



Summary of Te Rarawa Historical Claims Maungataniwha Blocks

The Crown acquired three Maungataniwha Blocks – Maungataniwha East, Maungataniwha West No 1, and Maungataniwha West No 2 – in 1862 and 1863. Those acquisitions illustrate the nature of Crown purchasing prior to the advent of the Native Land Court.

Research into Maungataniwha has so far been limited to official government sources, and hapu or iwi-based versions of events are yet to be fully explored, although the importance of Maungataniwha itself is well-known and appreciated. What is clear from the Crown's record is that its desire to acquire Victoria Valley dominated its dealings with the owners of surrounding lands.

Crown Purchasing Activity

The overarching aim of the Crown's land purchasing programme, 1840-1865 was to extinguish Native land title, secure Crown ownership, and promote European settlement. The Waitangi Tribunal has noted that the Crown's purchasing programme was most active in the Kaitaia district from 1856 to 1865.

During that time the Crown sought, in particular, to secure title to the whole of Victoria Valley and surrounds. Viewed as highly desirable by the Crown, these land holdings constituted an uninterrupted band of land extending north from Mangonui and Whangaroa to Kaitaia and Ahipara, and westward to the North Hokianga.

The land-purchase programme in this region involved complex negotiations between Maori and Crown agents who held divergent understandings about the purposes and benefits of land sales. Ultimately, as a consequence of strong Maori reluctance to sell the Victoria Valley, Crown agents aimed to purchase all adjacent blocks in a bid to encourage Maori to sell the valley. This purchase drive included Maungataniwha East, Maungataniwha West No. 1, and Maungataniwha West No. 2.

Inquiries About Maungataniwha

Henry Tacy Kemp, the District Commissioner, was the main purchaser on behalf of the Crown, often assisted by the Resident Magistrate, J. B. White. In 1855 the Chief Commissioner asked Kemp to report whether or not Maungataniwha would be a 'desirable purchase' and to determine its area and the terms on which it could be purchased'.

In 1858, both Kemp and White made preliminary inquiries about Maungataniwha. White said the blocks were 'most desirable'. Payments for them would hasten the acquisition of Victoria Valley, and the blocks had both good soil and 'fine timber'. Kemp sought and received the Chief Commissioner's support to purchase Maungataniwha of 8000 acres and valued at £250.

Around that time, Kemp was juggling a number of negotiations for purchase simultaneously. He also seems to have been hasty, which sometimes led to confusion about block names, areas and other details, and on occasion frustrated the Chief Commissioner.

Kemp's workload led to some delay in the purchase negotiations for the Maungataniwha block. He and White returned their attention to Maungataniwha in late 1861, though letters he wrote reveal that what he really hoped to gain was Victoria Valley.

In December 1861, White said he and Kemp met the 'principal chiefs'. White was confident that by buying both the Mangatete and Maungataniwha blocks, the government would then be in a better position to negotiate for the valley. He regarded the agreed purchase price for Maungataniwha of 11d an acre as 'by no means extravagant'. On 5 May 1862, Kemp reported that the survey and plans of Maungataniwha (8469 acres) had been completed, and requested £388.3.3 for the payment.

Kemp made few remarks about the conditions of the sale, and no reference to reserves. Instead, he noted that he had begun negotiations for an additional block consisting of 10,000 acres, and a month later reported he was 'steadily progressing' negotiations for Victoria Valley.

Records detailing the negotiations for Maungataniwha West No. 1 and Maungataniwha West No.2 are unavailable, but those regarding Maungataniwha East clearly indicate the pressure on the owners of all lands in the area due to the Crown's sustained pressure to gain ownership of the entire Victoria Valley.

Crown's Purchase Details

Kemp concluded the sales of the three Maungataniwha blocks between August 1862 and January 1863. The details may be summarised as follows, Kemp acquired:

- ♦ Maungataniwha East (8469 acres) for £388.3.3;

- ♦ Maungataniwha West No 1 (12,940 acres) for £647; and Maungataniwha West No 2 (area not recorded) for £560.2.0.

Reserves

Reserves were intended in each of the Maungataniwha blocks. Ahitahi, Otaharoa, Haumapu and Te Awapuku blocks were excluded from Maungataniwha East but never formally reserved. These four blocks comprised 1405 acres in total, and were all alienated between 1867 and 1885.

Maungataniwha West No 1 included Peria. Of its 1130 acres, half were later alienated.

Two blocks were reserved from Maungataniwha West No 2: Takeke of 79 acres and Mangataiore of 381 acres. However, this status afforded little protection; in 1877, Takeke was permanently alienated from its Maori owners and 191 acres of Mangataiore were also eventually alienated.

Divergent Understandings

The Tribunal found that no Crown purchase before 1865 could be regarded as an absolute sale because:

- Maori did not share the view that sales of land were absolute;
- Maori viewed the sales as affirmations of their alliance with the Crown through which they could partner the government and benefit from the skilled services, goods, and ready markets for Maori produce that would come with European settlement; and
- traditional Maori views about relationships with the land, and understandings about property, continued to be important.

These divergent understandings – where Maori sought recognition of their mana over the land, partnership with the Crown, and benefits from European settlement – shaped the climate in which the Maungataniwha blocks transferred to the Crown. However, the Crown understood and assumed any transaction as simply a sale under English law.

(Lack of) Crown's Responsibility

Maori motives, as reasons against any absolute sales in this period, were eclipsed by the Crown's responsibilities as the purchaser, which, having taken a right of pre-emption, exercised a monopoly on purchasing and a fiscal interest in both buying and on-selling land. Instead of protecting Maori interests, the Crown used its pre-emptive right to drive down prices and take advantage of Maori inexperience with land valuations.

Even when Maori arguably benefited from the sale of their land, the Crown failed to protect the small areas Maori retained and on which they could reasonably expect to enjoy any such benefits.

The Crown acquired a total of 32,591 acres in the Maungataniwha acquisitions. Whether formally reserved or not, all but 754 acres of the 2,995 acres excluded from the Maungataniwha blocks were later alienated nonetheless.

The economic base of local Maori was systematically eroded, the benefits they expected failed to eventuate, and the balance of land on which they hoped to enjoy any benefits was also leached away.

Consolidation of Crown and Private (Pakeha) Interests

The Tribunal found that a government policy of relieving Maori of their land as fast and as cheaply as possible, was 'generally accepted, understood, or tacitly agreed upon' in the purchases effected in this period (1856 to 1865) and 'later events would show that total extinguishment of Native title was effected, mainly by purchase, in fact'. In keeping with this, the acquisition of the Maungataniwha Blocks followed a strategy of shoring up Crown and private interests in the Kaitaia area. Kaiawe, Ahipara, Kokohuia, Maungataniwha and other blocks, all purchased in the period 1856 to 1865, provided a buffer – a zone of protection – for settlement plans in the Kaitaia area. These purchases effectively cleared the area and eliminated the likelihood of local hapu interfering in any way with settlement of the Kaitaia area. They also provided an area into which settlement could expand. It appears that providing protection for Maori or delivering 'expected settlement benefits' was never a main consideration for the Crown in the execution of its land purchasing programme.

Today

As of 1997, part of Maungataniwha West No 2 was still in Crown ownership under the Department of Conservation. Without further investigation, the fate of the 754 acres – 564 acres in Peria and 190 acres of the Maungataniwha East reserve, Mangataiore – still in Maori hands in the late 19th century is uncertain.