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1. INTRODUCTION

In its report entitled, Whenua Tautohetohe: Testing the Tribal Boundaries, 1994 (WAI 46, Doc C7), Ngati Awa identified areas of land that were the subject of often protracted disputes between competing iwi. Ngati Awa shares its boundaries with many neighbouring iwi and in all cases there are differences of opinion about the definition of the border. The disputes concerned ribbons of land around the borders and sometimes as in the case of Ohiwa Harbour, over a valuable asset.

There is a long history of disputes over Ohiwa as between Whakatohea and Ngati Awa. Negotiated agreements were attempted and these are outlined in this report. There is an even longer dispute between Tuhoe and Ngati Awa that spanned a period of some 200 years (WAI 46, Doc H2 paragraph 14). This dispute is described briefly in this report. Upokorehe does not appear in the history of disputes, it is Whakatohea, the iwi, that is dominant in the historical record.

This report sets out Ngati Awa's position in respect of Ohiwa Harbour and the adjacent area which is claimed by Upokorehe and Tuhoe generally as being their land. Ngati Awa has not claimed, as other iwi have done that the whole of Ohiwa belonged exclusively to them. The principal arguments have been focussed on the boundary between Whakatohea and Ngati Awa. Tuhoe has not been a part of these disputes until recently.

That Tuhoe had access to Ohiwa is not disputed by Ngati Awa. They would have had access through their connections with Upokorehe. Access, however, is not the same as having rights of occupation and ownership over the land.

Ngati Awa also has no objections to Tuhoe having a part with Ngati Awa and Whakatohea in the management of Ohiwa Harbour now and in the future (WAI 46, Doc H2 paragraph 11). Their inclusion in the management team is welcomed by Ngati Awa.

The issue is this: What was the arrangement between Whakatohea (which includes Upokorehe) and Ngati Awa at about the time of the signing of the Treaty of Waitangi and what was it at the time of the Raupatu (in 1865 and 1866) when both Whakatohea and Ngati Awa were punished by the Government . After tracing the history of disputes over Ohiwa Harbour the final question concerns the future. What is the future of Ohiwa and what are Whakatohea, Tuhoe and Ngati Awa prepared to do about it?

2. EVIDENCE OF OCCUPATION

Archaeological evidence proves Ohiwa harbour to have been one of the most densely settled areas in New Zealand in pre-European times. Such evidence is outlined in a report on the Vegetation of Uretara Island Scenic Reserve and environs of Ohiwa Harbour (Beadle 1984:5). This was probably due to the rich resources of the area, coupled with the convenience of the harbour.

Many pa sites were located around the natural features of the harbour. Several more were to be found on the two larger islands inside the harbour. These islands are named Uretara and Hokianga.

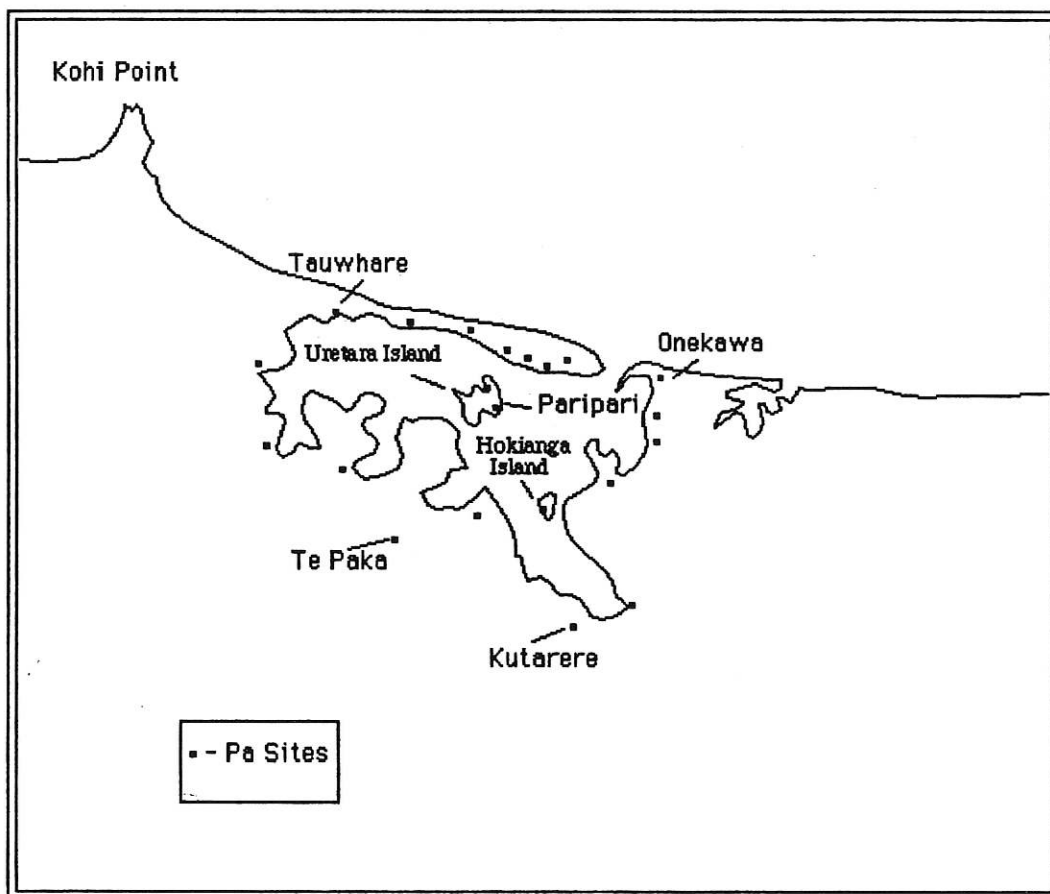


Figure 1; Settlements around Ohiwa

Twentieth century archaeological excavations of the two pa sites on Uretara island revealed that both were large enough to support a substantial population. Paripari, which was the larger pa of the two, was of sufficient size to support a population of up to 500 people. This is discussed in the Uretara Island report (WAI 46 DocA5).

Ngati Hokopu and Ngati Wharepaia, both hapu of Ngati Awa were prominent in and around Ohiwa. They had spread outwards from Wairaka at Whakatane and had settled along the coast and inland. There were several important Ngati Awa Pa along the Ohope coast, including Otumanu (situated near the mouth of Te Huki o te Tuna Stream). An equal distance from the same stream on the opposite bank stood Marama Tawhana, later known as Te Parapari or Gunfighters Pa. A little East of Marama Tawhana, across the Waireia stream stood Maungateone. Further along, on the Eastern side of the Otarapuhia stream, is the site of Raukawarua. Another significant Pa site is Whanapanui, which is a little west of the Maraetotara stream.

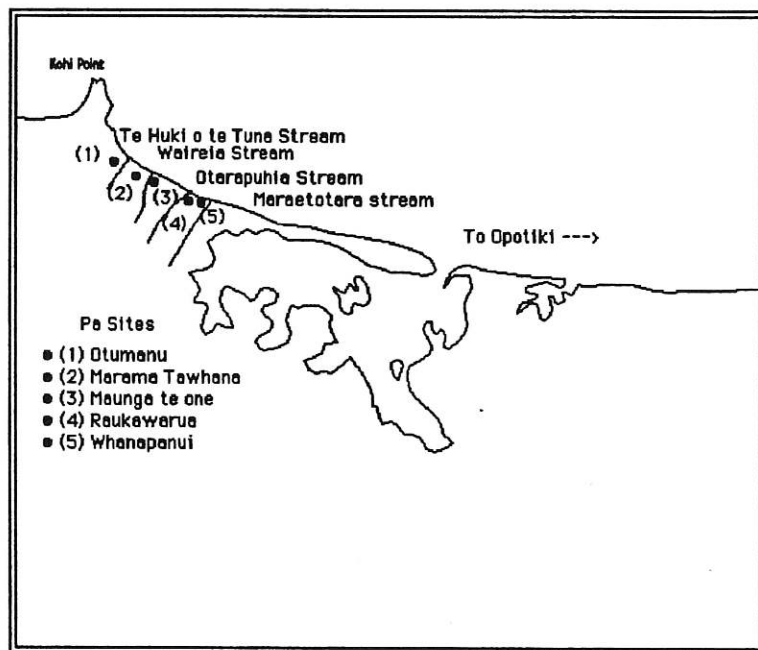


Figure 2; Ohope Beach Settlements

Other iwi, in particular Whakatohea had also settled at Ohiwa. There were frequent disputes over the resources of the harbour and blood was often spilt. This is well documented in the Ohope Scenic Reserve Report (WAI 46 Doc A9).

In 1828 the Vessel "Herald", captained by Gilbert Mair (Senior) called in at Ohiwa (Smith 1910:481-3). Here they were witness to the aftermath of a major encounter between Whakatohea and Ngati Awa at Onekawa, on the Eastern side of the harbour. Many Whakatohea lay dead along the shore. Ngati Awa were the victors and it was they who made the visitors from the "Herald" welcome. Several of those on board, including the missionary Henry Williams, were invited to visit the pa of their chief at Whakatane (Rogers 1967) & (Smith 1910:481-3).

This type of unrest was typical of Ohiwa occupancy up until the time of the introduction of the Pakeha musket. It was not a safe place for established settlement.

Nga Puhi from the far North were the first to have access to the musket, and took the opportunity to conduct a series of raids into the Bay of Plenty area during the 1820's and into the early 1830's (Belich 1986:20) & (Best 1972:526). Unable to defend themselves adequately, many of the coastal Bay of Plenty inhabitants were forced inland (Best 1972:527).

Although Ohiwa was at times virtually deserted because of the Nga Puhi raids, Ngati Awa hapu continued to exercise their mana by going there on a regular basis in order to procure supplies of fish and shellfish. Other groups, including Whakatohea also continued to gather seafood there. This was possible because the Nga Puhi raiders did not settle or stay long in the

areas that they had attacked. Rather the encounters were over quickly. They were not lengthy or prolonged affairs (Best 1972:528-33).

It is important to note that the Nga Puhi raids were just that, and not made in regard to conquest of land.

Fighting between Whakatohea and Ngati Awa had continued to escalate, perhaps as a result of their also acquiring muskets, and after a series of battles Ngati Awa (aided by Ngati Maru from Thames) soundly beat Whakatohea (Lyll 1979:144) & (Best 1972:377). As a direct result of this defeat, Whakatohea's mana at Ohiwa had been seriously compromised. Most Whakatohea were forced from the area, those who did stay took on a subservient role to the conquering iwi. Some Whakatohea were taken to Whakatane as slaves. Details of these events are covered in a report of Mr Tom Woods prepared for Whakatohea and Ngati Awa in 1991. A copy of the report is attached as Appendix B.

3. BACKGROUND TO TE PAPA

Disputes between Ngati Awa and other iwi over rights at Ohiwa were a common occurrence, which had spanned some 200 years. By the 1820's the main disputes were between Ngati Awa and Whakatohea.

Both iwi were suffering from the external pressures caused by raiding Nga Pahi from the far North and missionary/religious impact. The boundaries between Ngati Awa and Whakatohea were the main focus of dispute. It is the area of land between the Nukuhou river and the Ohiwa river that caused much disagreement.

The Ohiwa river probably refers to the mouth of the Ohiwa harbour and is therefore a coastal boundary marker (RDB p45842). The Nukuhou river discharges into the Ohiwa harbour itself.

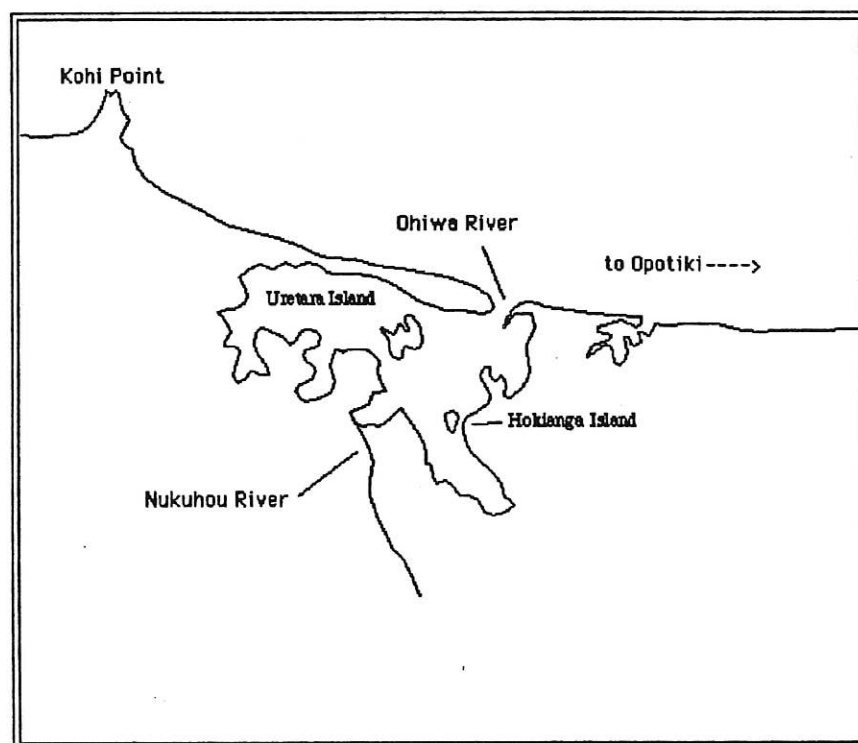


Figure 3; Ohiwa River Boundaries

As a result of unsuccessful negotiation between the two iwi, tensions built and resulted in a series of battles. Several pa were destroyed until eventually in 1831 with assistance from Ngati Maru, Ngati Awa took Whakatohea's last stronghold, Te Papa. Whakatohea had been defeated and were forced to flee (Lyll 1979:144).

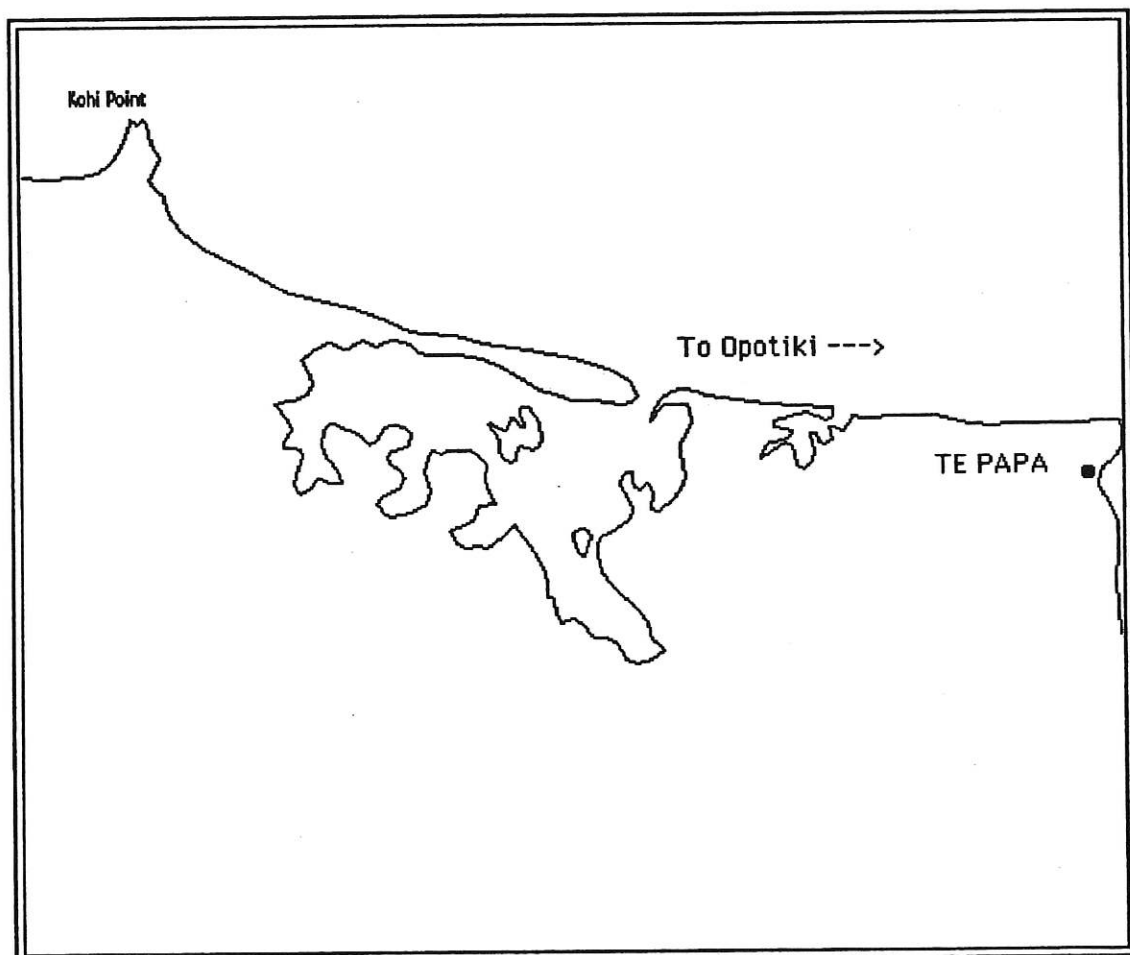


Figure 4; Te Papa Pa

During the years which followed Whakatohea's defeat, Keepa Toihau, a Ngati Awa chief, and his people lived at Te Uretara (on Hokianga island). Ngati Awa hapu occupied the whole of the Ohiwa area. Evidence was given at a meeting presided over by Resident Magistrate Henry Clarke on October

1 1862 at Ohiwa, that Ngati Awa cultivated and occupied both Ohiwa and Opotiki during this time. Thomas Black, who was present at the hearing, later wrote a letter to the Editor of the Southern Cross Newspaper in which he described the proceedings. The letter was published in the Daily Southern Cross on December 31 1862 and a transcript appears as Appendix A. The hearing concerned a dispute over the island which Black claims to have purchased in 1839. Black wrote:

30th Sept 1862 - Went to Ohiwa this morning, the Whakatohea had taken possession of an island of mine in the harbour containing near 400 acres purchased in 1839 . I asked the cause of them coming to build pas on my land after my holding it for 22 years without them ever seizing any claims.

They replied it was true it was taken from them when they were conquered and carried into slavery by the Ngati Awa , but that they were recruited and increased in number and that they had now seized and taken and taken it back again, as far as Whakatane, that I had better come the next day and hear the whole case.

4. THE RETURN OF WHAKATOHEA

The defeat of Whakatohea in 1831 caused some of them to flee to Tauranga, and others to Hauraki, Thames and the Bay of Islands (see Appendix D).

During the 1840's, Whakatohea returned to Opotiki. Their return was aided by Ngai te Rangi of Tauranga. Although Ngati Awa did not consent to their return, neither did they attempt to prevent Titoko and his people from settling back at Opotiki (Appendix D).

Shortly after they settled at Opotiki, Titoko approached Keepa regarding access to the resources of Ohiwa harbour. Through peaceful negotiation, an agreement was reached between the two iwi. Ngati Awa would retain the use of the western side of Ohiwa, while the eastern side would be left to Whakatohea. This arrangement apparently worked successfully for the next two years (Appendix D).

Again a dispute arose over the boundary between the two iwi. Where exactly the boundary was is unclear. What is clear, is that Ngati Awa did not then consider that it was at the Nukuhou river. Whakatohea consider that Hokianga Island fell within their boundary.

Because of the disagreement over this portion of Ohiwa, disputes between Ngati Awa and Whakatohea again began in earnest.

5. TAUWHARE PA

It was on the beach below Tauwhare Pa that an agreement for peace between Whakatohea and Ngati Awa was made. The day on which the peace agreement was made, should have been a day of bloodshed. But for the actions of one woman, a bloody massacre was prevented. This is an edited version of that which appeared in the Rotorua Daily Post on January 18, 1964.

As Whakatohea grew in size and strength, they also became more assertive and by 1847, had gained a more dominant role at Ohiwa. Ngati Awa still occupied the stronghold of Tauwhare Pa which was located on the western headland of Ohiwa harbour. It was here that Mere Aira Rangihoea of Ngati Awa and Kape Tautini of Whakatohea lived together as husband and wife.

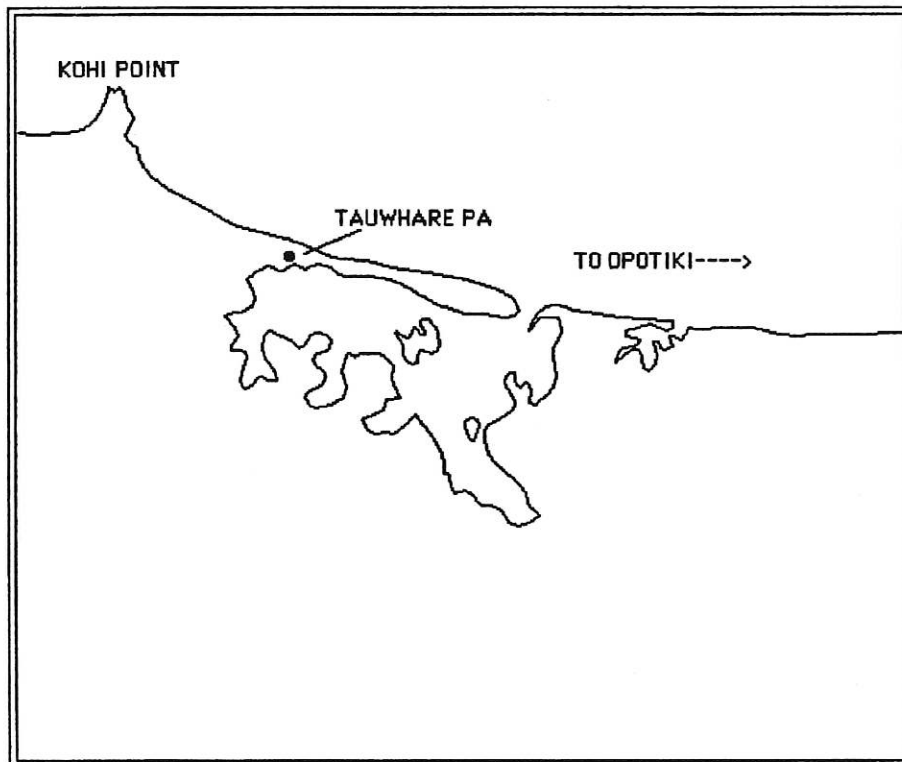


Figure 5; Tauwhare Pa

Not long after the birth of their first child, and son, whom they named Te Pirini Tautini, Kape staged his own disappearance at sea. In reality he had returned to his people, the Whakatohea. The next time his wife saw him was when he returned amongst a number of battle ready warriors as they rowed their war canoes toward Tauwhare.

According to tradition, Mere Aira thwarted their plans to drive Ngati Awa from the area by appealing for peace. In doing so she threatened to kill her infant son by hurling him down onto the rocks between the two groups. As she declared her intent from the hilltop above, she also made it clear that his blood would be on the hands of all those who would fight.

Deeply moved by both her actions and her words, the chiefs of Whakatohea and Ngati Awa negotiated peace.

A somewhat tenuous peace then existed between the two iwi for almost two decades.

As the following timetable shows, there were no major changes in the situation up until 1866, when Ohiwa was confiscated by the Crown as part of the punishment for the deaths of Volkner and Fulloon.

6. KEY EVENTS AND EFFORTS AT NEGOTIATED AGREEMENT

- 1828 A battle took place at Onekawa, Ohiwa between Whakatohea and Ngati Awa. Whakatohea lost between sixty and seventy men (Smith 1910:481-3).
- 1831 After a series of battles between Ngati Awa and Whakatohea. The Whakatohea Pa of Te Papa was taken by a combined Ngati Maru and Ngati Awa force. This was a final blow for Whakatohea, who were forced from the area as a result (Lyll 1979:144).
- 1839 A Pakeha trader named Nicholas allegedly purchased Uretara island from the Ngati Awa chief Keepa Toihau (Appendix D).
- 1840 Titoko and Keepa negotiated the boundaries between the two iwi. Exact details of the boundaries which were agreed upon are unclear (Appendix B).
- 1842 Keepa sold Hokianga Island to a Pakeha named MacKey in exchange for a horse. Whakatohea took exception to this, and burnt the houses on the island (probably Te Uretara and Te Ipu-a-Maui). They then re-established themselves there. Keepa and another Ngati Awa chief named Kawakura, retaliated by burning the Whakatohea pa, Onekawa. This pa was situated near the mouth of the harbour entrance, on the eastern side of Ohiwa.
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Whakatohea crops were also destroyed. This appeared to have settled the matter for a while (Appendix D).

1842-1845 Shortland was sub-protector of aboriginies for the Eastern District. He was based at Maketu. It was during this time that he visited Ohiwa, and, under the influence of the two Whakatohea chiefs Hotere and Paraurau, he set the boundary between Whakatohea and Ngati Awa at Nukuhou. Ngati Awa were not happy with this, and Keepa insisted that the boundary be left as previously agreed to (Appendix D).

1845 T.H Smith replaced Shortland as sub-protector. Shortly afterwards, there was another disagreement between the two groups, apparently sparked off when Whakatohea and Ngati Awa both went to Ohiwa to catch sharks. Ngati Awa and Whakatohea then agreed to meet at Hokianga in order to resolve the boundary question. Whether as a result of these negotiations or not, Whakatohea then crossed to the western side of Ohiwa and constructed a pa. Further negotiations were unsuccessful. Whakatohea refused to leave. Finally however, Wiremu Tamihana Tarapipi "The Kingmaker" was called in to adjudicate. He agreed that the boundary between Whakatohea and Ngati Awa be the river at Hokianga (Appendix D).

- 1847 Sucessful peace negotiations between Whakatohea and Ngati Awa on the foreshore at Tauwhare Pa (Rotorua Daily Post 18.1.64).
- 1848 Thomas Black placed cattle onto Uretara island (Appendix A).
- 1856 Whakatohea warned Black to move his cattle off Uretara Island. He did so (WAI 46 Doc A5).
- 1857 Formal negotiations for peace between Whakatohea and Ngati Awa (Appendix D).
- 1860 Titoko of Whakatohea and Keepa of Ngati Awa agreed that Ngati Awa would retain the western side of Ohiwa, while Whakatohea would keep to the east (Appendix B).
- 30/9/1862 Whakatohea moved onto Uretara island and established themselves there (WAI 46 Doc A5).
- 1/10/1862 An arbitration meeting was held at Whakatane. After further disagreement over the jurisdiction of the Queens court, Whakatohea agreed to hand the matter over to the King. Wiremu Tamihana Tarapipi was again choosen as arbitrator. Ngati Awa on the other hand, insisted that the matter be dealt with by the Queen. Thomas Black was present at the hearing and recorded the proceedings (see Appendix A).

Later that year, Tamihana decided in favour of Ngati Awa (WAI 46 Doc A5).

7/3/1867->16/3/1867

Compensation Court hearings at Opotiki. Claimants from Upokorehe, Ngati Awa, Ngati Maru, Whakatohea and Tuhoe give evidence regarding ownership of Ohiwa. Judgement is given on behalf of Apanui (Ngati Awa), Wepiha (Ngati Awa), Mereana (Whakatohea) and Hauauru (Ngati Maru). Judge Mair concedes that both Apanui and Wepiha have been compromised. Wepiha only is given the right of appeal. The crown retained possession of most of Ohiwa including Uretara island for itself (Appendix D).

25/3/1867 -> 27/3/1867

Further Compensation Court hearings at Opotiki (Appendix D).

1886 Wilson established the Ohope Reserve for Ngati Hokopu and Ngati Wharepaia (WAI 46 Doc G7).

21/7/1886 Prominant Ngati Awa chief Wepiha Apanui asked that Uretara island be returned to Ngati Awa. This was refused, the government instead retained possession of the island (WAI A5).

1922 Petition by Apanui states boundaries at Ohiwa. (see Appendix C)

1991 Te Runanga o Ngati Awa met representatives of the Whakatohea Maori Trust Board at Opotiki where they agreed to follow an earlier agreement making the boundary at the Nukuhou river.

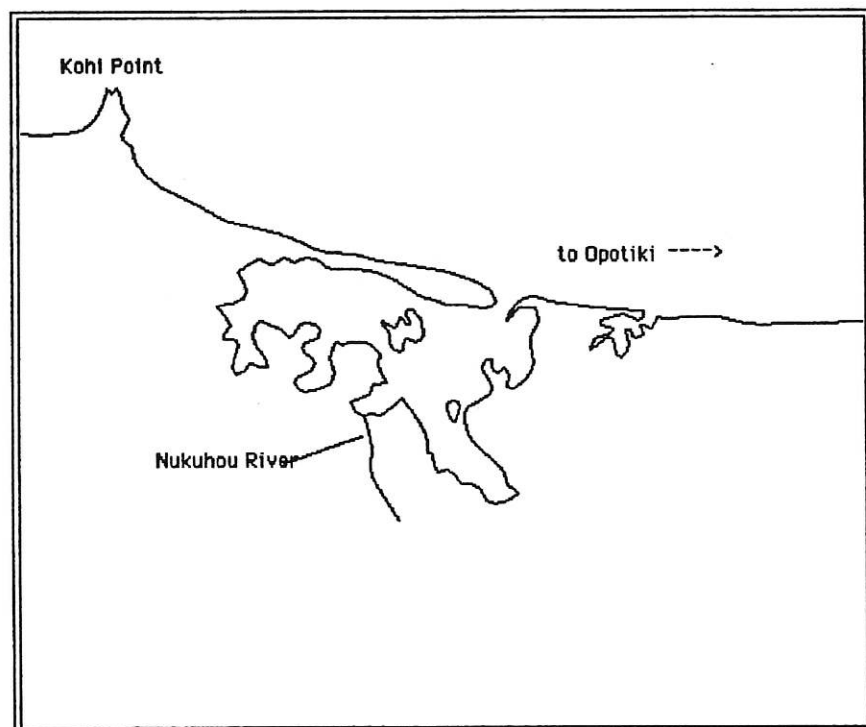


Figure 6; 1991 Boundary between Ngati Awa and Whakatohea

1995 A Waitangi Tribunal hearing at Waiaua Marae in Opotiki to hear the cross claims of Mani Mokomoko who challenged the 1991 accord.

BIBLIOGRAPHY

A. Published Materials

Belich, J

1986. The New Zealand Wars and The Victorian Interpretation of Racial Conflict. Penguin Books (NZ) Ltd. Auckland.

Best, E

1972. Tuhoe: The Children of the Mist. A.H & A.W. Reed Ltd. Wellington.

Lyall, A.C

1979. Whakatohea of Opotiki. A.H & A.W Reed. Wellington.

Rogers, K.M

1967. Henry Williams in the Bay of Plenty. 1826-1828 Whakatane and District Historical Society, Whakatane.

Smith, P

1910. Maori Wars of the Nineteenth Century. Whitcombe & Tombs Ltd, Christchurch.

B. Official References- Unpublished Materials

1964. Rotorua Daily Post Jan 18

1984 The Vegetation of Uretara Island Scenic Reserve and Environs, Ohiwa Harbour attached as Appendix 6 to "Te Uretara Island" (WAI 46 Doc A5).

Raupatu Document Bank Vol 120

C. Research Reports and Papers Prepared by Te Roopu Whakaemi Korero o Ngati Awa.

Research Report

Report No 4 Te Kaupapa o Te Raupatu i Te Rohe o Ngati Awa
The Ethnography of the Ngati Awa Raupatu

Research Briefing Paper

No.3 27 July 1992 Ohiwa - An Examination of Archival Resources

Report on Reserves

No.7 31 Sept 1992 Ohope Scenic Reserve