IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

IN THE MATTER OF:	The Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF:	The Wairarapa ki Tararua Inquiry – **Wai 863**
AND	
IN THE MATTER OF:	The claims of Rangitāne o Tāmaki-Nui-a-Rua -**Wai 166**

STATEMENT OF EVIDENCE OF PETER THORNTON ROPIHA

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Introduction

1. My name is Peter Thornton Ropiha. I am the son of Tipi Tainui Ropiha (**CBE, ISO)** and Rhoda Winifred Walker.

2. I am a descendant of Hori Ropiha and that truculent warrior, Ropiha Te Takou.

3. My Rangitāne hapū is Ngāti Parakiore.

4. My Rangitāne whakapapa is set out in the whakapapa booklet, "He Āta Tātai Tupuna - Tātai Hono Hoki" at page 24.

My Whānau

5. My father Tipi Tainui's passion was education. Over 50 years ago he began advocating to all and sundry the necessity of Māori to pursue education with the utmost vigour.

6. My father' name, "Tipi Tainui", was the result of the close relationship our tupuna, Hōri Ropiha, developed with Tawhiao during their trip to England where they had hoped to meet with Queen Victoria to discuss matters pertaining to the Treaty of Waitangi. The name "Tainui" was given to my father by Hōri Ropiha at his christening.

7. My own personal association with the Tainui people was strengthened when, as a child, I had the privilege of meeting with Te Puea. She would have been the first Māori woman that I ever met and of whom I have the fondest memories.

8. My father started his civil service life as a registered surveyor with the Department of Lands and Survey. He also became Secretary of Māori Affairs between 1948 and 1958.

9. My sister, Dr Rina Moore, became the first Māori woman doctor. Her passion was to influence the then Health Department to instigate programmes to educate Māori on family planning.

10. I am a Lincoln graduate majoring in Valuation and Management, an Associate of the New Zealand Institute of Valuers and a Senior Member of the New Zealand Property Institute.

11. Once I graduated I was posted to the Department of Lands and Survey and after a stint of some 14 months in the Head Office, I was transferred to the Land Development Branch in Rotorua. I was then transferred to Palmerston North and continued in the duties of the settlement of ex-servicemen, the purchase of Crown land for settlement, the administration of the Land Act 1948 and the numerous Acts associated with and administrated by the Department of Lands and Survey.

12. My evidence will discuss issues relating in the main to northern Tamaki-Nui-a-Rua land blocks.

Return to Tamaki-Nui-a-Rua

13. My transfer to Palmerston North gave my wife and I the opportunity to view a property in the Tamaki-Nui-a-Rua area in which we had a substantial interest. This property is situated in the Takapau survey district on the Waikopiro block which is in northern Tamaki-Nui-a-Rua. It comprises about 401 hectares. Our land is now general land. It was automatically changed from Māori land to general land by legislation in the 1950s.

14. Numerous visits to the site whilst we were in Palmerston North left us in no doubt that the terms of the lease were not being complied with and we decided to force a closure using the terms of the Property Law Act.

15. My wife and I then embarked on a programme of redevelopment of our land. We farmed it for a number of years until our recent retirement. The land is currently being leased.

16 This piece of land is important to us because it was a parcel of land occupied by my tupuna, Parakiore. There are numerous significant sites on or near our land.

Sites on Parakiore Land

17. Te Reinga o Mahuru was the fighting pā of Parakiore and is situated on the Raikatia Range and is described by Jock McEwan in his book "Rangitāne" as "the great stronghold of Rangitāne".

18. This particular pā was positioned so as to allow direct sight to other strategically placed pā, thus creating a collective defensive pattern. This has been referred to as the Eastern Rangitāne Alliance in the evidence of Manahi Paewai.

19. From Te Reinga o Mahuru, other salient pā were visible such as Wahatuara, on the Puketoi Range, and Raikapua at the confluence of the Tāmaki and Manawatu rivers.

20. Parakiore was the fighting arm of Rangitāne in his time and he was positioned in this area to repel hostile parties from the north and west and to exact utu when and where the occasion arose.

21. Beyond the western reaches of the Raikatia range is a large flat area on the property of a local farmer, Phillip Robinson. This flat has always, and is still, regarded as the living (papakāinga) and cultivation area of Parakiore. This area was called Paparataitoko.

22. Further to the west, at the village named Whetukura, was a palisade pā site, the pou pou of which, according to one informant, was used by her and others' children, as counters for their arithmetic lessons.

23. On the banks of the Manawatu River in the Waikopiro area, were numerous papakāinga, pā and battle sites. One of the celebrated battle sites known as Whatakokako was where Parakiore repulsed their enemy, laid the dead on terraces which are still clearly visible above a nearby stream which runs into the Manawatu and was eventually named Waikopiro. This name was subsequently used to identify the Parakiore holdings as the Waikopiro block when the land went through the Native Land Court in the 19th century.

The Tuatua Block and Scandinavians

24. The Tuatua block is significant because it was here that the settlement of a large body of Scandinavians occurred in the late 19th century.

25. Under Vogel's Public Works and Immigration Scheme, Scandinavians were brought into Tamaki-Nui-a-Rua and their settlement in this area was placed under the control of JD Ormond, Superintendent of the Hawke's Bay Province.

26. The major settlement on the Tuatua block is now known as Norsewood.

27. Prior to 1872, JD Ormond moved surveyors into the Tuatua area without consultation with Rangitāne and had them lay off 40 acre blocks which were to be sold to the Scandinavian settlers on a deferred payment licence scheme. This scheme, instituted by the Crown, allowed people to pay off over time the land allocated to them by the Crown.

28. I have been unable to find records of a specific payment being made for either the Tuatua or Ngamoko blocks. One would assume that payment

was included with that which was made under the heading of the "70 Mile Bush Purchase" in the 1870s.

29. The payment in relation to the Tāmaki or northern portion of the 70 Mile Bush was £16,000 for an area assessed at some 240,000 acres. This payment amounts to 15.95p per acre to Māori while on the other hand charging the Scandinavians 240p per acre. This amounts to a Crown mark up of 1506.59%.

30. It is important to note that JD Ormond's ability to have surveys carried out in preparation for the settlement of Scandinavian settlers is in complete contrast to his inability to have proper surveys carried out when acquiring Māori lands in Tamaki-Nui-a-Rua during the 19th century.

Sawmilling in Tamaki-Nui-a-Rua

31. Sawmillers arrived at Tamaki-Nui-a-Rua and entered into ill-defined leases with Māori which gave them cutting rights of the timber and also provided them with the opportunity to trespass on to Māori land taking large quantities of timber with apparent impunity. The leases themselves were not well drafted in terms of the actual area of land that was being leased to the sawmillers and there are examples of the sawmillers cutting timber from lands not subject to the lease.

32. Petitions were presented requesting assistance from the Crown to put a halt to these numerous trespasses. This assistance was not forthcoming and the illegal practices continued. My tupuna Hōri Ropiha, for example, petitioned the Government complaining about the illegal practices of the sawmillers in Tamaki-Nui-a-Rua.

33. However, the greatest gain to millers was through the sale of the timber. I have seen a letter from the late Dr Michael Roche, a geographer of Massey University, in which he assessed the value of timber taken from the

Tamaki-Nui-a-Rua area at £100 million, £5 million per annum for the millers against £3000 to Māori land owners.

Loss of Pāpākāinga

34. The Mangatoro is a block situated to the south east of Dannevirke which was subject to litigation. This block was first leased to one George Douglas Hamilton and comprised 30,750 acres. Also within this area, but excluded from the lease, was the papakāinga, Okurehe, comprising some 500 acres. This papakāinga was occupied by the people of Ngāti Rangiwhaka-ewa/Ngāti Pakapaka who made it clear that this area was excluded from the lease and that Hamilton was excluded from grazing it.

35. Over time, Hamilton got into financial difficulties and the Bank of New Zealand gave him 12 hours to settle, the result being that they foreclosed his mortgage.

36. The Bank of New Zealand then moved to deal with the land as if it was held by Hamilton on a fee simple title.

37. One is at a loss to understand how the Bank of New Zealand was able, or was enabled, to subdivide and sell this land complete with freehold title.

38. One would have thought that a transaction of this nature would have passed through the Courts and, in doing so, one could expect that the Crown may have assisted. This did not prove to be the case and Māori lost not only their 30,750 acres leased to Hamilton, but also lost the 500 acre pāpākāinga upon which they lived. The question has to be asked: "Where was the Crown? Where was justice?"

Crown Attitude towards Māori Land

39. One cannot prepare evidence in support of this claim without being struck by the wide variations of areas acquired by the Crown and the monies paid by the Crown to Māori.

40. This situation was evident over the whole area of Tamaki-Nui-a-Rua and it could be supposed that in order to acquire the land, the Crown decided to complete the purchase of the 70 Mile Bush in one parcel, rather than dealing with individual groups who had individual interests in the various parcels of land that made up the 70 Mile Bush.

41. An example of sloppy purchasing techniques is the dispute between Nireaha Tāmaki and the Crown.

42. Here we have the Crown purchasing land, no survey, no fixed boundaries and, in consequence, taking in excess 5,184 acres of customary Māori land.

43. Nireaha's claim was unsuccessful in the New Zealand Courts.. However his claim was upheld by the Privy Council. The judgment of the Privy Council did not help Māori in their endeavours to obtain justice as the Crown introduced two pieces of legislation to counter the position, the Native Claims Adjustment Act and the Land Titles Protection Act 1902.

44. One wonders why surveyors were not available at the time, when you consider that JD Ormond in 1872 was able to obtain surveyors through the Napier office of the Lands and Surveys Department to prepare for the sale to Scandinavians, while Dr Featherston was unable to draw surveyors from the much larger office in Wellington.

45. However, Featherston did have the welfare of Māori at heart when he stated:

"*The Maoris are dying out and nothing can save them. Our plain duty as good compassionate colonists is to smooth their dying pillow then history will have nothing to reproach us with."*

46. The following quotes in my view clearly show the Crown's policy towards Māori Land:

George Grey stated in 1847 "*Extinguish native title to as great an extent as possible".*

Dr Buller, Premier, 1880s: *"The European settlers covet this land and they will acquire it legally if possible, if not, then by any means possible".*

Richard J Seddon, 1893, Native Land & Acquisition Act: *"Too many Māori still own land".*

Conclusion

47. In conclusion I believe that it is grossly inappropriate that Māori should have to substantiate a claim that the Crown has acted, in its dealings with Māori, inappropriately and contrary to the terms of the Treaty of Waitangi 1840.

48. This is especially so when it is patently obvious that the Crown is in breach of its undertakings. It is the Crown, we believe, that should be standing here endeavouring to explain its actions of the past.

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