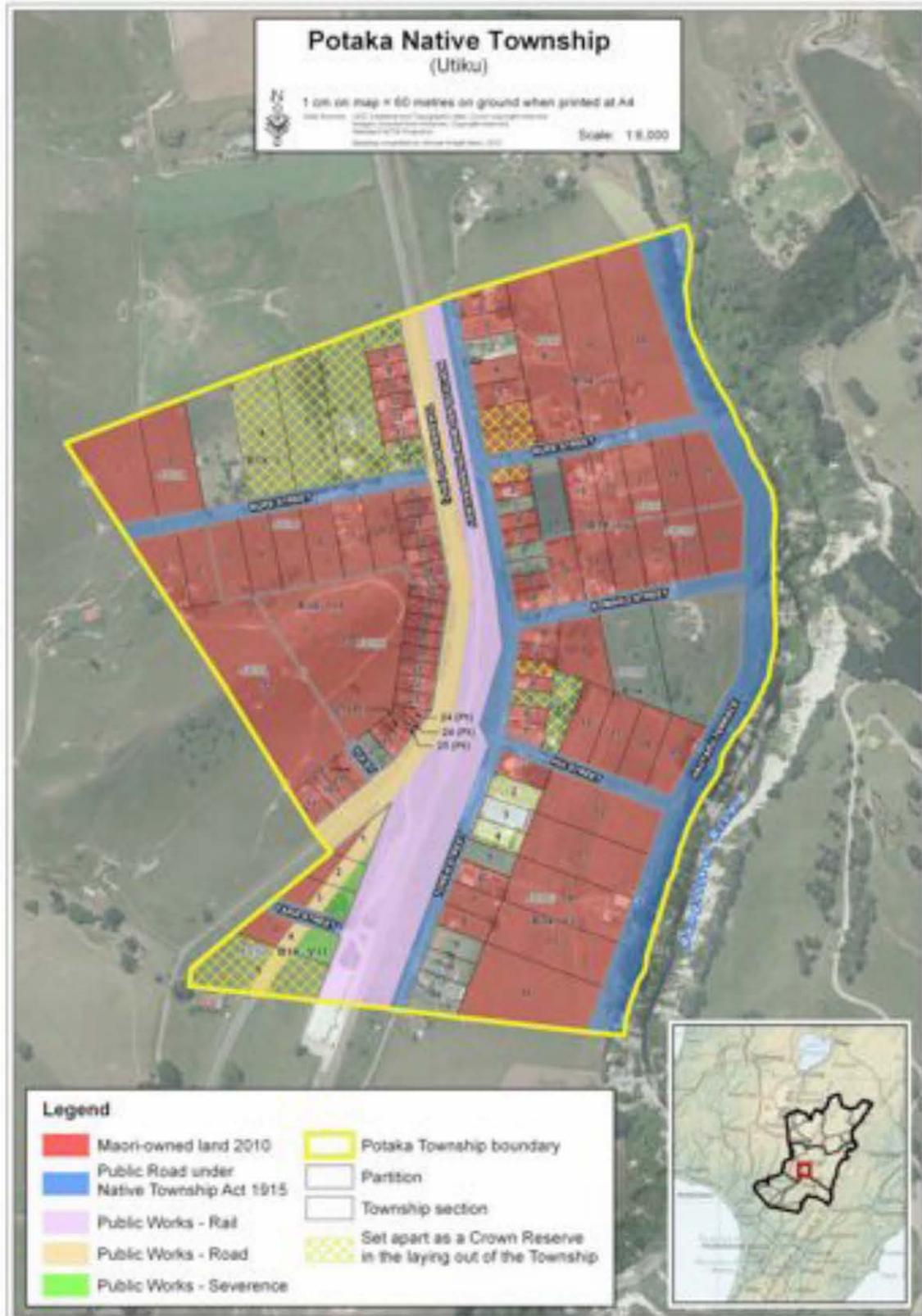
The railway takings do not seem to have been formalised until after the titles were awarded in January 1899, for the deductions for rail are specifically noted on the plans of the two township titles affected by post-1899 takings: Awarua 4C9J (which lost 2 acres 1 rood 26 perches to the railway) and Awarua 4C9K (which lost 9 acres 0 roods 16 perches). That is half of the Awarua 4C9K title (originally 18 acres 3 roods 6 perches) was lost to railway takings (see Map 14 overleaf).

This left 110 acres 0 roods 12 perches awarded to the six individuals of the Potaka whanau, which was then proclaimed as Potaka Native Township.

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<sup>559</sup> Bassett Kay, p.34.

<sup>560</sup> Bassett Kay, p.33.



Map 14: Utiku (Potaka) Native Township

The 1899 takings were not the last of the land taken in the Township. Once the Township was proclaimed, numerous sections were taken for other public purposes related to the new township. The sections taken for public purposes were (see Map 14 above):<sup>561</sup>

### **Reserves Set Aside for Public Purposes in Potaka Native Township**

<b>Township Section</b>	<b>Original NLC Title</b>	<b>Area (acres. roods. perches)</b>	<b>Purpose of Taking</b>
Section 4 Block I	4C9J	2a. 1r. 32p.	Recreation ground (Utiku Domain)
Section 5 Block I	4C9J	2a. 2r. 19p.	Recreation ground
Section 6 Block I	4C9J	2a. 3r. 5p.	School site
Section 7 Block I	4C9J	0a. 1r. 31p.	Pound
Section 14 Block I	4C9J	0a. 1r. 0p.	Public hall
Section 15 Block I	4C9J	0a. 1r. 0p.	School site
Section 6 Block II	4C9I	0a. 2r. 0p.	Public buildings
Section 7 Block II	4C9I	0a. 2r. 0p.	Public buildings
Section 1 Block IV	4C9I	0a. 1r. 0p.	Post office
Section 5 Block VII	4C9L	2a. 1r. 39p.	Public Cemetery
		<b>12a. 2r. 6p.</b>	

These reserves amount to another 9 percent of the original area set aside for the Township, taking the total losses to public purposes to 26 percent (over 36 acres), or more than a quarter of the original site. As with the takings for road and rail, no compensation was paid for the loss of this land.

When SH 1 was realigned, more land was taken from Blocks 1–5 Block VII, which were bisected by the realigned highway. The existing main road remained in use, being re-named Carlson Road (see Map 14 above). Details of the takings for the realignment of SH 1 have not been located in the existing research.

Not all of the streets taken from the Township land in 1900 remain in use, but none appear to have been re-vested in Maori ownership (or at least none are today in Maori ownership).

Given the decline in the fortunes of Potaka Native Township, it is many years since most of the public reserves have been required for the purposes for which they were taken. Indeed, one reserve – the Cemetery reserve – was never used for the purpose for which it was taken, which is fortunate, for it was later cut in two when SH 1 was realigned. As noted in the existing research, the Cemetery reserve was returned to the descendants of the former owners

<sup>561</sup> *New Zealand Gazette*, 1900, p.1304; and, DP 1032, LINZ.

in 1958.<sup>562</sup> Since being returned, the land has been alienated from Maori ownership (as early as 1960), although there are no details of how this occurred in the existing research.

There are indications that some other Township reserves were returned to Maori ownership,<sup>563</sup> but only three such reserves have been identified as remaining as Maori land today: they are the Public buildings reserves (Sections 6 & 7 Block II, 1 acre in total) which are today owned by the Potaka Whanau Trust, and the Post office reserve (Section 1 Block IV, ¼ acre), which is today Awarua 4C9J (Pt).

At least one reserve remains in Crown ownership despite not being required for the purpose for which it was taken: the Pound reserve (Section 7 Block I, of 1 rood 31 perches or [0.4 acre]) has long since ceased to be used as a Pound. It is, according to a Department of Conservation map, today part of the Tokaanu Conservation Area, although it is difficult to discern any conservation value in this land (which lies beside SH 1 at the northern limit of the town; another parcel of land just north of Utiku comprises the balance of this ‘conservation’ area).<sup>564</sup>

The status of other public reserves is not known although, as noted, none except those noted above are now Maori land.

## 5.2 Native Reserves

There was provision in the Native Townships Act to set aside up to 20 percent of the available sections as Native Reserves (potentially more than 20 acres in the case of Utiku). As noted in the existing research, considerably less than this was set aside for Maori at Utiku: 7 sections totalling 12 acres 3 roods 28 perches were designated as Native Reserves.<sup>565</sup> These have not been identified in the existing research. Sources relating to the title histories of Township sections refer to only one former Native Reserve, which is noted as having been re-vested in Maori ownership. That land is Section 5 Block V (¼ acre) (part of 4C9H) which was re-vested in Erueti Taiwhati Potaka in 1949.

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<sup>562</sup> Bassett Kay, pp.33-34.

<sup>563</sup> Ibid (citing information from claimant, Neville Lomax).

<sup>564</sup> Tokaanu Conservation Area, DOC ID 27445: <http://gis.doc.govt.nz/docgis/>

<sup>565</sup> Bassett Kay, p.34.

Like other sections revested in Maori ownership in 1949, Section 5 Block V was later permanently alienated. Stripped of its status as a Native Reserve, the section became ordinary Maori land and vulnerable to alienation. By the 1940s, it was loaded with rates charging orders of £21, and in the late 1960s it was transferred to a Pakeha purchaser (Troon) for \$300.<sup>566</sup>

As discussed below, a total of 18 sections totalling more than 17 acres were revested in Maori ownership in 1949 (and in 1952), but (with one exception) the available records do not indicate which of these were originally Native Reserves and which were simply revested as part of the administrative regime governing the Township (for instance, where the land was unleased and unoccupied it might be revested in Maori ownership).

In addition to occupying these reserves, at times a few owners also leased Township sections themselves. This seems to have occurred later, after the Township had begun to go into decline, presumably when leaseholds could be acquired for much lower prices than those being paid in the 1910s and 1920s. For instance, Colleen Potaka leased six adjacent sections comprising three acres (Sections 17–22 Block III) on the west side of SH 1, formerly occupied by the mechanic Deadman and the storekeeper Wong. Two others of the Potaka whanau leased an acre-section each around the corner on Rupe Street (Sections 7 & 8 Block III).

### **5.3 Alienation of Township Sections Before 1949**

Other than those lands taken for public purposes, the initial intention under the Native Townships Act was to lease, rather than sell, the land. The Potaka Native Township sections were offered for lease in 1900, when only 27 of the 94 sections were taken up. The situation improved by 1904, when most of the remaining sections were leased. These leases were for 21 years, with a right of renewal for a further term of 21 years. After the leases were arranged, the terms were altered in 1908, when administration of the leases was transferred to the Aotea Maori Land Board, which offered leases with a perpetual right of renewal.<sup>567</sup>

The nature and results of the individual leases are more properly subjects for targeted research on Utiku. What can be noted here is that the rents paid under the leases were relatively low

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<sup>566</sup> Awarua 4C9G-9L Block Order files Wh 600A, Volumes 1 and 2. Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 2, pp.102-268.

<sup>567</sup> Bassett Kay, p.34.

compared to the prices paid for the leaseholds when they were sold from one occupier to another. This could be due in part to improvements effected on the leasehold sections by lessees, but certainly some relatively large sums were changing hands, particularly during the 1920s. By then, any leases converted to perpetual leases would have had a value approaching that of freehold land, while rents – based on an out-of-date unimproved land value – remained relatively low compared to capital value.

For instance, the rental for Sections 11–14 Block III (1 acre in total on the west side of the SH 1) was a total of £8 per annum, but the leasehold was for just two of the sections was sold for £550 in 1925, and all four sections were sub-let by the lessee for £91 per annum. This pattern was repeated for other sections, such as Section 21 Block III ( $\frac{1}{4}$  acre), leased for £2 per annum before the leasehold was sold to the unfortunately-named mechanic, Deadman, for £50 in 1942, before he sold it to Moore for £175 just two years later. The adjacent sections (evidently used for retail purposes) experienced similar transactions, notably Sections 20 & 23 Block III ( $\frac{1}{2}$  acre in total), for which a similarly low rent was paid before the leasehold was sold in 1919 for £300, sold again in 1924 for £500, and again to the Marton grocer, Wright, for £800 in 1926. The 1920s bubble burst, with Wright selling to McWhirter for £650 in 1927, before the storekeeper Wong later picked up the leasehold for a comparatively modest £300.<sup>568</sup>

Very few sections were sold while under administration as part of the Township. The only sale clearly identified to date is the sale of Sections 9–11 Block VI to the Taihape Co-operative Dairy Company in 1923 for £235.<sup>569</sup> That indicates a land value of just over £120 per acre for just under 2 acres on the southern edge of the Township beside the railway line. As Bassett and Kay note, the sale was agreed to by the Maori Land Board and the owners as the land was intended as the site of a dairy factory which, it was hoped, would improve the prospects of the Township<sup>570</sup> (the early 1920s being marked by a sharp slump). The Dairy Company also leased a quarter-acre section in another part of the township (Section 2 Block IV), beside the Post Office. Another area a short way along the road (Sections 1, 2 & 8 Block V, of 1 acre 3 roods 26 perches, on the corner of Komako Street and Torea Road), was leased to the Hawke's Bay Farmers Co-operative, who paid £750 for the leasehold in 1924.

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<sup>568</sup> Awarua 4C9G-9L Block Order files Wh 600A, Volumes 1 and 2. Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 2, pp.102-268.

<sup>569</sup> *ibid.*

<sup>570</sup> Bassett Kay, p.35.

Another section is described in MLC records as having been sold by 1945, but this land (Section 1 Block III, comprising 1 acre) has subsequently been re-acquired by Maori and is today part of a Maori land title (Sections 1 & 32 Block III, with 2 owners).

One section (Section 4 Block IV) was leased to a Maori named Te Kauru – apparently not an owner – and was sold in 1947, but it was purchased by a leading owner, Utiku Potaka, so despite being alienated, the section was later determined to be Maori land. He paid £200 for the quarter-acre section on the main road in the centre of town. The land is today part of the Awarua 4C9I Maori title.

Two sections were leased by churches: Section 2 Block II (½ acre near the end of Torea Road) to the Church of the Latter Day Saints; and, Section 27 Block III (¼ acre, on Carlson Road near the intersection with SH 1) to the Church of England. Today the Latter Day Saints section is vacant (part of the current Maori land title, Awarua 4C9I) while the Church of England section seems to be occupied by a house and is no longer Maori land.

#### 5.4 Partitions and Revestings, 1929–1952

While land was held under the Native Township regime, there would seem to be little benefit in subdividing the underlying Maori land titles that comprised the township. Even so, one of the six Potaka Native Township titles was partitioned in 1929, into three new titles, as set out in the table below. The motivation for the subdivision is not apparent from existing research, but may relate to successions to the single owner. Two of the three new titles established in 1929 were further partitioned in the 1950s, following the revesting of the land in the Maori owners in 1949 and 1952 (as set out in the table below).<sup>571</sup>

##### Partitioning of Awarua 4C9H, 1929–1955

Title	Year	Area (acres)	New Titles	Year	Area (acres)	Notes
4C9H	1899	19.5	4C9H1	1929	0.25	Revested 1949; still Maori land (Sec 3 Blk V).
			4C9H2	1929	1	Partitioned 1955.
			4C9H3	1929	18.25	Partitioned 1952.
4C9H3	1929	18.25	4C9H3A	1952	6	Revested 1952; sold in 1977 (Secs 9 & 10 Blk V)

<sup>571</sup> The information in this table is collated from Awarua 4C9G-9L Block Order files, Wh 600A, Volumes 1 and 2. Taihape: Rangitikei ki Rangipo & Porirua ki Manawatu Inquiry Districts Research Assistance Projects: Maori Land Court Records Document Bank, Volumes 2, pp.102-268.

Title	Year	Area (acres)	New Titles	Year	Area (acres)	Notes
			4C9H3B	1952	12.25	Revested 1952; still Maori land (Awarua 4C9H3).
4C9H2	1929	1	4C9H2A	1955	0.25	Native Reserve; revested 1949; sold in 1960s (Sec 5 Blk V).
			4C9H2B	1955	0.75	Revested 1949; sold in 1977 (Sec 11 Blk V).

The revestings of 1949 and 1952 noted in the table above were only part of a wider scheme of revesting of Potaka Maori Township land in the Maori owners at the same time. It appears that the sections being revested were those that were not held under perpetual lease. The 19 revestings identified to date are set out in the table below.<sup>572</sup> All but two of the titles were revested in 1949. The timing of the two 1952 revestings may be linked to the abolition of the Maori Land Boards that year, and the transfer of responsibility for Maori Townships (as they were known from 1949) to the Maori Trustee. Finally, in 1955, the Native/Maori Townships Act was repealed, and remaining Township land became subject to the Maori Reserved Land Act 1955.<sup>573</sup>

#### Revesting of Potaka Native Township Land, 1949 & 1952

Title	Area (acres)	Year	Notes
Section 1 Block I	2.4	1949	Still Maori land (Awarua 4C9L (Pt) DP 2415)
Section 2 Block I	2.1	1949	Still Maori land (Awarua 4C9L (Pt) DP 2415)
Section 5 Block III	1	1949	Still Maori land (Awarua 4C9J)
Section 6 Block III	1	1949	Still Maori land (Awarua 4C9J)
Section 9 Block III	0.25	1949	Still Maori land (Awarua 4C9J)
Sec 24 Pt Block III	0.1	1949	No longer Maori land; no alienation details.
Section 3 Block IV	0.25	1949	No longer Maori land; no alienation details.
Section 6 Block IV	0.25	1949	No longer Maori land; no alienation details.
Section 7 Block IV	0.25	1949	No longer Maori land; no alienation details.
Section 10 Block IV	1	1949	No longer Maori land; no alienation details.
Section 5 Block V	0.25	1949	Native Reserve revested in Erueti Potaka; rates charging orders of £21 owing; sold to Troon post-1967 for \$300.
Section 9 Block V	2.1	1952	Revested in 14 owners; sold to McKinnon in 1977 (no further details).
Section 10 Block V	3.8	1952	Revested in 14 owners; sold to McKinnon in 1977 (no further details).

<sup>572</sup> *ibid.*

<sup>573</sup> Bassett Kay, p.35.

<b>Title</b>	<b>Area (acres)</b>	<b>Year</b>	<b>Notes</b>
Section 11 Block V	0.75	1949	No longer Maori land; sold by Tupakihi Potaka to Ngaire Michael in 1977 (no further details).
Section 2 Block VI	0.5	1949	No longer Maori land; no alienation details.
Section 3 Block VI	0.5	1949	No longer Maori land; no alienation details.
Section 4 Block VI	0.5	1949	No longer Maori land; no alienation details.
Section 5 Block VI	0.5	1949	No longer Maori land; no alienation details.
Section 2 Block VII	0.6	1949	No longer Maori land; no alienation details.
<b>Total</b>	<b>18.1</b>		

Of the 19 sections totalling 18.1 acres revested in Maori ownership in 1949 and 1952, only 5 sections totalling 6.75 acres remain in Maori ownership today. In other words, 14 of the sections were subsequently sold, accounting for almost two-thirds of the revested land. As the existing research sheds little light on these sales, they will need to be the subject of further research into the Potaka Native Township.

In addition, as noted earlier, one of the Public Reserves (Section 5 Block VII, being the 2.5 acres taken for a Cemetery Reserve but never used for that purpose) was revested in Maori ownership in 1958, before being sold in 1960.

## **5.5 Other Sales After 1950**

The fate of most of the revested lands after 1949 (see above) indicates that once land was removed from the Maori Township regime, the owners were once again vulnerable to the pressures that contributed to alienation of Maori land in the district, including rates arrears and local body restrictions on land use. In addition, the decline of Utiku over the years – not least due to transport improvements and the growth of the far larger Taihape township a few kilometres up the road – meant that the revested land was effectively rural land, rendering the revested sections as uneconomic fragments (as little as a quarter-acre). By the 1970s, only one acre of Utiku was actually zoned residential and classed as urban land; the rest was zoned rural. For some time, there had been “a very limited demand for property in the locality.” Such factors made the small Township sections difficult to retain, except as part of larger parcels that amalgamated numerous small titles for rural purposes as: “farming is the future use of the land.” By the 1970s, the moribund Township comprised, “a shop, garage, small school, post office, carrier’s yard, fertiliser depot; and about 25 houses.”<sup>574</sup>

<sup>574</sup> AJHR, 1975, H-3, pp.297-298.

Small sections of Township land were also sold in the period after 1955 when the administrative regime changed. These appear to be leasehold sections that were freeholded or otherwise permanently alienated, presumably under the auspices of the Maori Trustee who administered the Township after 1955. The Maori Reserved Land Act 1955 (s.9) provided for the Maori Trustee to sell or gift reserved land, “which, by reason of its size, configuration, nature, or quality, cannot, in the opinion of the Maori Trustee, profitably be used in the interests of the beneficiaries on whose behalf the land is administered.” Sections 85–87 of the 1955 Act also provided for the Maori Trustee to sell Maori Township land, or for Township land to be declared no longer subject to the Act. The details of these alienations will need to be uncovered in subsequent research into the Potaka Native Township. The sections identified to date that appear to have been sold by about 1960 while under lease are:

Section 3 Block 1 (2.25 acres)

Section 3 Block II (0.5 acre)

Section 27 Block III (0.25) (formerly leased to the Church of England)

When Utiku was reviewed by a 1974 commission of inquiry into Maori reserved lands, it was noted that only one sale had occurred under the 1955 Act (as amended by the Maori Affairs Amendment Act 1967), and that was the sale of Section 3 Block II noted above, when the half-acre section “was freeholded in July 1972 by the purchase of 0.135 shares required to freehold it, for \$35.27.”<sup>575</sup>

## **5.6 Remaining Maori Land**

The bulk of the sections in Utiku not taken for public purposes, sold, freeholded, or revested and then sold remained under lease, and were eventually given new Maori land titles, most of which are based on the original Maori land titles under which the Potaka Native Township land was held before being subdivided into 116 township sections; namely Awarua 4C9G to 4C9L. Some of these new titles are as recent as 2006, although a few sections are still held under 1899 and 1929 titles.

In 1975, the Sheehan Commission into Maori Reserved Lands (which included all remaining Native/Maori Townships) investigated Utiku (or Potaka Maori Township as the land was still formally known) and found that 64 acres 1 rood 22 perches of Maori Reserved Land

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<sup>575</sup> AJHR, 1975, H-3, p.297.

remained at Utiku. This land was affected by 43 leases (many of which covered multiple sections) bringing in a meagre annual rental income of \$525; a return that was itself a dramatic improvement on the miserly \$213.70 that had been previously coming in.<sup>576</sup>

In addition to the 64 acres of reserved land identified in 1974, Maori also retained ownership of other land at Utiku, including what remained of the few reserves revested in their ownership, and what remained of other unused Township land revested in Maori ownership in 1949 and 1952. As a result, the total area of Maori land today is 93 acres. The remaining Maori land today is set out in the table below:<sup>577</sup>

### Remaining Maori Land in Potaka Native Township

Title	Area (acres)	Title Details	No. of Owners
Lot 12 Blk VI DP 2415	2.3	Section 12 Lot VI (formerly Awarua 4C9G)	6
Sections 6 & 7 Block II	1	Formerly 4C9I, Public Buildings Reserves; now vested in Potaka Whanau Trust	1
Secs 1 & 32 Block III	7	Formerly 4C9L	2
Awarua 4C9G	19.4	Sections 1, 6–8, 13 & 16 Block VI	1
Awarua 4C9G (Pt)	4.75	Sections 14 & 15 Block VI	1
Awarua 4C9H1	0.25	Section 3 Block V	1
Awarua 4C9H3	12.2	Sections 16–21 Block IV Sections 1, 2, 4, 6–8 & 12–15 Block V	33
Awarua 4C9I	19.4	Sections 1, 2, 4, 5 & 8–10 Block II Sections 2, 4, 5, 8, 9 & 11–15 Block IV	43
Awarua 4C9I (Pt)	0.25	Section 1 Block IV	1
Part Awarua 4C9J	4.75	Sections 8–13 Block I Sections 7, 8, 10 & 11–14 Block III	88
Awarua 4C9J (Part)	2.25	Sections 5, 6 & 9 Block III	146
Awarua 4C9J (Pt)	2	Sections 3 & 4 Block III	85
Awarua 4C9K (Pt)	9.7	Sections 15–23, Pt 24 & 25, 26 & 33 Block III	93
Awarua 4C9L (Pt)	2.4	Sections 28–31 Block III Sections 1–4 Block VII	3
Awarua 4C9L (Pt)	5.5	Sections 1 & 2 Block I Section 2 Block III	1
<b>Total</b>	<b>93.15</b>		

Thus, much of the Township land from c.1900 remains in Maori ownership, being 93 acres out of 110 acres. Although this land remains in Maori ownership, where the land continues to be held under perpetual leases or other long-term leases, it is effectively alienated from its owners.

<sup>576</sup> Ibid, pp.297-298.

<sup>577</sup> Data sourced from Maori Land Online. URL: <http://www.maorilandonline.govt.nz/>

## 5.7 Conclusion

Of the original 138 acres surveyed for Awarua 4C9G–L, almost 28 acres were taken for road, rail, and river-bank reserve before the Potaka Native Township sections were set out on the remaining 110 acres. Of that 110 acres, a further 12 acres were taken for public reserves, leaving 98 acres. The administration of the township land is the subject of other research.

Some of the land taken for public reserves was subsequently revested in Maori ownership, being four sections comprising 3.75 acres, but one of these sections (being the unused Cemetery Reserve of 2.5 acres) was alienated soon after it was revested in Maori in 1958.

Of the 98 acres of Township land remaining available for leasing, almost 13 acres were set aside as Native Reserves, although these sections did not always retain their reserve status and at least one was sold after having been revested in a single Maori owner in 1949.

Of the remaining Township sections (just over 85 acres), 3.25 acres were sold before these revestings commenced in 1949. However, one section (1 acre) of the land sold in this period subsequently came back into Maori ownership.

A further three sections comprising a total of 3 acres were sold after 1950.

The bulk of the Native Reserves and other land no longer required for leasing that was revested in Maori ownership in 1949 and 1952 was subsequently sold: of the 18 acres revested as ordinary Maori land, 11 acres were sold in the 1960s and 1970s.

This information is set out in the summary table overleaf, outlining the fate of each of the 116 Potaka Native Township Sections. The information is arranged by section and block number:

### Summary Data

<i>Utiku Township original area:</i>	138 acres
<i>Crown purchases:</i>	0 acres
<i>Private purchases:</i>	15 acres
<i>Taken for public purposes:</i>	40 acres
<i>Remaining Maori Land:</i>	93 acres

*Note that the area of current Maori land is greater than the area arrived at by deducting all alienations from the original area. This is because the current Maori land includes some land that was previously taken for public purposes and then revested, some land that was previously sold which later became Maori land, and one section that was purchased by a Maori and remained Maori land.*

### Potaka Native Township Summary Title Data

<b>1899 Title</b>	<b>Township Lot</b>	<b>Area (acres)</b>	<b>Status</b>
4C9L	Sec 1 Blk I	2.4	Revested 1949; currently Maori land
4C9L	Sec 2 Blk I	2.1	Revested 1949; currently Maori land
4C9L	Sec 3 Blk I	2.25	Sold
4C9J	Sec 4 Blk I	2.5	Taken for Recreation Reserve (Utiku Domain Board)
4C9J	Sec 5 Blk I	2.6	Taken for Recreation Reserve
4C9J	Sec 6 Blk I	2.75	Taken for School Reserve
4C9J	Sec 7 Blk I	0.4	Taken for Pound Reserve (now part of the Tokaanu Conservation Area)
4C9J	Sec 8 Blk I	0.25	Now part of Awarua 4C9J
4C9J	Sec 9 Blk I	0.25	Now part of Awarua 4C9J
4C9J	Sec 10 Blk I	0.25	Now part of Awarua 4C9J
4C9J	Sec 11 Blk I	0.25	Now part of Awarua 4C9J
4C9J	Sec 12 Blk I	0.25	Now part of Awarua 4C9J
4C9J	Sec 13 Blk I	0.25	Now part of Awarua 4C9J
4C9J	Sec 14 Blk I	0.25	Taken for Public Hall Reserve
4C9J	Sec 15 Blk I	0.25	Taken for School Reserve
4C9I	Sec 1 Blk II	0.5	Now part of 4C9I
4C9I	Sec 2 Blk II	0.5	Now part of 4C9I
4C9I	Sec 3 Blk II	0.5	Sold by Maori Trustee in 1972 for \$35.27
4C9I	Sec 4 Blk II	0.5	Now part of 4C9I
4C9I	Sec 5 Blk II	0.5	Now part of 4C9I
4C9I	Sec 6 Blk II	0.5	Taken for Public Buildings Reserve; revested; now owned by Potaka Whanau Trust
4C9I	Sec 7 Blk II	0.5	Taken for Public Buildings Reserve; revested; now owned by Potaka Whanau Trust
4C9I	Sec 8 Blk II	3.25	Now part of 4C9I
4C9I	Sec 9 Blk II	3.4	Now part of 4C9I
4C9I	Sec 10 Blk II	4.1	Now part of 4C9I
4C9L	Sec 1 Blk III	1	Sold, c.1945; now Maori land; part of Sections 1 & 32 Block III
4C9L	Sec 2 Blk III	1	Now part of 4C9L (Pt)
4C9J	Sec 3 Blk III	1	Now part of 4C9J (Pt)
4C9J	Sec 4 Blk III	1	Now part of 4C9J (Pt)
4C9J	Sec 5 Blk III	1	Revested 1949; now part of 4C9J
4C9J	Sec 6 Blk III	1	Revested 1949; now part of 4C9J
4C9J	Sec 7 Blk III	1	Now part of 4C9J
4C9J	Sec 8 Blk III	1	Now part of 4C9J

<b>1899 Title</b>	<b>Township Lot</b>	<b>Area (acres)</b>	<b>Status</b>
4C9J	Sec 9 Blk III	0.25	Revested 1949; now part of 4C9J
4C9J	Sec 10 Blk III	0.25	Now part of 4C9J
4C9J	Sec 11 Blk III	0.25	Now part of 4C9J
4C9J	Sec 12 Blk III	0.25	Now part of 4C9J
4C9J	Sec 13 Blk III	0.25	Now part of 4C9J
4C9J	Sec 14 Blk III	0.25	Now part of 4C9J
4C9K	Sec 15 Blk III	0.1	Now part of 4C9K
4C9K	Sec 16 Blk III	0.2	Now part of 4C9K
4C9K	Sec 17 Blk III	0.25	Now part of 4C9K
4C9K	Sec 18 Blk III	0.25	Now part of 4C9K
4C9K	Sec 19 Blk III	0.25	Now part of 4C9K
4C9K	Sec 20 Blk III	0.25	Now part of 4C9K
4C9K	Sec 21 Blk III	0.25	Now part of 4C9K
4C9K	Sec 22 Blk III	0.25	Now part of 4C9K
4C9K	Sec 23 Blk III	0.25	Now part of 4C9K
4C9K	Sec 24 Pt Blk III	0.1	Now part of 4C9K
4C9K	Sec 24 Pt Blk III	0.1	Revested 1949; subsequently sold
4C9K	Sec 25 Blk III	0.2	Now part of 4C9K
4C9K	Sec 26 Blk III	0.25	Now part of 4C9K
4C9K	Sec 27 Blk III	0.25	Sold
4C9L	Sec 28 Blk III	0.25	Now part of 4C9L (Pt)
4C9L	Sec 29 Blk III	0.25	Now part of 4C9L (Pt)
4C9L	Sec 30 Blk III	0.25	Now part of 4C9L (Pt)
4C9L	Sec 31 Blk III	0.3	Now part of 4C9L (Pt)
4C9L	Sec 32 Blk III	6	Now Maori land; part of Sections 1 & 32 Block III
4C9K	Sec 33 Blk III	6.6	Now part of 4C9K
4C9I	Sec 1 Blk IV	0.25	Taken for Post Office Reserve; now Maori land, part of 4C9I (Pt)
4C9I	Sec 2 Blk IV	0.25	Now part of 4C9I
4C9I	Sec 3 Blk IV	0.25	Revested 1949; subsequently sold
4C9I	Sec 4 Blk IV	0.25	Sold to Utiku Potaka, 1947; now Maori land, part of 4C9I
4C9I	Sec 5 Blk IV	0.25	Now part of 4C9I
4C9I	Sec 6 Blk IV	0.25	Revested 1949; subsequently sold
4C9I	Sec 7 Blk IV	0.25	Revested 1949; subsequently sold
4C9I	Sec 8 Blk IV	0.25	Now part of 4C9I
4C9I	Sec 9 Blk IV	0.3	Now part of 4C9I
4C9I	Sec 10 Blk IV	1	Revested 1949; subsequently sold
4C9I	Sec 11 Blk IV	1	Now part of 4C9I
4C9I	Sec 12 Blk IV	1	Now part of 4C9I
4C9I	Sec 13 Blk IV	1	Now part of 4C9I
4C9I	Sec 14 Blk IV	1	Now part of 4C9I
4C9I	Sec 15 Blk IV	1.2	Now part of 4C9I
4C9H3	Sec 16 Blk IV	0.9	Now part of 4C9H3
4C9H3	Sec 17 Blk VI	0.9	Now part of 4C9H3
4C9H3	Sec 18 Blk IV	0.9	Now part of 4C9H3
4C9H3	Sec 19 Blk IV	0.9	Now part of 4C9H3
4C9H3	Sec 20 Blk IV	0.9	Now part of 4C9H3
4C9H3	Sec 21 Blk IV	1.2	Now part of 4C9H3

<b>1899 Title</b>	<b>Township Lot</b>	<b>Area (acres)</b>	<b>Status</b>
4C9H3	Sec 1 Blk V	0.3	Now part of 4C9H3
4C9H3	Sec 2 Blk V	0.25	Now part of 4C9H3
4C9H1	Sec 3 Blk V	0.25	Revested; 4C9H1
4C9H3	Sec 4 Blk V	0.25	Now part of 4C9H3
4C9H2A	Sec 5 Blk V	0.25	Native Reserve revested in 1949; subject to rates charging orders, 1940s and 1960s; sold in late 1960s for \$300.
4C9H3	Sec 6 Blk V	0.25	Now part of 4C9H3
4C9H3	Sec 7 Blk V	0.3	Now part of 4C9H3
4C9H3	Sec 8 Blk V	1.25	Now part of 4C9H3
4C9H3	Sec 9 Blk V	2.1	Revested 1952 in 14 owners; sold to McKinnon in 1977
4C9H3	Sec 10 Blk V	3.8	Revested 1952 in 14 owners; sold to McKinnon in 1977
4C9H2B	Sec 11 Blk V	0.75	Revested 1949; sold in 1977
4C9H3	Sec 12 Blk V	1	Now part of 4C9H3
4C9H3	Sec 13 Blk V	1	Now part of 4C9H3
4C9H3	Sec 14 Blk V	1	Now part of 4C9H3
4C9H3	Sec 15 Blk V	1	Now part of 4C9H3
4C9G	Sec 1 Blk VI	0.5	Now part of 4C9H3
4C9G	Sec 2 Blk VI	0.5	Revested; subsequently sold.
4C9G	Sec 3 Blk VI	0.5	Revested 1949; subsequently sold
4C9G	Sec 4 Blk VI	0.5	Revested 1949; subsequently sold
4C9G	Sec 5 Blk VI	0.5	Revested 1949; subsequently sold
4C9G	Sec 6 Blk VI	0.5	Now part of 4C9G
4C9G	Sec 7 Blk VI	0.5	Now part of 4C9G
4C9G	Sec 8 Blk VI	0.5	Now part of 4C9G
4C9G	Sec 9 Blk VI	0.5	Sold to Taihape Dairy Company in 1923 for £235 (with Sections 10 & 11)
4C9G	Sec 10 Blk VI	0.5	Sold to Taihape Dairy Company in 1923 for £235 (with Sections 9 & 11)
4C9G	Sec 11 Blk VI	0.9	Sold to Taihape Dairy Company in 1923 for £235 (with Sections 9 & 10)
4C9G	Sec 12 Blk VI	2.3	Maori land; now Lot 12 Block VI DP 2415
4C9G	Sec 13 Blk VI	2.4	Now part of 4C9G
4C9G	Sec 14 Blk VI	2.4	Now part of 4C9G (Pt)
4C9G	Sec 15 Blk VI	2.4	Now part of 4C9G (Pt)
4C9G	Sec 16 Blk VI	3.3	Now part of 4C9G (Pt)
4C9L	Sec 1 Blk VII	0.5	Now part of 4C9L (Pt)
4C9L	Sec 2 Blk VII	0.6	Revested 1949; now part of 4C9L (Pt)
4C9L	Sec 3 Blk VII	0.8	Now part of 4C9L (Pt)
4C9L	Sec 4 Blk VII	1.2	Now part of 4C9L (Pt)
4C9L	Sec 5 Blk VII	2.5	Taken for Cemetery Reserve; revested 1958; sold, 1960
	<b>Total</b>	<b>110</b>	

## 6. Aorangi (Awarua)



Map 15: Aorangi Awarua Block

Aorangi (Awarua) (967 acres) did not come before the Native Land Court until August 1910, and after a stop-start but largely uncontroversial title investigation, title was awarded in August 1912.<sup>578</sup> The block is a relatively small one – especially considering the scale of the adjacent Awarua and Te Koau blocks – but is highly significant as it is located at the distinctive maunga Aorangi, an important feature in the cultural landscape of Mokai Patea. Aorangi is essentially a part of the adjacent Awarua 1 block, but – somewhat like Awarua o Hinemanu (see below) – was somehow omitted from Awarua as a result of a series of surveying and title errors by the Government and Native Land Court in the 1890s.

Despite the repeated protests from the Awarua people for their land to be investigated at Moawhango (and later at Taihape), the title investigation for Aorangi was instead held at Hastings in August 1910. This subsequently proved to be a controversial issue, as discussed below, but the case was also called at Taihape and recorded as part of the Whanganui Minute Books, rather than the Napier Minute Books in which the title investigation was later recorded. In 1912, Judge Rawson recalled that the case was called at Hastings several times before the title investigation finally began, but that it always had to be adjourned as the people interested in the land preferred that it be heard at Taihape.<sup>579</sup> As discussed below, their wishes were largely ignored.

The case was managed by several lawyers and ‘Native agents’ who featured in the Hawke’s Bay sittings, namely J. M. Fraser, David Scannell (a former Native Land Court Judge), Ellison, and T. W. Lewis Jr (son of the long-serving Native Department Under-Secretary), as well as Maori ‘conductors’: something of a ‘belts and braces’ approach to the case by some claimants. Fraser opened proceedings by telling the Court, “this block had been virtually disposed of,” but these proved to be somewhat optimistic words as the case was not actually disposed of for two more years. Pointing out that Aorangi lay between Awarua 1 and Mangaohane, Fraser said these were Ngati Hinemanu lands and Aorangi “belongs to the Ngati Hinemanu.” There was no opposition to this claim, and he said he would have the list of owners ready that afternoon. Hera Te Upokoiri, his client, agreed with Fraser that, “Ngati Hinemanu were the only persons entitled” and that the lists would be ready that day.<sup>580</sup>

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<sup>578</sup> Note that the NLC minutes and MLC documents included in the CFRT Research Assistance Projects for Aorangi refer to the wrong Aorangi block; one set of documents refers to the Aorangi reserve from the southern Hawke’s Bay early Crown purchase, and another set refers to the Aorangi block in the Horowhenua district.

<sup>579</sup> Judge Rawson to Alfred Travers, 2 March 1912. MA-WANG W2140/36, Wh 594A. ANZ.

<sup>580</sup> Napier MB 62, p.72.

They had both spoken too soon. The case was instead adjourned for other business and did not return to the Court until 23 August, when it was deferred until 25 August 1910. Hera Te Upokoiri, the lead claimant, then claimed the land by ancestry and occupation; her tupuna being Hinemanu. As for occupation, she admitted, “I never lived on this land,” but named two Ngati Hinemanu who had (Rutu Kau[?] and Rakere Huria[?]). She did not believe any of the others on her list of claimants “ever lived on the land,” as “Awarua proper was the permanent residence of our people, at Pouteka pa.” She noted that the adjacent Awarua 1 had been “awarded to me and those on my list,” adding “Aorangi is part of Awarua.”<sup>581</sup>

Tupaea Tiaho, Matenga Pekapeka, and Winiata Te Whaaro then set up separate counter-claims, not because they opposed the Ngati Hinemanu claim itself, but because they had their own claims that they wanted to have recognised. Tuapea and Matenga simply sought to be included in Hera’s list. Winiata Te Whaaro had a broader point to make about the tupuna for Aorangi and from whom descent should be claimed for the land:

I know the land. I never lived on it. I was born at Awarua Tiwai and lived there till the advent of Christianity. I then went to Matuku. I then went to Otara and afterwards came to Raukawa, then [...?...] then to Pokopoko, then went to [...?...] . The ancestor... is Te Marua Kainuku. None of the adjacent blocks have been awarded to him. I can’t explain why the adjoining blocks were not awarded to him. I set up a claim for Awarua under Te Ngahoa and got into the block. Awarua, or rather a portion of it to the south-west of Aorangi, was awarded to Te Ngahoa. I got 6,000 acres. I am not in the Mangaohane block.

Utiku got this block surveyed. Aorangi is a part of the original block known as Awarua. Te Ngahoa was only entitled to Awarua Tiwai. I could not set him up now because Reardon made the survey.<sup>582</sup>

Winiata gave a whakapapa from Te Ngahoa (not properly recorded, but which traced descent from Te Marua Kainuku to Wharerimu, to Kinokino, and then to Winiata himself), but his evidence became somewhat confused at this point, or at least the Court found it so:

I never set up Te Marua Kainuku before. He descended from an elder whose name was Te Rangihakamatuku. He is not related to Hinemanu. I would also like to set up Te Ngahoa as an ancestor for this block. This block has no connection with Awarua Tiwai (the witness here contradicted himself frequently and appeared to shuffle considerably).<sup>583</sup>

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<sup>581</sup> Napier MB 62, pp.84 and 94.

<sup>582</sup> Napier MB 62, pp.94-95.

<sup>583</sup> Napier MB 62, p.95.

It seems likely that Winiata Te Whaaro was ill at the time of the Aorangi title investigation and was not putting forward his best case. He had endured much during the Mangaohane saga, concluding with the forced eviction of he and his people from Pokopoko as a result of Native Land Court awards (see Mangaohane block study). He was also far from home at the Hastings sitting. When the case resumed the following year, it was noted in Court that Winiata had died recently; further indicating that he may not have been in the best of health when giving evidence in 1910.<sup>584</sup>

Responding to Winiata's evidence, Te Inia Maru ('conductor' for Hera Te Upokoiri's claim), reiterated that Hinemanu was the tupuna for Awarua and thus for Aorangi. Similarly for Te Koau, which "is properly part of [Awarua] No. 1. ...Koau and Aorangi belong the same people." He stated: "There was no ancestral boundary between Awarua and Koau." At the same time, he endorsed some of what Winiata had said, observing that he (Inia) had been included in Awarua "under Te Ngahoa" before adding, "perhaps... I should have set up Te Marua Kainuku and Ngahoa as ancestors for this block." Despite the Court's view of Winiata's evidence, Ngati Hinemanu evidently found the tupuna he had proposed for the land acceptable.<sup>585</sup>

The case was then adjourned yet again and was not called again until 3 May 1911, but had to be adjourned as none of the parties were present.<sup>586</sup> As noted earlier, some of those interested in Aorangi preferred Taihape as a venue for the Court and this was in fact the Court district in which Aorangi was located. On 8 May 1911 the case was called again at Hastings, and briefly adjourned to the afternoon session, Fraser – having consulted other minute books – informed the Court that Winiata Te Whaaro had previously claimed in Awarua through Paki rather than Hinemanu. In any case, he asserted that those to be included in the ownership had to show not just ancestral rights but also occupation of the land. Despite this, the list was eventually settled on the basis that it be the same as the list for Koau, which in turn had been awarded to those of Ngati Hinemanu who had been included in the Awarua 1 list.<sup>587</sup> There was evidently to be a heavy reliance on precedent in Aorangi.

The importance of Te Koau to Aorangi left the Native agent Scannell in "a difficult position," as he was acting for Hera Te Upokoiri, "but he had opposed her in Koau which is in the same position as Aorangi." Having challenged her right to Te Koau, he could not know defend her

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<sup>584</sup> Napier MB 62, p.250.

<sup>585</sup> Napier MB 62, pp.95-96.

<sup>586</sup> Napier MB 62, p.238.

<sup>587</sup> Napier MB 62, pp.249-250.

right to Aorangi, at least not without calling into question the correctness of his earlier stance. In any case, he added: “She is able to conduct her own case,” which made his costly services somewhat redundant in the first place.<sup>588</sup>

With all agreeing that those on the list for Te Koau were also entitled to Aorangi, the case was adjourned, yet again, to that the Court could obtain the Awarua 1 list and the file for Te Koau.<sup>589</sup> When Aorangi returned to Court on Friday, 12 May 1911, there was a new cause for delay: Hiraka Te Rango had wired from Whanganui, “asking that the case be held over as he is engaged in the Whanganui Court.” Fraser objected, asserting that Hiraka, “had not a shadow of a right and a substantial deposit ought to be insisted upon. Hiraka dare not come to Hastings to put forward his claim.” The Court was more circumspect, and held the case over, once more, this time until the following Thursday (18 May 1911), to enable Hiraka to attend (assuming his business in the Whanganui Court could be concluded so soon, given the lengthy travel time up the river, across Patea, and down into the inconvenient venue of Hastings).<sup>590</sup> As noted below, in 1912 Hiraka – along with others of Ngati Whiti and Ngati Tama – again sought to move the hearing to Taihape.

Before Hiraka Te Rango even had a chance to expend all that effort to get to the Aorangi case, the Pakeha agents (Fraser, Lewis, and Scannell) asked the Court to let it “stand over” until July 1911, so that the minutes for Te Koau (including those from the Native Appellate Court) could be obtained and reviewed.<sup>591</sup> Had Hiraka managed to attend, he would have been left twiddling his thumbs while Aorangi was, yet again, adjourned. It returned to Court, again briefly, on 9 August 1911 (rather than July as expected) when it was further adjourned for more than a year, to the 1912 sitting, because the minute books for Te Koau had not arrived.<sup>592</sup>

During the adjournment, Ngati Whiti and Ngati Tama claimants again asked the Court to bring the case to Taihape, when the Court was sitting there in March 1912. The Hastings lawyer, Alfred Travers (apparently representing some of the Ngati Hinemanu claimants), wrote to the Court to strongly object to the case being moved from Hastings. Travers asserted that the ‘true’ owners lived at Hastings so Taihape was not convenient for them. He insisted that if the case was shifted to Taihape, that Ngati Whiti and Ngati Tama should have to pay a

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<sup>588</sup> Ibid.

<sup>589</sup> Napier MB 62, p.251.

<sup>590</sup> Napier MB 62, p.264.

<sup>591</sup> Napier MB 62, p.279.

<sup>592</sup> Napier MB 62, p.352.

£50 deposit for costs to his clients (assuming, as he did, that they would lose the case).<sup>593</sup> Judge Rawson was more accommodating, pointing out (as noted earlier) that the case had earlier been adjourned several times when it was called at Hastings because the claimants could not attend there. Accordingly, Aorangi would be called at Taihape in March 1912.<sup>594</sup> Despite all this, the case was again adjourned on 20 March 1912, to Hastings, without any evidence being called.<sup>595</sup>

The two-year-old case resumed in August 1912, when Aorangi returned to Court for title to be finally issued to the very group everyone had agreed on back in August 1910: Ngati Hinemanu, as defined in the ownership of Te Koau (and Awarua 1). This was a group of 90 grantees holding varying interests in 503 shares. The list was headed by Wiki Te Ua, and included Winiata Te Whaaro, who was by then dead so it was his successors who were ultimately placed on the title.<sup>596</sup>

The title remains Maori land, but its retention has not always been easy for the owners. Aorangi lacks road access and was not suitable for farming. The main economic resources it does have are native timber and water: in the 1970s and 1980s the owners sought to utilise the former, while in recent years the Rangitikei County Council has exploited the latter, with the very reluctant consent of the owners – a consent Ngati Hinemanu say was effectively coerced from them (see below).

Unfortunately for the owners, their efforts to generate an economic return from ‘their’ timber in the 1970s ran up against a nascent conservation movement that sought to curtail the felling of native forest. The Nature Conservation Council lobbied hard to hinder logging of the Aorangi bush from the mid-1970s.<sup>597</sup> The owners renewed their efforts in the 1980s, as they had received offers of up to \$100,000 for the timber on Aorangi, which they considered could be logged on most of the block, while still preserving the bush around the maunga Aorangi. The central and local government officials administering the Soil and Water Conservation Act were of a different view, and could exercise a great deal of control over such land use. The logging company was to bridge the Rangitikei and construct logging roads, which would give them road access to their land for the first time and enable a present and future income to be

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<sup>593</sup> Alfred Travers, Hastings, to Native Land Court, Whanganui, 29 February 1912. MA-WANG W2140/36, Wh 594A. ANZ.

<sup>594</sup> Judge Rawson to Alfred Travers, 2 March 1912. MA-WANG W2140/36, Wh 594A. ANZ.

<sup>595</sup> Whanganui MB 62, p.96.

<sup>596</sup> Napier MB 64, p.226; and, Aorangi (Awarua) title order, 64 NA 226. Maori Land Online: <http://www.maorilandonline.govt.nz/gis/title/search.htm>

<sup>597</sup> Aorangi-Awarua Maori Trust Block, Taihape - Indigenous Forest Logging 1974. AAZU W3619/22 & 23, 31/6/74. ANZ.

generated (firstly from timber, and later from farming the cleared land or replanting with exotics). They met with Minister of Maori Affairs, Koro Wetere, in Te Kuiti to discuss their concerns in January 1985. While sympathetic with the desire to preserve native bush, they also sought to retain their land and generate an income for its owners. Key threats to the land came from the Forest Service, who they believed sought to buy the land from them in order to preserve the bush on it, and from the local Council, whose unpaid rates were piling up against the title. Clearing these rates was a big factor in their engagement with logging companies.<sup>598</sup>

Rating liability and unpaid rates have long been a concern for the owners, as these have in the past led to the loss of other lands. The Rangitikei County Council moved to rate the unoccupied and economically unproductive land in the 1930s, and in 1938 obtained rates charging orders for two years of unpaid rates, amounting to £18 12s 2d. This was followed up by a further rates charging order in 1940 for £17 18s. 2d.<sup>599</sup> Records relating to subsequent rates charging orders have not been located in research to date. What is known is that the rates issue re-emerged in the 1970s: in 1983 the Council was seeking \$3,000 in unpaid rates. These charges were continuing to accumulate, not least because the Council and the Ministry of Agriculture and Fisheries was then implementing the Erewhon Water Scheme, under which water was to be taken from the Reporoa Bog area below Aorangi maunga (on the Aorangi block and Awarua 1D2B block).<sup>600</sup> This scheme was ultimately imposed on both blocks, and structures erected on it, without the consent of the owners. In their minds, the threat posed by rates was linked by the Council to the withdrawal of opposition to the Erewhon Scheme. This is an issue for further research in relation to waterways and local government.

When the owners renewed their efforts to log Aorangi during the 1980s they got as far as signing a contract with Reeves Contractors to log the bush on Aorangi block. Reeves had been involved in the land since 1984, and a proposal in 1985 to log the land was said to be the third one put forward by the Aorangi owners since 1980. It was no more welcomed by those seeking to preserve native bush than earlier efforts.<sup>601</sup> Ultimately the Reeves contract was overturned by Environment Court action in 1991. This effectively ended the prospect of logging the timber on Aorangi.<sup>602</sup>

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<sup>598</sup> Minutes of meeting with Minister of Maori Affairs, Te Kuiti, 7 January 1985. AFIE 6905 W5683/158, 9/24/3, Part 2. ANZ

<sup>599</sup> Rates charging orders, 1938 and 1940. MA-WANG W2140/36, Wh 594A. ANZ.

<sup>600</sup> New Zealand Forest Service, Whanganui, memo for Palmerston North office, 27 January 1983. Aorangi–Awarua Trust, 1985–1991. AFIE 6905 W5683/158, 9/24/3, Part 2. ANZ

<sup>601</sup> 'Latest Logging Proposal Fuel to Conservationists', *Whanganui Chronicle*, 22 August 1985, p.6.

<sup>602</sup> Aorangi Awarua Block and Reeves Contractors, 1990-1991. AFIE 6905 W5683/158, 9/24/3, Part 2. ANZ; and, Stephen Bell, 'Plan to log native bush abandoned', *Dominion*, 12 November 1991, p.5.

Subsequently, Ngati Hinemanu and others involved in the ownership of mountainous and land-locked bush-clad titles in the vicinity of Aorangi maunga had little or no option but to enter into a Nga Whenua Rahui kawenata (covenant) over their land, under the Nga Whenua Rahui scheme introduced in the late 1980s. A kawenata was put in place in 1999 over about 5,000 hectares (12,350 acres) of land in the vicinity of Aorangi, in exchange for a one-off payment. Several adjacent blocks have this kawenata registered on their titles (e.g., Awarua o Hinemanu),<sup>603</sup> but Aorangi does not, even though the kawenata was intended to also apply to it (as noted in press coverage of the time referring to the inclusion of “the sacred mountain Aorangi”). The kawenata ended what *Tu mai* magazine described as “years of frustration” for the owners, but their frustration was not yet ended.<sup>604</sup>

A Nga Whenua Rahui kawenata is usually intended by Maori land owners to not only preserve the natural environment on their land, but also to protect it from local body rating. It is anticipated that setting the land aside as an economically non-productive preserve would qualify it for exemption from rating, but DOC is careful to point out that rating remains a matter between the land owners and the local body. The exemption of Aorangi from rating is a matter that still requires clarification through further research into local body records, but it is the belief of Ngati Hinemanu that the Rangitikei District Council proposed to continue to rate their land (as it had since the 1930s), unless they agreed to grant the Council a water easement over Aorangi, and over the adjacent Awarua 1DB2 block. This water right was presumably to legitimise the imposition of the Erewhon Water Scheme over the two blocks, more than 20 years after the fact. Whether it is appropriate to rate land that is land-locked, economically un-productive, ecologically and environmentally important, and culturally significant (not least because it contains the tribal maunga Aorangi) is a matter for further research and consideration by claimants and the Waitangi Tribunal. The owners eventually gave in to the Council and the water easement was registered against the title in 2006.<sup>605</sup> The water supply – for local farms rather than town supply – is taken from the area known as the Reporoa Bog, below Aorangi maunga.

#### **Aorangi (Awarua) Summary**

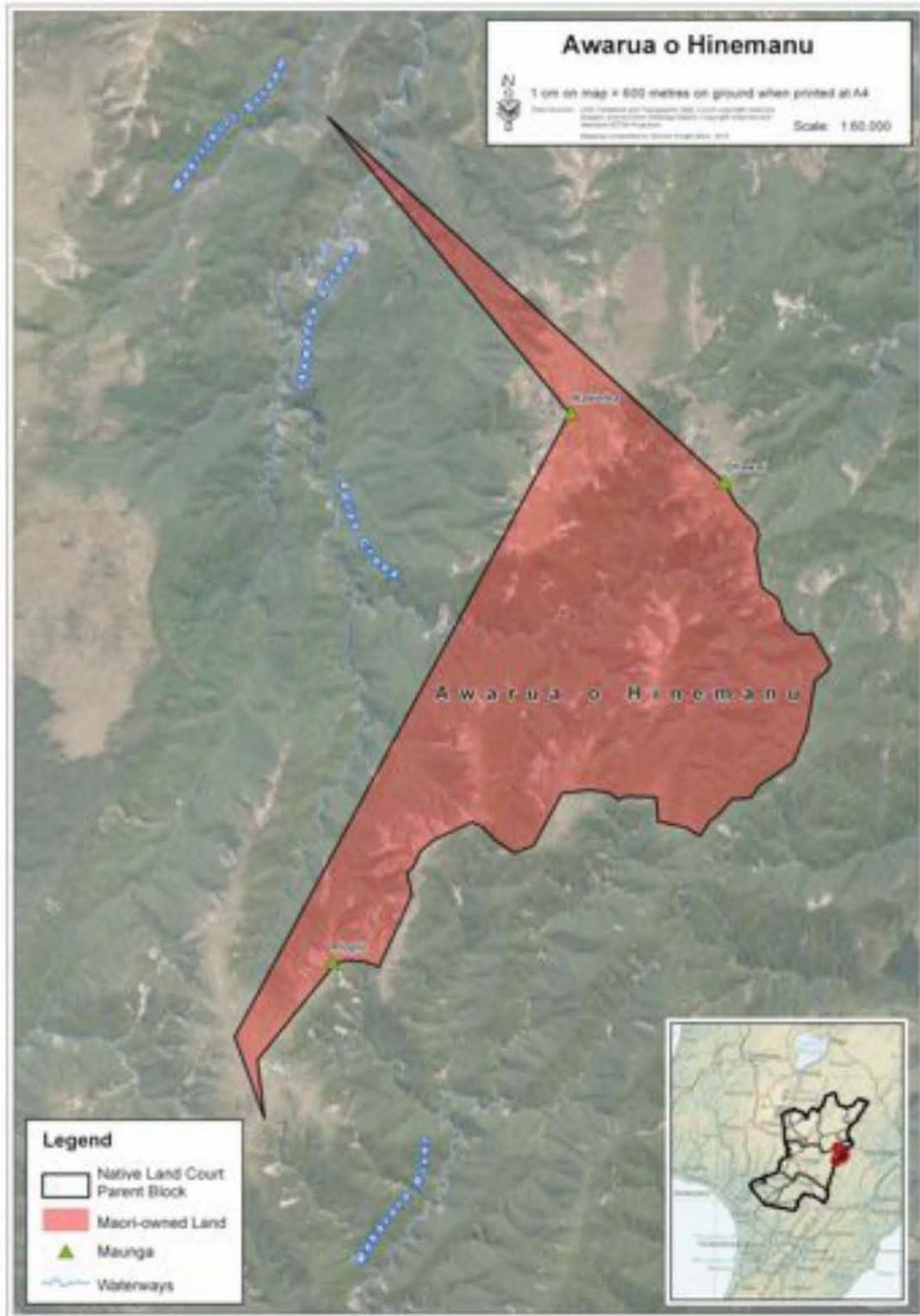
<b>Block</b>	<b>Area (acres)</b>	<b>Status</b>
Aorangi (Awarua)	967	Maori land

<sup>603</sup> Awarua o Hinemanu. Maori Land Online: <http://www.maorilandonline.govt.nz/gis/title/search.htm>

<sup>604</sup> Deidre Mackay, ‘Land agreement ends years of frustration’, *Tu mai*, May 1999, pp.33-35.

<sup>605</sup> Aorangi (Awarua). Maori Land Online: <http://www.maorilandonline.govt.nz/gis/title/search.htm>

## 7. Awarua o Hinemanu



Map 16: Awarua o Hinemanu Block

Awarua o Hinemanu (6,330 acres/2,562 ha) is the newest Maori Land Court title in the Taihape Inquiry District, its title being investigated in September 1991 and awarded in June 1992.<sup>606</sup> The name of the block was bestowed on the land by the Court, “merely to identify the block,” which it awarded to Ngati Hinemanu and which was, essentially, a part of the Awarua block that had been excluded from the Awarua title in 1886. The name remains unchanged since that time.

The evidence taken by the Court at Omahu on 23 September 1991 and at Winiata on 25 September 1991 is not available, the sole copy being held by the Maori Land Court, which has declined to make the transcript of proceedings available for review. What is available is Judge Carter’s decision of 8 June 1992, which traverses the history of the land and the reasons for its award. Judge Hingston presided over the Omahu sitting, but during the course of it discovered that his grandmother and great-grandmother were “ancestral owners of adjoining blocks”; accordingly, he disqualified himself and Judge Carter took over.

The title investigation for what was originally referred to as “an area of Customary land situated in Part Blocks IX, X, XIII and XIV Ngaruroro Survey District and Part Block I Wakarara Survey District” was triggered by an application by the Chief Surveyor (under the Maori Affairs Act 1953, s.452) to amend an 1894 partition order for the Awarua blocks. This arose after the Crown’s presumed ownership of an odd-shaped piece of land south of Te Koau and east of Awarua block was challenged by Maori. The Crown eventually accepted that it did not own the land and made no claim to it, which meant that “it is not disputed that the land is Maori Customary land.”

The survival of this wedge of papatupu land into the late twentieth century – 100 years after the customary title to nearly all the land in the vicinity had been extinguished – can be ascribed in no little measure to yet another Government survey error. Awarua o Hinemanu lies at the summit of the Ruahine range, between the Otara Crown purchase, Te Koau block, and Awarua block. As set out in the Kaweka and Te Koau block studies, defining the boundaries of land in this area and surveying them accurately had long been a challenge the Government had failed to meet. In the 1890s, this resulted in a Royal Commission of Inquiry into the boundary issues and unextinguished customary interests in the area, but even then the Awarua o Hinemanu block was overlooked.

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<sup>606</sup> The bulk of this very brief block study is taken from Napier MB 133, pp.17-22.

The Court was curious in 1991 as to how this land had been cut out, or left out, of Awarua in the 1890s. According to some witnesses, notably Richard Steedman, their tupuna did not mean to leave it out and the land was instead left out as a result of, “changes in location of place names leading to possible misinterpretations of evidence as to the boundaries of the blocks and which led to the Court adopting boundaries which were inconsistent with the territorial boundaries of the hapu.” The issue was the subject of “considerable investigation,” but, as the Court observed: “The best that I can say is that nothing is conclusive.” What was clear was the confusion around the various plans relied on and referred to by the Native Land Court from 1886 to 1894, particularly as regards the eastern boundary of Awarua.<sup>607</sup>

The eastern boundary of Awarua was muddied by officials relying on the boundaries of land districts or provincial districts, rather than on “natural boundaries, adjoining titles, or other adverse occupation.” Winiata Te Whaaro was said to have been a pivotal figure in defining the eastern boundary in the 1890s, and the Court (in 1992) believed he may have been trying to adapt to the Native Land Court’s preference (in the 1890s) for ‘official’ boundaries such as land districts and provinces, rather than risking an insistence on the customary boundary of Awarua. It was generally accepted by those testifying in 1991 that the summit of the Ruahine range was the boundary between “east and west Maori.” This boundary was in fact already surveyed, being known as the “Hay’s boundary.”<sup>608</sup>

Beyond any action on the part of Winiata Te Whaaro, the critical failure in the 1890s to properly identify the boundaries of Awarua lies with the Court and with the Government surveyors informing it. When Awarua 1 was partitioned in 1894 – on the Crown’s application for its interests to be defined – an incorrect plan was relied on for the title orders. This resulted in the area subsequently dubbed Awarua o Hinemanu being left out of the adjoining titles. In 1987, Maori applied to the Maori Land Court for the boundary line to be moved but ultimately the land was deemed to be customary Maori land and its title had to be investigated anew.

The Court observed in 1992 that those claiming the land broadly agreed that the ownership should come from the neighbouring Awarua 1A and Te Koau block, while the Aorangi Awarua block to the west was also referred to. The conclusion to be drawn from this was that the land should be awarded to Ngati Hinemanu. At the same time, the Court observed:

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<sup>607</sup> *ibid.*

<sup>608</sup> *ibid.*

It was not uncommon for land owners to allow persons whom they were on friendly terms with or members of related hapu, access on to wilderness lands for hunting and fishing purposes. Such occupation however did not give a right to those persons to claim ownership of those lands. In many instances however, when title to such lands were being determined, the predominant hapu did consent to others being included in the title.

This situation appeared to have been recognised by the Court in its judgment on the Awarua Block at 20 Whanganui Minute Book 472-473 on 16 July 1891. There the Court referred to the amicable state that existed among the hapu on the block and the inclusion with Ngati Hinemanu of certain other people in the award for Awarua No. 1.<sup>609</sup>

Even so, Ngati Hinemanu were recognised as the “predominant hapu,” something which was reflected in the awards for Te Koau A and Aorangi Awarua. In the case of Te Koau, the Court in 1905 relied on the Ngati Hinemanu lists from Awarua No. 1 as the basis for the ownership list for Te Koau A, on the basis that it was part of Awarua and belonged to Ngati Hinemanu. Similarly, those Ngati Hinemanu lists were drawn on when finalising the ownership lists for Aorangi Awarua. Based on these precedents, and the acceptance by the parties that Ngati Hinemanu were the customary owners, the Court awarded title to “the same persons as the owners of Aorangi Awarua,” but updated by reference to successions. Two lists of about 600 names were drawn up, although the current ownership comprises 762 people.

Awarua o Hinemanu remains Maori land today. At the time of the 1992 title award, the Maori Trustee was trustee for the land, but the awarding of title provided the owners with “an opportunity to decide among themselves as to whether he should continue or alternative trustees should be appointed and on any other matters which might affect the land including the choice of name.”<sup>610</sup>

Despite this statement by the Court in June 1992, as early as August 1992 the Maori Trustee entered into a one-year lease with the Crown (the Department of Conservation) under which the owners would receive \$4,000 per annum (including GST and the Trustee’s commission). This relieved the owners of paying any rates charged on the land once title was awarded. The lease commenced on 1 July 1992. In February 1994, the Maori Trustee confirmed a renewal of the lease, from 1 July 1993, on the same terms (with an additional proviso that DOC keep the land free of vermin and noxious weeds). For almost a century, from 1894 until 1987, the Crown had assumed ownership of Awarua o Hinemanu and made use of the land – most

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<sup>609</sup> *ibid.*

<sup>610</sup> *ibid.*

recently as part of the Ruahine Forest Park – but the \$4,000 per annum paid since 1992 is the only payment it has made to the land’s owners for this use of their land.

Subsequent to title being awarded in 1992, the owners formed their own trust and took over administration of the land. The only relevant transaction affecting Awarua o Hinemanu identified during research for this project is the establishment of a Nga Whenua Rahui kawenata (covenant) over the land in 2006, which was for 25 years and which also applies to several other adjacent blocks.<sup>611</sup>

Awarua o Hinemanu lacks any road access.

#### **Awarua o Hinemanu Summary**

<b>Block</b>	<b>Area (acres)</b>	<b>Status</b>
Awarua o Hinemanu	6,330	Maori land

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<sup>611</sup> Awarua o Hinemanu. Maori Land Online: <http://www.maorilandonline.govt.nz/gis/title/search.htm>

## Conclusions

### *Summary Data*

<b>Block</b>	<b>Original Area (acres)</b>	<b>Crown Purchase</b>	<b>Private Purchase</b>	<b>Public Works Takings</b>	<b>Europeanised</b>	<b>Maori Land Today</b>
Te Koau	17,430	7,100	6,879	-	-	3,451
Te Kapua	21,878	21,878	-	-	-	0
Motukawa	32,935	9,378	6,962	124	379	18,157
Awarua	c.256,000	205,429	26,118	415	4,897	19,410
Utiku Township	138	-	15	40	-	93
Aorangi Awarua	967	-	-	-	-	967
Awarua o Hinemanu	6,330	-	-	-	-	6,330
<b>Totals</b>	<b>337,743</b>	<b>243,785</b>	<b>39,974</b>	<b>579</b>	<b>5,276</b>	<b>48,411</b>

The central blocks of the Taihape Inquiry District were largely isolated from the early period of colonisation and the extensive land loss accompanying it. The Mokai Patea people were, however, aware of the impacts of that early period of colonisation and land loss on their lands to the east, in Hawke's Bay, and to the south-west, in the southern part of the Taihape Inquiry District. Despite retaining their customary lands under customary ownership until long after most other districts had succumbed, once the machinery of colonisation was introduced to the area in the mid-1880s, the impact – land loss – was extensive, rapid, and all too familiar. In this case, the machinery of colonisation was introduced quickly in order to ensure the Crown could not only get the more literal machinery of development – in the form of the North Island Main Trunk Railway – through the district, but also profit from it through monopolistic land purchasing for the settlement the railway would stimulate.

Within a few short years of the introduction of the Native Land Court in 1884, nearly all of the land in the area had had its title investigated and had been subdivided and subjected to enormous Crown purchases. The title investigation process proved to be disruptive, divisive, and dear. Leading rangatira were bankrupted by the protracted and costly title investigations and subsequent subdivision hearings, particularly for Awarua block – the rohe potae of the

district. All of the major sittings were held far from the homes of the Mokai Patea people on Awarua and Motukawa. They were instead obliged to travel and stay for prolonged periods at notorious Native Land Court towns such as Marton and Hastings. On top of this were the costs for lawyers or 'native agents', upon whom those of Mokai Patea inexperienced in the wily ways of the Court were forced to rely. Finally there were Court fees and ruinous survey costs, running into many thousands of pounds.

The processes of the Native Land Court were deficient and defective but, worse still, so too were the limited remedial processes of appeal when the Court got it wrong, as it so drastically did in the case of Te Kapua. The Court failed to properly consider the applications for rehearing of the controversial and clearly wrong Te Kapua decision. It was only years later that the owners discovered in the Supreme Court that the Native Land Court's failings were sufficiently serious to have the original title award overturned and the block investigated anew. By the time this was made known in 1893, it was too late to challenge the title because it was held by the Crown which had purchased the entire block without addressing the ongoing protests about the title to it. As the new owner it had no interest in relitigating the title, despite having learned a great deal about the deficient, if not corrupt, practice leading to the awarding of Te Kapua by the Native Land Court. Petition after petition from those wrongfully excluded by the Court were inquired into by Parliamentary select committee. The damning evidence about conflicts of interest and dubious decision-making was ignored and the title was left to stand. By the time the Native Land Court's actions were subject to judicial scrutiny, in 1893, it was, as noted above, too late for the excluded customary rights-holders, for Te Kapua was gone.

In less controversial blocks, title investigation and subsequent subdivision was still a prolonged and expensive business. It was, however, necessary in order to ensure that land could be transferred to the Crown so that the railway was put through, that settlers would come, and that the Mokai Patea people would benefit. Once the full costs of the Native Land Court process became apparent to them, as much as 100,000 acres of the Awarua block – the enormous heart of the district – was identified by the owners as having to be sold to satisfy the Crown's demands and to clear their debts. They anticipated being left with sufficient land to profit from and increase the rapid and extensive agricultural development they had already embarked upon without any assistance from the Crown.

Despite the generous co-operation of the Mokai Patea land owners, the Crown wanted more, much more. Ultimately more than twice as much land as the owners had set aside for Crown purchase was lost from Awarua (205,429 acres), in addition to significant portions from

adjacent blocks, such as the entirety of Te Kapua and about 30 percent of Motukawa. Ultimately, the Crown acquired more than 240,000 acres, almost all of which was purchased in the 1890s. This amounted to 72 percent of all of the land in this sub-district of the Taihape Inquiry District. Having apparently sated itself, the Crown abandoned land purchasing in the early 1900s, little more than a decade since it had commenced its whirlwind of alienation.

The Crown had left about 94,000 acres of Maori land for its owners, but none of this was protected from further alienation. Instead, the owners of the numerous and increasingly subdivided titles in the two main blocks remaining – Motukawa 2 and Awarua – were subject to private purchasing. The streamlined bureaucratic procedures of the Government’s Maori Land Board facilitated the rapid transfer of almost half of the Maori land remnants in the central blocks over the next few decades, during which almost 40,000 acres was purchased. The Board’s processes, and the wider context for the individual alienations detailed in this report, are issues that would benefit from further research.

Other, comparatively modest, forms of land loss included Public Works takings and the wave of ‘Europeanisation’ that occurred in the late 1960s in a final, convulsive gasp of assimilation in which Maori land held by up to four owners could be declared to be ‘general’ land, and no longer Maori land. While also modest in terms of total area (just over 5,000 acres), Europeanisation affected nearly 10 percent of what little Maori land remained in the central blocks.

The end result is that just over 48,000 acres of Maori land remains today within the central blocks, representing about 14 percent of the original area of those blocks. This is divided into scores of fragmented titles, ranging from fractions of an acre up to several thousand acres, with a total of thousands of individual owners; far more than the land can ever support. Many of the larger blocks are isolated, rugged, hill country that lack access, are surrounded by conservation land, and which are of little or no economic benefit to their myriad owners.

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Land Information New Zealand (LINZ)

ABWN W5279 8102 Box 347 WGN 802 Motukawa No. 1A – Taupo

ABWN W5279 8102 Box 347 WGN 803 Motukawa No.s 2A, 2B, 2D, 2E, 2F All No. 1,  
No.2C, No. 2B No.2 – Whanganui

Department of Conservation, Whanganui

AFIE 6905 W5683/163, 18/54 (Aorangi/Awarua 1D B2, 1974)

AFIE 6905 W5683/158, 9/24/3, Part 2 (Aorangi/Awarua 1DB2, 1974-1986)

AFIE 619/86, 4/6 (Aorangi Awarua Trust, 1985-1991)

Ministry of Justice (Environment Court)

AADM 7538 W5127/15, TCP 0306/90 (Aorangi Awarua Block & Reeves Contractors Ltd  
1990-1991)

Nature Conservation Council

AAZU W3619/22, 31/6/74 (Aorangi-Awarua Maori Trust Block, Taihape, Indigenous Forest  
Logging)

AAZU W3619/23, 31/6/74 (Aorangi-Awarua Maori Trust Board, Taihape Logging)

AAZU W3619/23, 31/6/74 (Indigenous Forest – Awarua/Aorangi Maori Trust Block)

AAZU W3619/23, 31/6/74 (Logging of Indigenous Forest; Awarua-Aorangi Maori Trust  
Block)

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