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MAORI PRISONERS IN DUNEDIN

1869 - 1872 AND 1879 - 1881

EXILED FOR A CAUSE.

JANE REEVES

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INTRODUCTION

The exile of Maori prisoners to Dunedin in 1869 and again in 1879, was due to the Northern wars and the confiscation of land in Taranaki by the Government. Maori never accepted the 'justice' imposed on them and active resistance to the confiscations continued throughout the 1860's, 1870's and 1880's.

The first group of prisoners to reach Dunedin were Pakakohe men who had been allied with Titokowaru and his armed resistance to the confiscations. The second group were from Parihaka, they also resisted the land alienation, but passively.

This dissertation addresses the reasons for the Government's imprisonment of Taranaki Maori, and it examines the legislation passed in 1879-80. It also concentrates on the general experiences of the prisoners in Dunedin. These include the work they were involved in, living conditions and health, and finally the relationships that were formed between the prisoners and Otakou Maori.

I have not explored the political and religious philosophies of Titokowaru or Te Whiti, nor have I delved into the experiences of Maori prisoners exiled in Wellington, Lyttleton, Hokitika or Ripapa Island. Therefore, this dissertation is an introduction to a larger subject, and one that deserves extensive research.

Part of the research included oral history. However in exploring the use of such a resource I also discovered the special demands that it places onto the researcher, and the restrictions that a time limit imposes. To do justice to oral sources, several years research would be required. The scarcity of information on some aspects of the study also imposed limitations and has had some effect on the structure of the essay. Much of the available information is non-specific and does not differentiate Maori prisoners from Pakeha prisoners. The study has therefore included an element of conjecture.

I would like to thank many for helping me in my research. First my supervisors, Professor John Omer-Cooper and Doctor Tom Brooking. I would also like to especially thank Bill Dacker, Maurice Walden and Ian Church. Sincere thanks to Taranaki whanau who welcomed me, and provided guidance for my research. Thanks especially to John Heremaia and Sam Raumati who agreed to be interviewed. Finally many thanks to Mike, Julie, John, Anne and Sonia who have made the transfer from pen to type possible.

Mate koe i te aroha
Titiro ki Taranaki
Ka Kite koe te anahi
Naku i tahu e.

If you are feeling destitute
Reflect back to Taranaki
And you will see the glow
Which will kindle the fire of inspiration.

CHAPTER ONE

PAKAKOHE MEN IN DUNEDIN

This chapter will examine the reasons for the imprisonment of Pakakohe in Dunedin. It will also consider the conditions that the exiled men were placed into, the work they were involved in and the relationships that they formed with Otakou and Dunedin people.

The events leading to the exile of the first group of Maori prisoners in Dunedin were part of the enormous upheaval in Taranaki in the 1850's and 1860's. European land acquisitiveness and fear of independent Maori authority was particularly acute during this period, and so was their fear of any form of independent Maori authority. Settler fear and settler self interest constantly pressured Taranaki Maori.¹

In the 1850's and 1860's, Titokowaru, a chief of the Ngaruahine hapu of the Ngati Ruanui type, engineered some of the most effective and brilliant acts of resistance against the numerically dominant colonial forces. Titowaru was a general, a spiritual leader, and a pioneer of passive resistance.²

In 1867, a year he declared to be the year of the daughters ... the year of the lamb, Titokowaru travelled among various tribes and military garrisons attempting to bring about a reconciliation. Only after he had exhausted these tactics, and faced with a large scale confiscation of land, did Titokowaru enter into armed resistance.

¹A Ward, the origins of the Anglo-Maori wars New Zealand Journal of History 1,1, 1967,p.170 (NZJH)

² J Belich, The New Zealand Wars and the Victorian Interpretation of Racial Conflict, 1986, p.235

In 1865, Governor Grey had proclaimed the whole of the South Taranaki Coast to be confiscated, and in 1865-6 the colonial forces conducted a series of bloody campaigns against the Southern Taranaki tribes of Ngati Ruanui and Ngarauru. The effect was as if South Taranaki had been 'disembowelled'.³

Not all the land confiscated in 1865 was immediately occupied by the Pakeha, and Ngatiruanui continued to live on the land. However, early in 1868 colonists began to survey and settle on confiscated land. This placed Ngatiruanui in the position of having to fight for the land, or to leave it and starve. The events of 1865-6 had destroyed many of their villages and cultivations. Their economies had been weakened to such an extent that the loss of more land would place them in a hopeless position. Thus, the Pakakohe were being squeezed off what little land remained to them.⁴

The Ngaruahine and Pakakohe hapu of Ngati Ruanui at first adopted tactics of passive resistance as a protest against Pakeha surveying. Their methods included burning fences and dismantling survey equipment.⁵ Pakakohe were in a particularly difficult position because the Government had decided to locate military settlers around Manutahi in the economic heart of the Pakakohe country.⁶ Two Pakakohe chiefs determined to resist surveying that extended beyond the Patea river were Te Wharematangi and Ngawakataurua. Taurua was later imprisoned in Dunedin.

In 1867 the surveyors at Manutahi were (politely and firmly) stopped several times, but despite hikoi of peace and reconciliation in

³ J Belich, I Shall Not Die : Titokowaru's War New Zealand 1868-69, 1989, p.8

⁴ Belich, NZ Wars, p.236

⁵ Ibid

⁶ Belich I Shall Not Die, p.14

June 1867, the Pakeha authorities decided to proceed with the surveying.⁷

Newspaper reports of the period expressed the extreme views of the settlers, particularly their fear of warfare and their determination to establish absolute authority:

'With regard to Tito and his mob, our advice will be short and concise - Extermination. Desperate causes require desperate remedies and if we have no wish to see this native feud extending further we must crush it out - crush every spark out of it - or we may find when we least expect it that it has broken out in a fresh place, causing us more loss of blood and treasure to subdue'.⁸

Facing the pressure of surveying, and outlawed because of their alliance with Titokowaru, in June 1869, about 233 Pakakohe men, women and children surrendered to troops on the promise that they would not be harmed.⁹ Despite this plea approximately 96 men were taken from the Patea River on a ship 'The Stirch' to Wellington to be tried. While they were awaiting sentencing the prisoners were held for about one month on a hulk in the harbour. Oral sources say that approximately two men died in Wellington.

In total, 96 men were tried for treason, and 74, including Ngawakataurua, were sent to Dunedin goal. In a Taranaki list the charge was alternatively recorded as 'levying war against the Queen.' Originally the death sentence had been imposed, but this was subsequently commuted to penal servitude for all the prisoners.¹⁰ The years to be served varied; 12 men received 7 years, and 62 received 3 years penal servitude for high treason.¹¹

⁷ Belich, I Shall Not Die, p.19

⁸ Grey River Argus, 13 October 1868, p.3, clm 3

⁹ M Goodall, Maori Dunedin, 1980. p.28

¹⁰ Appendices to the Journal of the House of Representatives, 1870, Vol I, A29 p.1 (AJHR)

¹¹ Votes and Proceedings; Otago Provincial Council 1870 session XXVII, p.67

The Pakakohe prisoners were used by the Government as deterrents for other 'rebellious' Maori. In response to an intercession from the Wanganui River chiefs on behalf of the Pakakohe, William Fox (who was later appointed to the West Coast Commission) had told them that:

'Had this been the first offence of these men their sin might possibly be forgiven, but this is their second offence, and if they are not punished, how can the dignity of the law be sustained? - and evil doers will not fear it'.¹²

On 6 November 1869, 74 Pakakohe men arrived at Port Chalmers on board the 'Rangitira'. There is some suggestion that the prisoners had planned to escape but due to discovery it did not go through.¹³ The prisoners varied greatly in age and in health and gaol authorities estimated that as many as one quarter of them were not suited to laborious work. It is unclear whether the prisoners' health had deteriorated on the hulk in Wellington or whether they were already in poor health. Their ages were:

18-20-----	2
20-25-----	13
25-30-----	6
30-35-----	8
35-40-----	9
40-45-----	14
45-50-----	7
50-55-----	
55-60-----	7
Over 60-----	<u>5</u>
	71 ¹⁴

¹² AJHR, 1870, A21 p.8

¹³ Belich I Shall Not Die, p.278

¹⁴ V+P, OPC, session XXVII 1870, p.72

The table, compiled by the Dunedin gaol authorities shows that 33 of the 71 prisoners alive in 1870 were over 40 years old. The Pakakohe as a people would have been terribly affected by the imprisonments economically as well as personally. Upon their arrival at Dunedin, the prisoners were placed in the gaol which at that time

' comprised a large rectangular building whose north side is in Stuart Street , its south side opposite the Supreme Court ... its west side in Jail Street and its east side facing a narrow strip of reclaimed land lying between it and the harbour.'¹⁵

The Maori were allocated their own separate dormitories, one was described as:

' 24 ft long by 16 ft wide and consists of a corridor between rows of beds on each side, 2 in height ... these sleeping places are each 7 ft long, and 2 ft wide having divisions of double battens between, and leaving a passage 2ft wide between the two rows.'¹⁶

The Dunedin public expressed immense interest the prisoners, This is not surprising, because newspaper accounts had described the troubled situation in Taranaki throughout the decade. The 'rebellious' Maori followers of Titokowaru therefore intrigued many people. Sometimes this novelty value, and curiosity caused problems as the following newspaper report recounts: ...

' We may mention that persons are in the habit of standing and watching the prisoners at work, and even we are informed, in some cases making signs to them. This practice is very annoying to the prisoners and is moreover, contrary to the regulations, the wardens having the power to order the spectators to move on..¹⁷

¹⁵ Otago Witness, 16 July 1870, p.3,clm 1 (OW)

¹⁶ Ibid, 23 July 1870, p.7, clm 1

¹⁷ Ibid

Details about the prisoners provide an insight into the enormous changes affecting them;

'When first received they were unaccustomed to clothing and for some time the prison uniforms proved irksome, but in a short period they acquired the comfort of wearing the prison dress' ¹⁸

'We observed a prisoner engaged in assorting a large number of thick woollen socks; and were informed that socks and drawers were allowed to the Maori prisoners, who coming from a much warmer climate naturally were much more susceptible to cold than the white prisoners'. ¹⁹

These two reports demonstrate how Maori prisoners were especially effected by imprisonment. The changes were cultural and climatic as well as environmental.

In 1870, James Caldwell the Gaoler, commented on the behaviour of the Maori prisoners. He wrote:

' their general conduct has been unexceptional. They are well behaved, industrious, and strongly attached to their chief Rihare Watone Ngawakaturua, who wields a paramount influence over them, and it is gratifying to acknowledge that hitherto he has in every instance exercised this in behalf of order, regularity and discipline' ²⁰

For Maori prisoners good behaviour also provided a possible course of release. In an interview in 1869 Ngawakaturua stated that good behaviour and a favourable report from gaol authorities about their conduct and industry would be a great help when the time came to petition the Governor to grant them their release. He also stated that the prisoners preferred Dunedin gaol to the hulk at Wellington ' as they all like work better than idleness on board a hulk'. ²¹

¹⁸ V+P, OPC 1870 session XXVII, p.67

¹⁹ O.W July 23 1870 p. 6 clm 1

²⁰ V+P, OPC 1870 session XXVII, p.67

²¹ O.W. 27 Nov, 1869 p.14 clm 1

In April 1870, William Fox visited Dunedin Gaol, and was shown over the establishment by Mr Caldwell, the gaoler. The Maori prisoners were kept within the gaol for inspection by Mr Fox who concluded that their appearance had greatly improved since he had seen them last. An interesting note at the end of the report stated that 'previous to leaving he (Mr Fox) had a long interview with the chief Taurua who in a mournful song bewailed his expatriation from his native wilds.'²²

Waiata composed by the prisoners are still sung in Taranaki, They are part of the oral history and are a source of information about the Maori experience of imprisonment and exile.

A Gaol Department report of 1869 outlining the prisoners' daily routine shows their existence to have been a fairly harsh one. The prisoners would be roused at 6 am and locked up again at 6 pm. Of the 12 hours out of the cell, 9 of them were spent on labouring. The rations distributed were very basic - maize or oaten meal, bread, meat potatoes, sugar, soap and salt.²³ The prisoners were allowed one bath or shower a week.²⁴

The Pakakohe prisoners seem to have been conscientious in their churchgoing and among their number were Wesleyans, Anglicans and Roman Catholics. Services for Protestants and Catholics were held weekly, the celebrants including Father Moreau, Mr Torrance and Mr Blake who was the Maori missionary at the Otago Heads. This desire to worship regularly was also characteristic of the later Parihaka prisoners.²⁵

²² OW 30 April 1870 p.15 clm 1

²³ V+P OPC 1869 session XXV, p.61

²⁴ one sergeant and 7 wardens were employed to supervise the Pakakohe prisoners

²⁵ OW, 23 July 1870, p.6, clm 2

Prison labour was used widely around Dunedin during the 1860's, 1870's and 1880's. In this period the city was undergoing extensive development. Prison labour was a major tool in the transformation of Dunedin, and especially in the development of an efficient system of roads. Work undertaken by the prisoners included quarrying and removing Bell Hill, forming and repairing streets, spreading metal, general quarrying, the reclamation of ground and streets near the high school, and the formation, trenching and reconstruction of the Botanical Gardens and Acclimatization Gardens.²⁶

For organisational purposes, prisoners were divided up into about 8 different labour gangs. On July 23 1870 the gangs were involved in the following :- Gang 1 - working on the Rector of the high school's new residence, Gang 2 - extending the Rattray Street jetty, Gang 3 - dredging, Gang 4 - working on Smith Street and the high school, Gang 5 - working on the new Botanic Gardens, Gang 6 - quarrying and stone breaking at the old Botanic Gardens, Gang 7 - blacksmiths, carpenters, invalid Maori and oakum pickers, and Gang 8 - fencing the hospital reserve.

Maori prisoners were mainly engaged at the high school, Botanical and Acclimatization Gardens and in breaking road metal.

Two major undertakings which the Maori prisoners worked on were Maori Road and the Andersons Bay causeway. Maori Road which extends from Russell Street to the Cattle Market Reserve, was built as an access road through the town belt, it was also built to facilitate the use of the reserve. The strenuous nature of the work demanded the construction of several large stone culverts. Some very heavy cutting also had to be done. Perhaps it was for this reason that the road was named for the prisoners who worked on it.²⁷

²⁶ V+P OPC 1870 session XXVII, p66

²⁷ V+P, OPC, 1872, Session XXX p.58

The causeway, which extends across the entrance to Andersons Bay was built in order to provide ready access to the Peninsula road. This job occupied 'a strong gang' for most of 1871, and was very arduous and difficult work.. James Caldwell, the Gaoler reported in 1871 that:

'owing to the peculiar nature of the stone at the Vauxhall side quarrying was carried on there under considerable disadvantage and the very great depth of mud across Andersons Bay - upwards of 30 feet also prevented the work being executed as quickly as would otherwise have been the case'.²⁸

Evidently hard labour for prisoners included abysmal working conditions. The gang employed on the Andersons Bay road also planted trees along the side of Andersons Bay Road and pitched the road to protect it from the effects of the water at high tide. Both the Causeway and Maori road are still frequently used, which demonstrates the importance of prison labour to Dunedin's development, and also the standard of work which has withstood the test of time. For additional details on the work of Maori prisoners 1870-72 see Appendix. In the cliffs beside the Andersons Bay causeway are caves, which feature prominently in the oral history of the episode. Oral sources refer to the caves with particular emphasis, one reference being to the lack of ventilation in the caves and that while in there the prisoners had to take turns breathing fresh air from a pipe under the door.²⁹ Written sources do not refer to this hardship or even to the purpose of the caves, but it seems likely that they were used to house the prisoners overnight or for short periods when they were working on the Causeway.

The health of many Pakakohe declined seriously while in Dunedin. In the first year 8 prisoners died, 5 of them in the first four months of captivity. From December 1869 until September 1870 the Otago Witness reported 8 deaths. The deceased were Waati Tumeorangi, Iraia Tumahuki, Taituha, Waiiti, Rangireru, Reupena Te Rangi i Reunga, Horopapero Hopu, and Ruka Taiamua.

²⁸ V+P,OPC, 1872, Session XXX p.58

²⁹ From an interview with John Heremaia.

The Dunedin District Register of Deaths gives names from mid-1871 only. They were Hakarai Te Ngohi, Rapana Atonia, Tukiwirangi, Tamati Te Pouwhakawiu, Hiriwetere, Rangihakarangona, and Wiremu Tupito. A Taranaki list of the deceased provides 12 names - Waiata, Tuhawe, Tumahuki, Toki Haka, Tamati, Tupikowai, Teone, Terangiireunga, Tumeorangi, Hopu, Rangiruru, Hakaraia. This list duplicates some of those reported in the Otago Witness, but even allowing for the duplication, it seems likely that a total of about 20 men died. An official total of 18 deaths was confirmed by James Caldwell, the Gaoler, in April 1872.³⁰ In 1871, Caldwell had reported ill health among the prisoners, especially among the elder portion of them. Caldwell hastened to add that:

'the younger prisoners, however have enjoyed good health and as an evidence of what strict attention to cleanliness and diet will effect, I may mention that in only a single instance has scrofula made it's appearance amongst the Maoris, although the majority of them had suffered from it prior to their incarceration.'³¹

A major contributing factor to the alarming death rate among the Maori may have been the trauma of imprisonment and exile, the sudden change in climate and their exposure to diseases among the other prisoners such as tuberculosis.³² Throughout their exile the prisoners were the subject of some pressure brought to bear on the Government. In 1871 a meeting held at Whanganui, resulted in appeals by the chiefs of the Waingongoro River to Governor Sir George Bowen and Sir Donald McLean urging them to release the prisoners and to restore them to their homes.³³ A petition had also been presented in July 1870 from Major Kemp asking for the release of the prisoners and for them to be placed under his charge.³⁴

³⁰ V+P, OPC 1872, Session XXX, p.59

³¹ V+P OPC 1871 Session XXIX p.40

³² Goodall p.29

³³ West Coast Commission (Second Report) 14 July 1880, BPP, p.401

³⁴ O.W. 23 July 1870 p.13 c1m 2

On 9 August 1871 five more maori prisoners arrived in Dunedin from the East Coast. They were under sentence of penal servitude for life for High Treason. These men were not released until 1873.

The Governments' reluctance to release the Pakakohe prisoners stemmed from official belief that their return would create fresh disturbances, but they were finally swayed, and on 12 March 1872, the Defence Minister Donald McLean announced that the Government had decided to free the prisoners.

Prior to their departure the prisoners stayed at the Gaol, and finally on 20 March the Pakakohe left Dunedin on the Government steamer Luna. It was reported that:

'about one o'clock, the Honourable Mr McLean and his companions from the North, accompanied by a number of Dunedin gentlemen proceeded on board. Steam was then got up, and the Luna departed amidst the cheers of numerous spectators; the Maoris, also indulging in three cheers before they left the wharf'³⁵

The departure and expression of goodwill by both parties suggests that a friendly relationship had been formed between the prisoners and Dunedin citizens. This may have been due to the close proximity of some of the prisoners labouring tasks and the obvious usefulness of their work. The release of the prisoners also demonstrated the Government's belief the Pakakohe would live in peace. Oral sources state that before the prisoners were released they were asked to pledge an end to their resistance to land confiscations. Their conduct in Taranaki was consistent with this.

In a Gaol Report written on 20 April 1872, the Gaoler, James Caldwell seemed very pleased with the prisoner's conduct and appearance. He was an advocate of the 'educational' aspect that imprisonment had been for them.

He wrote in a rather pompous manner that:

'It will be readily imagined that I experienced the greatest difficulty in reducing the Maoris into a proper state of discipline, as they had actually to be taught everything, even the proper mode of putting on their clothes. Anyone who saw these men on their arrival and after their discharge could not help being struck with the different appearance they presented, in fact their robust and healthy condition was commented upon by Mr McLean and I have no doubt that the habits of industry and cleanliness they contracted during their stay in this prison will be of inestimable service to them during the remainder of their lives.³⁶

Caldwell's conviction about the benefits of imprisonment for Maori 'rebels' was shared by European authorities in general.

The Luna journeyed North via Lyttleton and the 96 prisoners finally arrived in Taranaki on board the 'City of Newcastle'. Presumably, Pakakohe from other South Island gaols (or Wellington gaol) made up the extra number of people. During their imprisonment their tribal district had been occupied and the men were finally settled on reserves south of the Waingongoro.³⁷

As a gesture of peace the returned men established a number of churches in South Taranaki. At Ngarauru, an interdenominational church called 'Tutahi', which means the standing in unity of the Maori and the Pakeha before God was built. At Hukatere on the Patea River another church 'Te Kapenga' - the dethroning of hatred between the Maori and Pakeha was built. Perhaps the most tangible reminder of the exile was at another marae at which the house was called Te Takere O Aotea. The tribe renamed themselves Ngati Otakou in memory of the prisoners that died in Dunedin, and as a mark of gratitude to those who had shown them kindness.³⁸ The Pakakohe prisoners of war remained peaceable after their release from Dunedin.

³⁶ V+P OPC 1872, Session XXX p.58

³⁷ H Riseborough Days of Darkness : Taranaki 1878 -84, 1989 p.32

³⁸ Goodall p.30

The peace message among the Taranaki Maori remained strong, and 10 years later in 1879, Taranaki prisoners were once again exiled in Dunedin. The second group were followers of Te Whiti and Tohu, they were the Parihaka ploughmen.

CHAPTER TWO

'LEGISLATIVE CREATIVITY'Parihaka and Tactics of Passive Resistance

While Titokowaru was 'fighting it out' with the colonial troops, leaders at Parihaka village situated inland and roughly halfway between Pungarehu and Rhotu were advocating a different strategy of resistance.

The leaders, Te Whiti O Rongomai and Tohu Kakahi had decided to resist the further confiscation of land by passive tactics. In their strategy, passive did not equate with any form of subordination to, or compromise with, the Pakeha authorities. At the village of Parihaka 'there was to be peace, but peace of a different kind, a fighting peace with no surrender of the land, no loss of independence'.³⁹ Some of the families of the Pakakohe men exiled to Dunedin, gravitated to Parihaka, which offered the comfort of security and strong leadership. Followers were not always from Taranaki, Maori from every region looked to Parihaka as a source of hope, in a period which was brutal and unsettled.

Maori flocked to Parihaka because they were disillusioned with the constant warfare. They were also drawn by the charismatic personalities of Te Whiti and Tohu and the new style of resistance advocated by them. Parihaka was a centre in which the confidence of a people demoralised by confiscation of land and war could be restored. It was a centre of Maori self-government and determination, and it was this independent character which the Pakeha authorities resented. In their concern to assert their dominance, the Government compromised their integrity by introducing a series of laws which denied Parihaka people the most basic civil liberties such as the right to trial, and freedom of speech.

³⁹D Scott Ask That Mountain : The Story of Parihaka, 1987, p.36

Te Whiti's strategy had the dual aim of asserting Maori ownership of the confiscated lands and channelling the frustrations of dispossessed Maori into non-violent acts of resistance. In both he was successful.⁴⁰

Titokowaru, the fighting chief also came to support Te Whiti and Parihaka because he realised that the village was offering another form of resistance to the oppressive Pakeha Government. Te Whiti's teachings however, did not exclude the Pakeha or advocate their removal. Instead he outlined a partnership of equals, living side by side, but with the chieftainship of the land remaining with the Maori.⁴¹ In protest at the survey of confiscated lands, followers of Te Whiti were sent out to plough the land - in this way demonstrating their ownership and use of the land. The passive campaign, was a triumph in ingenuity and discipline, as well as a demonstration of faith.

By August 1879 over 200 prisoners had been taken and in total over 420 were imprisoned.⁴² The ploughmen became a source of immense embarrassment, cost and problems for the Government. They were also the cause of some 'legislative creativity' in 1879-80.

Political Background to Legislative Developments

1879-80 were years of particular unrest in the Government. In 1879 the Hall Government replaced the Grey Government after it was defeated by first a vote of no-confidence and then in the general elections. Also, in 1880 Sir Hercules Robinson resigned the Governorship of New Zealand to be succeeded by Sir Arthur Hamilton Gordon. In the new Ministry James Bryce was appointed as Native Minister. His appointment heralded a new determination to settle the troubles in Taranaki and under his direction a series of repressive legislation designed to remove the Maori 'troublemakers' from the coast and to place them out of the way in

⁴⁰ Scott.p.37

⁴¹ Ibid, p.36

⁴² Ibid, p.59

South Island gaols was introduced. Bryce favoured action rather than negotiation, diplomacy, or compromise.

The departure from ordinary legislative procedure in 1879-80 showed the general and pervasive settler fear of warfare and impatience with Maori resistance to land acquisition. To the uneasy settlers, Parihaka was a continuance of earlier resistance, and was a centre of ferment which could spill over into war at any moment.

By the end of July 1879, 180 Maori had been arrested; of these, 40 were tried for malicious injury to property and received 2 months imprisonment. They were also instructed to find sureties of L200 each to keep the peace for a further 10 months. When the total sum of L8000 proved impossible to raise, their imprisonment was prolonged to cover that period.⁴³ The rest of the ploughmen, who were described as the ringleaders and more turbulent characters, were committed for trial before the supreme Court in Wellington.⁴⁴

The extraordinary legislation which was enacted to cope with the Maori prisoners heralded a new tendency for the New Zealand Parliament to indulge in creative and retrospective legislation. Overall, the Government's attitude towards the prisoners was one of prevarication and unease. The postponement of the prisoners' trials - which was incorporated into successive pieces of legislation, demonstrated the Government's reluctance to test the prisoners' case.

Rusden wrote that Te Whiti was 'persistently baffled by the perversity of the Government who believe more in Royal Commissioners and big battalions than in high and independent courts of law'⁴⁵ This attitude was certainly justified because by its actions the Government did not inspire any confidence in its sense of justice or equality for Maori.

⁴³ AJHR 1882 Vol I, A8, p.5

⁴⁴ Sir Hercules Robinson to the Earl of Kimberley 14 December 1880, British Parliamentary Papers (BPP) p.380

⁴⁵ G Rusden Aureretanga : Groans of the Maoris, 1975, p.121

The political background to the legislation that was enacted provides clues as to the urgency attached to the legislation. In 1881 Bryce resigned his ministerial portfolio in protest at the Cabinet's more conciliatory approach towards Taranaki Maori. Bryce continually urged the Government to adopt a firm native policy and was frustrated with Cabinet's 'softness'. Blatant wheeling and dealing occurred however when Sir Arthur Gordon left New Zealand in September 1881 'to attend to his duties as High Commissioner for the West Pacific'⁴⁶ In his absence, Cabinet 'reversed its policy of forbearance in favour of firm intervention.'⁴⁷

Taranaki Maori prisoners were flung around in all the legislative muddling and manipulating, and in August 1879 under the provisions of The Confiscated Lands Inquiry and Maori Prisoners Trials Act 1879, the prisoners were hurriedly removed from Wellington to the more distant and remote South Island gaols.

Taranaki ploughmen arrived in Port Chalmers on 9 August 1879.

On 19 October the Government gazetted a proclamation that it was determined to carry through the recommendations of the West Coast Commission which Te Whiti's followers were resisting passively. Bryce once again took the portfolio of Native Affairs (he was also Minister of Defence), and directed the following course of events. On 5 November 1881, 1600 armed constabulary and volunteers marched into Parihaka. Te Whiti and Tohu were arrested, Parihaka was ransacked and its people dispersed. Governor Gordon on his return, although sharply critical of the turn of events, acquiesced in the face of public pressure. He left New Zealand in 1882, still uneasy about the path of events had taken.

⁴⁶Richmond - Atkinson Papers. Volume II, p.473

⁴⁷ Ibid, p.473

THE LEGISLATION

In 1879 the Government introduced the Peace Preservation Bill, an act which was related in character to an Irish Peace Preservation Bill which had passed through the British Parliament in 1848.⁴⁸ This Bill was an extraordinary piece of legal selectivity and clearly showed the stage that New Zealand had reached. Parliament was now ready to consider laws which in less stressful times would have been considered preposterous and inhumane.

The Peace Preservation Bill was aimed specifically at Maori 'troublemakers' and enabled the Government to issue proclamations ordering Maori to leave their homes. For the non-compliant Maori, new provisions were provided - giving the Government the authority to suspend the Habeus Corpus Act, to imprison the offenders with or without hard labour, and to place the offender in gaol in any part of New Zealand. The Bill also denied bail and a trial without an order from the Governor. Major Harry Atkinson (Egmont) defended the Bill vigorously, stating that Maoris could not be treated as Englishmen and had to be dealt with by exceptional legislation. He also referred to the Irish Peace Preservation Act and concluded that 'there is ample precedent for our proposed action.'⁴⁹

The opposition to the Bill was, heated, and some Ministers such as Sir Francis Dillon Bell, Member for Otago and Mr W Stewart, Member for Dunedin City, expressed their abhorrence, especially at the suspension of Habeus Corpus. Dillon Bell criticised the exceptional nature of the Bill stating that

'we are not only to create a new offence, but we are to enact that a native who commits that offence is notailable. Such a thing has never been heard of. Every offence known to the law isailable except murder...'⁵⁰

⁴⁸ New Zealand Parliamentary Debates Vol. 36, 1880, p.316 (NZPD)

⁴⁹ Ibid, p.556

⁵⁰ NZPD, Vol.31 1879, p.544

Mr W Stewart labelled the Bill a denial of justice, and stated that it contravened the principles of the Magna Carta ⁵¹ The bill did go through in the Lower House but in the Upper house it was defeated by 16 votes to 6. In Rusden's words ' for a time the honour of the country was saved. ' ⁵²

In 1879, after the defeat of the Bill, there was a change of government, which placed James Hall in the position of Prime Minister and John Bryce, a hardliner on the matter of Maori Affairs as Minister for Native Affairs. With the change in government, the trend of legislating trouble away continued and accelerated.

In 1879 the Maori Prisoners Trials Act, the second Bill concerning the prisoners was introduced. The Maori Prisoners Trials Act, which was specifically designed to deal with the Maori prisoners and the native 'difficulty' on the West Coast. The urgency attached to the Bill was shown in the speed with which it was rushed through the House, however this was also due to the timing of the Bill, which was introduced at the end of the Parliamentary session. All three readings of the Bill were heard in just one session.

The provisions of the Bill had powerful implications. The Governor was given the authority to fix the time and place for the trial of the Maori prisoners and to vary both of these as circumstances might require. ⁵³ The provision was also added that the Act was to remain in force for only 30 days after the opening of the next session of Parliament. This meant that the prisoners were to be brought to trial within those 30 days, however, as later events proved, this was ample time in which to introduce new legislation.

⁵¹ Ibid, p.555

⁵² Rusden, p.90

⁵³ AJHR 1883 Vol.I, A8, p.2

In the debate over the Act the usual concerns about warfare and justifications such as keeping the peace were offered. Colonel Whitmore described the prisoners and their actions as being of a 'semi-political' character, and he based his support of the legislation on it being ' the first duty of the Government to maintain law and order.' ⁵⁴

The Hon. Dr M Grace, member for Wellington, in a mild mannered and delicate statement stated that ' we are not... failing to recognise the full importance of the constitutional questions raised. We are simply meeting a difficulty which is unavoidable, and accepting the legislation with the necessities of the position, no matter how created, devolve upon us.' ⁵⁵

The Hon. Sir Francis Dillon Bell, obviously uneasy about the course of events but convinced about the necessity of it added an amendment to the preamble which stated that it was ' indispensable for the peace and safety of the colony that the ordinary course of law should be suspended and the trial of such natives should take place under special legislation.' ⁵⁶

He wanted to make the distinction that it was special legislation, and that the matter was a political issue which demanded exceptional treatment.

In opposition to the arguments of peace, safety, law and order Members of Parliament such as P.A. Buckley, member of Wellington, argued that Maoris were British subjects and therefore entitled to equality in treatment before the law. The Maori Members of Parliament were unanimous in their opposition to the Bill, and they particularly registered their protest at the breach of Standing Orders that had occurred with the failure to translate the legislation into Maori.

The Standing Order was easily swept aside by people such as Colonel George Whitmore who argued that the urgency of the situation did

⁵⁴ NZPD, Vol.31, 1879, p.540

⁵⁵ Ibid, p.542

⁵⁶ Ibid, p.541

not allow for it. The arrogance of this position was neatly captured by Sir Francis Dillon Bell when he said;

' I think the question of the interpretation of Standing Orders is wholly immaterial ... I do not think the natives interested would care a bit about the standing order, and I do not think there is any objection to that standing order being suspended.'⁵⁷

The statements of the Pakeha Members of Parliament which easily dismissed the Standing Order regulation were at variance with the Maori attitude towards the omission. Mr Henare Tomoana, member for Eastern Maori, questioned the late presentation of the Bill and the lack of time allocated to analyse it. He said that two of the Maori Members of Parliament had already left Wellington before the Bill was presented to the House, he also protested at the constant postponement of trials, and said that ' if these Maoris were taken back tomorrow to their lands they would not commit any violence.'⁵⁸ Mr Ihaia Tainui, member for Southern Maori, and Mr Hori Taiaroa, member for Otago, also protested at the Government's breach of the regulations but despite their protests and that of other Members of Parliament, the Bill was pushed through.

The Maori were recognised as political prisoners but facing a concerned public and what seemed like an escalating and potentially explosive situation the Bill was finally assented to on 19 December. On 23 December, an Order in Council was passed postponing the date of trial from 5 January to 5 April. On subsequent Orders additional postponements shifted the trial date to 5 July and then to 26 July. Government observers questioned why, having obtained a sentence of a years' imprisonment against a considerable number of these men, the Government shrank from bringing the remainder to trial. There was also some doubt over whether the original intention of the act was to postpone the trials for a short period or to keep them there indefinitely.⁵⁹

⁵⁷ NZPD, Vol.31, 1879, p.540

⁵⁸ Ibid, p.559

⁵⁹ AJHR 1882, A8, p.5

The political reality of it was, that had the prisoners been tried in the Supreme Court in Wellington they might have been liberated, and the Government did not want to risk that.

The Confiscated Lands Inquiry and Maori Prisoners Trials Act 1879, was a curious and clumsy bill which joined together two quite separate matters concerning the prisoners into one all encompassing act. The first provision in the Act established the West Coast Commission to inquire into Maori Land grievances, and the second provision enabled the Governor in Council to further postpone the trials of the prisoners. The second part of the Act, resurrected the provisions of the recently expired Maori Prisoners Trials Act, and gave the Government more time in which to decide what to do with the prisoners. This time the trial of the ploughmen was put off for up to 60 days after the opening of the next Parliamentary session.

In effect the ordinary course of the law was suspended and the decision to try the prisoners had been placed at the will of the Governor without any guarantee whatsoever that the trial would take place.⁶⁰ The Bill stirred up a heated debate in Parliament which once again highlighted the differences between those concerned about the legal and moral implications of this 'special legislation', and those who supported it for reasons of averting war and obtaining the land.

Critics of the Bill voiced anxiety over the dangerous and unprecedented character of the legislation,⁶¹ while others expressed concern over the fact that while the ordinary course of law had been suspended and the need for special legislation had been alluded to, no special legislation had actually been provided. The final authority over their trial in fact lay with the Governor.⁶²

⁶⁰ NZPD, Vol.34, 1879, p.621

⁶¹ NZPD, Vol.34 1879, p.621, Mr Stewart

⁶² Ibid, p.793

In defence of the prisoners right of trial Mr J B Fisher, member for Buller, referred to a trial as one of the fundamental principles of English law and that such rights had been guaranteed to the prisoners under the Treaty of Waitangi.⁶³ Sir George Grey appealed to the fact that the prisoners had offered no resistance to their arrest and had submitted quietly to the law, thereby establishing a strong claim upon the generosity of the House.⁶⁴ Perhaps one of the most effective points was made by Mr de Latour from Mount Ida. When questioning the Government's delaying tactics he added 'let Honourable Members consider for a moment what would be thought of a bill of this sort if it dealt with a section of the white population of this country ...'⁶⁵

In support of the legislation, the main argument was that the release of the prisoners would lead to war. Captain W.M. Russell (Hawkes Bay) summed up the viewpoint of many when he described the prisoners offence as a breach of the peace of the country rather than a breach of the law.⁶⁶ Other ministers such as Mr James Sheehan (Thames) implied that the Taranaki Maori were somehow outside the law because

' they had a theory of their own, a faith of their own, and a prophet of their own and they did not admit or recognise European laws', he also added that Maoris ' had just learned enough of European customs and traditions to be able to use them for the purpose of creating mischief.'⁶⁷

A very common allegation was that Te Whiti was a madman and a fanatic, who manipulated the prisoners into defying the law. The aspersions cast over Te Whiti's state of mind were easy justifications for the Government's departure from the normal system of justice because they could then argue that the country was endangered by him.⁶⁸

⁶³ Ibid, p.792

⁶⁴ Ibid, p.791

⁶⁵ Ibid, p.789

⁶⁶ Ibid, p.787

⁶⁷ NZPD, Vol.34, 1879, p.794

⁶⁸ Ibid, p.865, Sir Francis D Bell

In debating this legislation the Maori Members of Parliament criticised the Government for exhibiting a blatant double standard. Mr Tomoana said that he had never known a case in which so many Europeans had been held in prison without the public knowing what they were imprisoned for.⁶⁹ He also added that, the Government should consider the wives of the prisoners 'and that their houses and cultivations had been given up.'⁷⁰ One minor victory for the Maori Members of Parliament and others opposed to the Bill was to have the debate adjourned until the legislation was translated into Maori in accordance with the Standing Orders.

The general feeling during the debates in the House in May 1880, was that if the prisoners were tried they would be acquitted through defects in the law, and if convicted, would receive only nominal sentences. It was for these reasons and the general fear that the prisoners could not be released with safety, that Government was given the authority to detain the prisoners in custody for as long as was indispensable for the peace and safety of the colony'.⁷¹

The appointment and powers of the West Coast Commission of Inquiry into land grievances was a matter of some concern and debate. On the question of the Commissioners, Mr Henare Tawhai, Northern Maori, asked ' would it be fair to appoint Europeans to inquire into, and set at rest the troubles about confiscation at Taranaki? The reason being that the English settlers had seized the land.'⁷² One concern was the political nature of appointments to the Commission and the personal biases of the Commissioners which could affect their decisions. The three commissioners appointed to the Inquiry body were Sir William Fox, Sir Francis Dillon Bell and Mr Henare Tawhai.

⁶⁹ Ibid, p.789

⁷⁰ Ibid, p.789

⁷¹ AJHR, 1882 Vol.I, A8, p.2

⁷² NZPD, Vol 34, 1879, p.785

The concerns felt by the Maori Members of Parliament were justified - Fox and Bell were hardliners on native policy. In protest at the terms of the Commission and feeling that his vote would be powerless, Tawhai resigned leaving Fox and Bell to inquire into the grievances. The state of the Commission was therefore questionable from the outset.

While debating the Maori Prisoners Bill, Mr Tawhai stated that ' I was very surprised to see ... that the Commissioners whom the Government had selected were the very men who had created the trouble on the West Coast'. In conclusion he added ' can a guilty man judge his own sin?' ⁷³

The Commission did find that the West Coast land grievances were justified but they also ruled that the detention of the Parihaka ploughmen was 'indispensable for the peace and safety of the colony'. The Confiscated Lands Inquiry and Maori Prisoners Act 1879 and the Commission it set up to ' remove any just ground of complaint on the part of Maoris, and to establish peace between the races' 'turned out to be more a display of justice than an actual matter of policy. The Commissioners were not unbiased or apolitical, they had, in earlier debates shown their support of the Government's resolute approach to native affairs.

The significance of the Bill, therefore, was not the inquiry it initiated into Maori grievances, but rather the position into which it placed the ploughmen. They were now in prison indefinitely without trial.

It was under this act that the prisoners were removed to Dunedin and Hokitika, an action for which Mr Gisborne from Totara later accused Mr Bryce of unjustifiable secrecy and an almost 'stage effect' in the way the prisoners were removed.⁷⁴ Orders in Council were passed

⁷³ NZPD, Vol.36, 1880, p.294

⁷⁴ NZPD, Vol.36, 1880, p.322

postponing the trials from January 1880 to 26 July 1880, the latest date allowed by law since the new session of Parliament started on 28 May.⁷⁵

It was from this background of manoeuvring, and stalling that the Maori prisoners reached Dunedin.

On a division the Bill was passed in the House of Representatives by 58 votes to 13. The Maori Prisoners Bill was a logical product of the former legislation that had consistently postponed the trial of the prisoners. In this Bill, the Defence Minister Mr John Bryce (Wanganui) totally dropped the provision of the trial and argued for full authority over the prisoners to be placed in the hands of the Executive Government. In his own words, the provision of the trial was 'a sham.'⁷⁶

As always, supporters of the Bill defended it on the basis of public safety and peace and some, like Colonel R Trimble even claimed to support the legislation on behalf of the 'natives themselves' because war could lead to their 'extermination.'⁷⁷

Another compelling reason to favour the legislation was the Government's threat that it would resign if the Bill did not go through. This threat clearly swayed the opinion of many including Mr J Brown from Tuapeka. He said 'if one thing more than another would make me vote for this Bill it is that statement.'⁷⁸

In opposition to the Bill, Pakeha Ministers who had consistently opposed the Government's actions such as Mr J.T. Fisher and Mr William Stewart again registered their protest at the denial of the right of trial and the investment of absolute authority in the Government in Council⁷⁹,

⁷⁵ Sir Hercules Robinson to the Earl of Kimberley 14 December 1880, BPP, p.380

⁷⁶ NZPD, Vol 36, 1880, p.258

⁷⁷ Ibid, Vol.36, 1880, p.311

⁷⁸ Ibid, p.329

⁷⁹ Ibid, p.349

The Maori Members of Parliament also continued to register their dissent vigorously. Mr H Tomoana stated that ' the keeping of natives in gaol is simply to intimidate them.'⁸⁰ He compared the Government's legislation to an eel because it was so slippery. Mr I Tainui said that the Maoris had ploughed on the land to have the matter investigated. He also referred to the returned Pakakohe prisoners who had remained quiet and loyal after their release.⁸¹

After much debate the final division was called for and in total 48 people voted for the Bill and 34 against it. It was still a comfortable margin for Bryce and others of like mind.

The unease Sir Arthur Gordon experienced in having to extend the operation of the Maori Prisoners Act 1880 was shown in a letter he wrote to the Earl of Kimberley in February 1881. He wrote that

' it will be with regret that I shall witness the renewal for a longer period of legislation of so exceptional a character (and which even if it be admitted to be in this instance needful, affords a dangerous example:), for the precedent thus set may be hereafter far more easily followed with less reason , and its abuse afford a cloak to acts of grave oppression '⁸²

An extra issue in the debate was the allegation by the Maori Members of Parliament that in a meeting with the Governor in December 1879 he had promised them that the prisoners would definitely be tried in January or February 1880. The matter was raised in the House by the Maori Members of Parliament and also by Mr W Hutchison, (Wellington City) and Sir George Grey. In the debate that followed, the Governor denied having made such a promise. The misunderstanding was later blamed on poor translation for the Maori Members of Parliament.

⁸⁰ Ibid Vol. 36 1880 p.288

⁸¹ Ibid, p.333

⁸² Sir Arthur Gordon to the Earl of Kimberley 26 February 1881, BPP p.473

In 1880 the prisoners' treatment received some international attention, due to a letter written by Charles Bradlaugh to the Earl of Kimberley. In his letter Mr Bradlaugh expressed concern for the welfare of the prisoners whose trial had been constantly postponed. He wrote that:

' men who are in custody for having committed trespass in assertion of what they believe to be their own rights ... are actually being detained in prison for a term of 2 years without trial.'⁸³

He then urged the Earl to take some action for the prisoners who were ' utterly defenceless.'⁸⁴ The appeal for impartial outside intervention was however, wasted on the British authorities. Rusden alleged that, at the urging of the Prime Minister Sir John Hall, the Secretary of State for the Colonies , the Earl of Kimberley, had delayed producing a despatch sent over to England by the New Zealand authorities which concerned Te Whiti and Tohu. Rusden wrote, ' Such was the concern of Lord Kimberley with the New Zealand Ministers. They were intent on suppressing Te Whiti and the Secretary of State aided them in suppressing despatches '⁸⁵ It seemed that the New Zealand Government had a monopoly on external sympathies for their actions as well as internal support for the way in which they dealt with the prisoners.

On the 24 and 25 July 1880 a considerable number of Maori were arrested at the fences in Taranaki, These men did not come under the provisions of the Maori Prisoners Act 1880 which referred only to those already in custody, the Maori Prisoners Detention Act 1880 was hurriedly passed to give the Government power to detain them as prisoners.⁸⁶ The wording of the Act provided that all Maoris who had been arrested since 19 July or who might shortly be arrested ' should be deemed to be detained under the provisions of the Maori Prisoners Act

⁸³ AJHR, 1881, Vol II, G7, p.2

⁸⁴ Ibid, p.2

⁸⁵ Rusden, p.95

⁸⁶ AJHR, 1882, Vol I, A8, p.9

1880'. The Standing Order to translate the legislation into Maori was overlooked and again it passed through the necessary stages in the House at speed. In fact it was passed through all stages in the House of Representatives in just one day.⁸⁷ Colonel G Whitmore in supporting the Bill, favoured 'clearing away the legal technicalities' in dealing with Taranaki Maori. He urged the Government 'to act in a straight - foreword manner by recognising them as political offenders not as offenders against the ordinary criminal law'⁸⁸ Mr H Tawhai in opposing the Bill pointed to the Government's hurried handling of the matter and failure to translate it for the benefit of the Maori Members of Parliament.⁸⁹ A major point of contention raised by Mr Stewart was that the Bill did not mention specific offences, but merely gave Government authorities the right to arrest prisoners.⁹⁰ This was a matter later raised by Major Wiremu Te Wheoro (Totara) when he stated that the power to arrest 'might be made to apply to the whole native people'⁹¹ Sir George Grey also stressed this fact when he said:

' (the Bill) authorises the arrest, without any charge made, and by any person, of every man, woman, half-caste or Maori on the West Coast. Such a power was not required by any Government in the world, and no legislature in the world should consent to give such a power.'⁹²

By approving this Bill in August 1880 the Government was guilty of passing an ex post facto law. They were legislating to cater for events which had already occurred. The original intention was that the Bill would only be operational until October but by this stage the original intentions of the Government seldom matched the outcome. The operation date of the Bill was later changed by a clause in the West Coast Settlements Act 1880.

⁸⁷ Ibid, p.7

⁸⁸ NZPD, Vol.37, 1880, p.77

⁸⁹ NZPD, Vol 37, 1880, p.21

⁹⁰ Ibid, p.21

⁹¹ Ibid, p.19

⁹² Ibid, p.24

The West Coast Settlements Act 1880 was another double barrelled piece of legislation joining together two dissimilar intentions. For the first part it enabled the Government to put into effect the recommendations of the Royal Commission who reported that Maori grievances were substantial.⁹³ This concession was however, overshadowed by the greater part of the Act which exercised very repressive powers and created numerous offences for which any Maori in Taranaki could be arrested without warrant. These offences included removing survey pegs, fences, unlawfully ploughing land and obstructing a road. It also provided for the detention of those who might be 'reasonably suspected' to be there for those purposes.

For those Maori arrested under this Act a two year term of imprisonment with no date of release other than 'until such further time as the Government think fit' was imposed.⁹⁴ The Act also provided that those who had been or who might yet be arrested under the Maori Prisoners Detention Act 1880 should be deemed to be arrested and imprisoned under the Maori Prisoners Act 1880.⁹⁵ This overturned the provision that fencers arrested could not be held beyond 31 October 1880 because the Governor had the power to extend the 'temporary' act under which the ploughmen were held.⁹⁶ Despite attacks on the Bill as being arbitrary, despotic and unconstitutional nature, the Bill was approved in December 1880.

By this stage the period of imprisonment for the prisoners had been expanded indefinitely and the range of offences had been expanded to include people 'who might be reasonably suspected of' a crime.

⁹³ AJHR, 1882, Vol I, A8, p.7

⁹⁴ AJHR, 1882, Vol I, A8, p.8

⁹⁵ Riseborough, p.112

⁹⁶ Ibid p.112

In legislative terms, the New Zealand Government had totally ensnared the Maori prisoners, and had managed to convince the majority of the Members of Parliament that legislative action was necessary to avert war, promote peace, and that it was even for the good of the ' native people ' themselves. The justifications were as tenuous and disturbing as the legislation.

CONCLUSION

The legislation enacted to deal with the prisoners constituted the Maori Prisoners Trials Act 1879, the Confiscated Lands Inquiry and Maori Prisoners Act 1879, the Maori Prisoners Bill 1880, Maori Prisoners Detention Act 1880, and the West Coast Settlement Act 1880.

This legislation in totality demonstrated a basic unease in official circles about how to deal with resistance offered in a non-violent but nevertheless assertive way.

The real issue was power, and the central government used their position of legislative control to assert their dominance. To follow this course they were prepared to depart from normal legislative procedures and constraints, and an angry and uncertain settler population provided the support for them to be able to follow such a course.

The constant postponement of trial prevented the validity of the Government's actions from being tested and eventually even the pretence that there would be a trial was dropped. The ploughmen as individuals, and their families were disregarded in the proceedings, and prisoners solely were made into examples to deter other Maori from resisting the confiscation of land.

Te Whiti and Tohu were also arrested in November 1881 and they too were exiled to the South Island where they remained in exile until 1883.

In the final assessment, the legislation enacted in 1879-80 were tools in the central Government's effort to assert their dominance and leadership over both races.

The harshness of the laws reflected the extent to which the settlers and the central authorities felt threatened by Maori autonomy and self-assertion at Parihaka. The laws enacted and their provisions are a gauge of the government's fear, they took Te Whiti seriously.

CHAPTER THREE
HARD LABOUR

The web of laws passed by the government in 1879 and 1880 led to the detainment of Parihaka ploughmen in several South Island gaols. The normal trial before imprisonment had never eventuated, leaving the distinct impression that the government were loathe to test out the validity of their actions, and making the Taranaki ploughmen victims in the impersonal European system of justice, and pawns in a much larger political game. The first group of ploughmen were committed for trial on 5 July in the New Plymouth Resident Magistrate's Court. The charges they faced were malicious injury, forcible entry, and riot. These charges were somewhat ironic because they had been using passive tactics of protest to show their objections to the land confiscations and to demonstrate their own mana whenua. But the Pakeha authorities were determined to settle the West Coast unrest conclusively and finally. Oral sources say that the prisoners were made to walk from Parihaka to New Plymouth and they were transported from there by ship to Wellington.

In Wellington, the prisoners spent some time (about one month) in Mount Cook Prison. The prisoners journey to Wellington is preserved in a waiata:

- 1 Ei pora mai nui o Atiawa
 Me nga ngaru o Raukawa tau tutetute mai ra e
- 2 te iwi herehere kia kaha te kai
 Runa hei poho ake te ra Raumati e
- 3 te Whiti matou whiu ki Poneke
 he pua perehi kaore kauhe ai e
- 4 Tua nga marama whakamahi ana
 ki te whiu hapara ki maunga kuki ra e

- 1 Te Atiawa came by a large canoe
jostled by the tides of Cook Strait
- 2 You the people who are imprisoned eat well
Draw closer together to feel the heat, like Summer
- 3 Through Te Whiti we were thrown to Wellington
Without knowing/with no alternative
- 4 At the rising moon
We worked until dawn⁹⁷

During their confinement in the gaol, two men, Te Iki and Tamati Kuku were sentenced to seven days solitary confinement, while fifteen others received two days confinement in cells on bread and water as punishment for insubordination and general disobedience of gaol regulations.⁹⁸ The definition of insubordination was not discussed, and neither were the prisoners' actions.

Observations of the prisoners by prison authorities tended to describe the prisoners' loyalty to Te Whiti as 'fanatical reliance', the implication being that any loyalty to him was totally irrational. Pakeha observers often had the tendency to do this and to pervert Te Whiti's peace message into something approaching madness. However, one gaol official did record the ploughmens' explanation as he heard it from them, and this was that the lands had never been conquered and held by Europeans and that the monetary compensation and reserves promised to them by the Crown in return for the confiscated land had never eventuated.⁹⁹

After their brief period of confinement at Mount Cook prison, a group of forty- six prisoners were put on board the government steamer Hinemoa which arrived at Port Chalmers on the 2 August 1879. Also on board as an accompaniment were Captain Taylor and an escort of 28 men from the armed constabulary.

⁹⁷ This is a general translation only

⁹⁸ AJHR, 1879, G10

⁹⁹ AJHR, 1879, G10

The prisoners and escort arrived in Dunedin by train just before 9 o'clock in the morning, and despite an earlier arrival in Dunedin than planned, the prisoners were received into the gaol immediately where within 2 hours they had bathed, got dressed into the prison uniforms, and cut each others hair, the latter task done by them to save the prison officials the trouble of doing so.¹⁰⁰

On the Sunday afternoon, Mr I.N.Watt, Resident Magistrate, visited the gaol to observe the Maori (who were paraded in one of the yards). On this occasion the behaviour of the prisoners was described very favourably because ' all of them saluted when Mr Watt and the gaol officials entered and listened respectfully to what he had to say'.¹⁰¹ The main items of Mr Watt's speech to the ploughmen were a description of the behaviour expected of them, an explanation of the complaints system and a rejection of the prisoners' request to be able to continue to observe Te Whiti's Ra day, which was (and is) celebrated on the 18th of every month while in gaol. Mr Watt rejected the request because of prison regulations, which could not be disrupted and because 'the prisoners would get the Christian Sunday every week'.¹⁰² On the Sunday night the prisoners held their own church service and on the Monday morning they were set to work with the prison gangs. Their arrival had been given a wide coverage in the press and the level of public interest remained at a high level helped by numerous press reports. One report which commented on their 'excellent' conduct added the observation that ' they are religious enthusiasts and doubtless regard themselves as martyrs for their religion, and are prepared to suffer as such'.¹⁰³

Again Pakeha observation imposed a judgement of irrationality on to the prisoners.

100 Otago Witness, 9 August 1879, p.12, clm 3

101 Ibid

102 Ibid

103 Ibid

Not all the Prisoners to be held in Dunedin arrived in this initial group and a second body of prisoners reached Dunedin on about the 15 January 1880. This second group of 91 men had been held in Mount Cook Prison for a short time, while the Pakeha authorities had been deliberating over what to do with them. However due to increasing questions being asked about their detainment, and the possibility of the Supreme Court reviewing their detention, 130 prisoners were 'quietly removed' from Wellington on the 7 January at dawn and were secretly shipped to the South Island.¹⁰⁴ This was a deliberate act to avoid the course of justice because Bryce had recommended their removal after the Governor had issued a proclamation ordering that they were to be bound over in April.¹⁰⁵ The sudden removal of the prisoners did not go unchallenged and promoted some debate in the house. Mr Moss (Parnell) demanded to know why they were taken from Wellington where they had a certain degree of comfort, where they had the opportunities of meeting their friends and of receiving presents of native food from them.¹⁰⁶ However the matter soon lost its interest and the prisoners were not recalled from Dunedin.

Wiremu Kingi Matakatea was included among this second group of prisoners. Wiremu Kingi had been given the option of freedom or imprisonment by the government because of his actions in saving the passengers of the ship Lord Worsley when it had been wrecked on Cape Egmont in 1862. He and his party had accompanied them to New Plymouth, thus ensuring their safety. However Matakatea had stated that ' he would not leave his people who had been arrested with him' and he was brought down with them.

Dunedin was not the only destination for Maori prisoners and Parihaka ploughmen were also taken to Hokitika, Lyttleton and Ripapa Island. [Oral accounts say that on one journey to Dunedin due to the ship

104 M Goodall, p.29

105 Riseborough, H. p.91

106 PD Vol 36, 1880, p,310

being over weighted the Maori were lowered into the sea to hold onto ropes attached to the side and were instructed that if they let go they would be shot.]

On arrival Mr Watt went on board the steamer to meet the prisoners and accompanied them to the gaol where a roll was called. It was reported that 'they seem to accept their position without complaint but we believe they were not well disposed at being so suddenly transferred to Dunedin.'¹⁰⁷ On 16 October 1880 the official number of prisoners detained in the Dunedin gaol under the Maori prisoners Act was 110 males out of a total of 202 males.

Maori prisoners were involved in all the general prison labouring activities both in Dunedin city and in the wider Dunedin area 1879-82.

The labouring performed by the Parihaka ploughmen was not differentiated in any way from other prisoners and Maori were included in all the contracts given to the prison during this period.

The main task of the period included road building and construction of retaining walls around the harbour. Also tasks included the ongoing labouring jobs such as quarrying, stone breaking, general labouring in the Botanical and Acclimatization Gardens and odd jobs such as building fences, widening roads and digging ditches around the city.

Most of the major roading construction in Dunedin city had been completed by 1879 and therefore prison labour was used extensively around the harbour to improve the roading and general access which had not earlier been a top priority.

For the ease of transporting prisoners to outlying areas around the Otago Harbour, prison authorities used a hulk named 'the Success' to carry the prisoners between the work sites and the Dunedin gaol. In September 1879, the Blueskin Road Board paid the Otago Harbour

¹⁰⁷

Otago Witness, 17 January, 1880, p.16, clm 5

Board 5-0-0 for towing the hulk as well as 11-19-3 to the Thomson Bros for material supplied to prisoners and 19-9-0 to S Perry for cartage in connection with prison labour.¹⁰⁸ The Hulk was used for transportation to various settlements and was moved between the settlements as the need for prison labour arose. In March 1881, the Portobello Road Board requested that the hulk be moved into Seatons Bay Portobello, 'when she is in a condition to be brought over'.¹⁰⁹ It would often be moored in Port Chalmers as well. The hulk later ended its life (in modified form) as the Queens Drive boating shed. It now lies underneath the road there.¹¹⁰

Descriptions of work done by the Maori prisoners 1879-82 involve the researcher in considerable conjecture.

Records of any prison labour during this period are very sketchy and therefore I have assumed that Maori labour was involved in all the labouring tasks assigned to the general prison population. I have also assumed that their conditions of work and treatment while at work, were the same as for the Pakeha prisoners.

The first group of ploughmen that arrived in Dunedin on the 9 August 1879 were described in the following way:

'Most of them are powerfully built young or middle aged men and judging from their appearance and calm self-possessed demeanour, it is impossible to come to any other conclusion than had they been ordered by their prophet Te Whiti to fight instead of surrender they would not easily have been conquered'.¹¹¹

These men arrived at a time when roadwork around Otago harbour was extensive. Immediately prior to their arrival other prisoners had been labouring at Port Chalmers, and roadwork on both sides of the harbour continued during the period of their incarceration. Therefore

¹⁰⁸ Blueskin Road Board Minutes, 10 September 1879, p.2 (BRBM)

¹⁰⁹ Portobello Road Board Minutes, 26 March 1881, p.216 (PRBM)

¹¹⁰ H Bowman, Port Chalmers : Gateway to Otago, 1978, p.86

¹¹¹ OW, 9 August, 1879, p.12, clm 3

it is 'highly probable' that the Maoris were involved in this work.

The problem with the written sources are their ambiguity they neither 'confirm or deny' that Maoris were among the labourers.

On arrival, those Maori that were sufficiently fit and well, were incorporated into the greater body of labourers. The Parihaka ploughmen had been sentenced to hard labour and they and the other prisoners were certainly used to good effect both in Dunedin city and surrounding districts. The stone embankments along the harbour roads in particular are a lasting reminder of this fact.

Roads Boards around the Otago harbour used prison labour from the nearby Dunedin gaol extensively at this time, both to improve old roads and to construct new ones.

The advantages of prison labour were numerous. First, prison labour was cheap and well supervised. Roads Boards were eligible to apply to the Central Government for subsidies when employing prisoners. In January 1881, the Portobello Road Board, after a lengthy period of correspondence on the matter (7 months) and after pleading the 'impecunious' position of their funds received a subsidy from the Government.

Prisoners also worked long hours (9 hours a day) and they were easily accessible because of the transportation provided by the hulk. Also many prisoners were familiar with the type of work required by the roads boards, including the construction of stone embankments to protect the roads from the sea wash.

Prison labour was therefore an obvious choice for Roads Boards when looking for cheap and efficient work force. In September 1879 the prisoners were working at Port Chalmers, and receiving the payment of 5d a day for making the road around the Peninsula.¹¹²

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PC Minute Books 15 September, 1879

Their work continued intermittently there, for example on 8 November 1880, the Portobello Road Board passed for payment an account of L122-12-3 for prison labour, and on 20 December 1880, in honour of the season, the board resolved to give the prisoners a pre-Christmas treat of L3.¹¹³

The following year in June prisoners were involved in lowering Ajax Road at the Port and in August they were hired, per day to work at the cemetery. The prisoners worked at the Port Chalmers Cemetery in 1881 and in 1882. In December 1881 the prisoners laboured for 298.5 days and received the payment of L14-18-6.¹¹⁴ And in June 1882, the prisoners laboured for 307 days at the cemetery which cost the Port Chalmers Corporation L15-7-0, the price was set at 1/- per day.¹¹⁵

From a study of the roads in the Port Chalmers area anthropologist Athol Anderson concluded that, although roads had already been built between Deborah Bay and Taylor point by 1879, and also from Port Chalmers to Deborah Bay, the prisoners in 1879, were most likely involved in up grading the Beach Road beyond Deborah Bay and probably working as far as the cutting, this takes the prisoners' area of work further, and close to Aramoana.

Faced with the scarcity of written records concerning the prisoners work, oral history is an important source of knowledge.

113 Port Chalmers Minute Book

114 PC Bus Firms 1860 - 1925 IPC (Museum)

115 PC Bus Firms 1860 - 1925 II

Edward Barton, an early settler at Port Chalmers reminisced that '

'during the native troubles many Maori prisoners were sent to Dunedin. Prison authorities had a small vessel converted into a prison hulk. These Maoris and European prisoners did an excellent job in making roads and footpaths on each side of the harbour. They were guarded by wardens with loaded rifles at the ready. They went to Dunedin gaol every Saturday for their weekend bath and clean clothes, returning on Monday all spic and span'.¹¹⁶

This account raises many points not referred to in the written record and 'fleshes out' the written body of evidence left to us.

It seemed that the prisoners, while working at Port Chalmers stayed there during the week and only returned to gaol for their weekend bath and church services. This then raises the question of where did they stay? An obvious possibility is the prison hulk but the suitability for this would have depended on the numbers of prisoners working there. Another possibility is rental of houses from people in the area. The latter option was the one sometimes used by the gaol authorities.

On 1 August 1882 the Port Chalmers Corporation made a payment to a Mrs McKelvie of L1 for four weeks rental of her cottage in Mainsford's town for the of prisoners at 5/- per week. It was undersigned by Samuel Duncan, officer in charge of the prisoners.¹¹⁷ On 13 October 1882, Mrs Young sent a receipt to the same corporation for 7 shillings and sixpence for the rent of her cottage which had been used for 1.5 weeks for prisoners.¹¹⁸ Both instances referred to periods after the departure of the Maori prisoners, but it may have been common practice.

The decision by the gaol authorities to rent cottages would almost certainly have been related to cost and time factors. The distance

¹¹⁶ Reminiscences of early days in Port Chalmers Edward Barton of Nelson. Port Chalmers Museum

¹¹⁷ PC Bus Firms 1860 - 1925 II

¹¹⁸ PC Bus Firms 1860 - 1925 II

to the Port and back every day from Dunedin, and the cost to towing the hulk would have been unreasonable both for efficiency and financial reasons.

In June 1880 the Portobello Road Board, perhaps observing the success of prison labour on the other side of the harbour resolved that they also would use prisoners to improve their roads. The roads outlined for work included the Portobello Beach Road and the road between Broad Bay jetty and the grassy point.¹¹⁹ In January 1881, after a series of communications between the board and the central government about funding the venture, the impasse was overcome when the government finally agreed to provide the board with some monetary assistance for the purpose. Following this announcement it was resolved that 'the country road through Sandymount and Broad Bay subdivisions be repaired by day labour'.¹²⁰

Prisoners work in the Portobello area was definitely underway by at least May 1881, because in that month the board paid 17-16-6 for prison labour at Broad Bay.¹²¹

By the following month the use of prison labour seems to have been extended indefinitely. The board resolved that 'the prisoners remain to finish the work on Beach Road as far as Smiths Bridge and after that to be shifted up to Grasse Point and work downwards under the orders of the members of the subdivision'.¹²² They were obviously pleased with the work accomplished by the prison gang.

Prison labouring continued through June and July 1881 and for period the Board paid a sum of L48-4-9. The Board however did have difficulties in finding the money to pay for the labour. In a letter to Mr Caldwell, the gaoler, reassuring him that payment would be made to him for

¹¹⁹ OW Oct 23 1880 p.19 clm 1

¹²⁰ PRBM 29 January 1881 p.212

¹²¹ PRBM 28 May 1881 p.226

¹²² PRBM 25 June 1881 p.232

the labour already received, the board included a request that the prisoners be allowed to continue on the Portobello Beach Road.¹²³ They obviously found the employment of prisoners to be good value.

The Blueskin District Road Board also made use of the cheap labour pool that prisoners provided for road work and general labour. In July 1880 the Board wrote to the Waikouaiti District Council asking them to subsidise the Boards expenditure on prison labour L1 for L1.¹²⁴ They received the Councils agreement to their suggestion in August and resolved on the same month that prisoners would be used 'to face up the road with stone to protect it against sea wash'.¹²⁵

A factor in the decision by the Blueskin District Road Board to employ the prisoners, was that the men in the gang were skilled at the work required to protect the roads from the was of the harbour this being 'breastwork of stone'.¹²⁶ As the prisoners became familiar with their tasks, their skill level reached the point where they became the favoured workers for the job.

The construction of stone embankments along the harbour roads is a particular feature of the Otago harbour. The land in the area was liberally scattered with stones, and as a consequence many farms in the are opted to construct dry stone walls rather than using post and wire or post and rail fences or hedges.

Other advantages of the stone embankments apart from the readiness of materials, were their durability and the minimum amount of equipment needed to build the walls.

The prisoners may also have been involved in levering, dragging and carrying the stones to the work site, and in splitting the

¹²³ PRBM 17 August 1881, p.239

¹²⁴ BRBM 5 July 1880 p.2

¹²⁵ BRBM 18 August 1880, p.2

¹²⁶ OW 21 August 1880, p.15, c1m 1

stones. Splitting was done by drilling holes into the stone, inserting a wedge into the holes, and pounding the wedge until a split large enough to lever apart with a crowbar appeared.¹²⁷

Apart from road building and the construction of retaining walls, prison labour was also used widely in odd jobs around the city.

On 12 January 1881 the Public Works Committee resolved that prisoners would take down a fence erected by the Education Board in the Museum Reserve and that they would re-erect it in its old position.¹²⁸

Also in January 1881, the prisoners were directed to Hector Mercer's property in Maitland Street to slope the embankment there.¹²⁹ These odd jobs would have brought them into close contact or at least within the visual range of Dunedin citizens. no doubt they were carefully scrutinised for outward signs of the fanaticism prescribed to all of Te Whiti's followers.

Maori prisoner worked extensively around Dunedin city and outlying districts during the period of their incarceration 1879-82.

On arrival those ploughmen that were fit enough to labour were included in the prison gangs. During this period, roadworks for districts roads boards was a top priority and in particular, the construction of stone embankments along harbour roads. Many of these embankments remain today. The prisoners were also contracted to the Public Works Committee for odd jobs around the city.

Prison gangs provided contractors with a cheap and efficient labour force, and for the districts roads boards they were especially attractive proposition because of the easy accessibility via the hulk, and the possibility of subsidies from the Central Government.

¹²⁷ C Higham 'Agricultural Dry Stone Walls in the Dunedin area'

¹²⁸ PWCM 12 January 1881, p.138

¹²⁹ PWCM 12 January 1881, p.135

Maori prisoners would therefore have travelled extensively around the harbour area, and to this day the harbour roads carry the evidence of their and other prisoners' labour.

CHAPTER FOUR
DIFFERING TRUTHS

The ploughmen imprisoned in Dunedin were arrested for trespass and disturbance of the peace but in reality they were prisoners of conscience, and had opted for exile in order to assert their rights to the land, which they believed had been wrongfully confiscated. Although the Pakeha law decreed otherwise, the prisoners had an unshakeable belief that they were morally right, they also shared a sense of profound loyalty in their leader Te Whiti. After their arrival in Dunedin, one of the first requests that the prisoners made was to be able to observe Te Whiti's Ra (sacred) day on the 18th of each month. The speed of the request shows the concern among the men to continue in the active of observation of Te Whiti's teachings. Their request was initially refused on the grounds that it would disrupt the prison regulations, however permission was obtained at a later date for prisoners to travel out to the Otakou Kaik to observe the day there.

An interview with the prisoners, just days after their arrival in Dunedin in August 1879 gives a valuable insight into the belief of the men. One prisoner, Periri, explained his faith to Te Whiti in the following way:

Te Whiti is a prophet. I cannot tell you what that is, you know yourself. He is above all the priests and preachers we have had. We call him a prophet and we believe what he tells us. The Government police always seem to go up to take him, but they do not take him.¹³⁰

Hone Awhe explained the ploughing which had led to their imprisonment as; 'important chiefly as an act of obedience to the prophet'. He made the distinction that they had not been taken prisoners but had surrendered

¹³⁰ OW 16 August 1879, p.7, c1m 5

as instructed to, by Te Whiti.

Te Whiti said we should be put in gaol, but that he would be in gaol with us. We are in gaol through him, and we are not sorry for it. We are not fighting - we gave ourselves away. Nobody took us. I believe what Te Whiti said, I believe he is with us now, but cannot explain it.¹³¹

Hone Awhe also adds 'If we are kept in gaol a year I shall still believe in Te Whiti'.¹³²

One reporter recognised the prisoners' faith in Te Whiti and their conviction that they were morally right, he wrote that;

'their patient demeanour and willingness to submit to prison discipline would seem to indicate that they are under powerful moral influences'.¹³³

Pakeha reports later worked to discredit the loyalty of Te Whiti's followers. Te Whiti, had been labelled a madman, partly because the Government was baffled by the unorthodox passive tactics that he advocated, similarly Te Whiti's followers were 'reported' to be misguided in their faith and vulnerable to manipulation. In October 1880 the Otago Witness stated that ;

'The Post hears that 65 Maoris prisoners sentenced at New Plymouth the other day by District Court Judge Shaw felt the humiliation of their opinion acutely - being shaved, dressed in prison clothes and put to hard labour the same as any other prisoners - and they bitterly reproach Te Whiti for having thus misled them and got them into so disagreeable a situation'.¹³⁴

The journalistic bias of the various newspaper accounts seems very obvious today. Newspaper accounts of the period; their portrayal of the Parihaka story and the prisoners would be an interesting study in themselves.

European reporters and authorities constantly attempted to

¹³¹ OW 16 August 1879, p.7, clm 5

¹³² OW 16 August 1879, p.8, clm 1

¹³³ OW 16 August 1879, p.7, clm 5

¹³⁴ O.W. 16 October 1880, p.22, clm 4

justify their treatment of the prisoners. They emphasised that imprisonment had positive benefits for the prisoners ; they portrayed it as enjoyable, and emphasised that it provided them with better food and facilities than they had previously experienced. Further, European authorities claimed that the prisoners were learning valuable new skills by which they would prosper in the modern (Cruel) world. The newspaper reports ignored the dubious legal aspect of the imprisonments and the failure to bring these men to trial. The imprisonments were justified in the following ways. First ,that the extraordinary legislation and imprisonments were necessary to avert war, second, that it was for the prisoners' own good.

In a rather flippant article written in September 1880, the Otago Witness stressed the enjoyment of imprisonment;

A visit to the reclaimed land opposite the establishment presided over by Mr Caldwell, on any fine afternoon, would effectively dispel the idea that these noble savages are yearning for the home of their boyhood, or eating their hearts out in close confinement. On the contrary, they are probably better off than they ever were before. They get their meals regularly without ever having to work for them, are well housed and clothed, and pass their time pleasantly between cricket, rounders and hop step and jump. When engaged in their pleasant recreations their gleeful shouts can be heard 500 yards off, while the grave and reverend seigneurs among the prisoners lie around in picturesque attitudes, smoking excellent tobacco, paid for by a paternal government. In these days of universal depression and struggling to make both ends meet, who would not be a Maori political prisoner?¹³⁵

The article contains quite a number of very doubtful allegations, as well as a hint of a gripe about the Government supporting outlaw Maori when many loyal Pakeha were in distress. The prisoners did work and the hard labour conditions of the period were very grim. Approximately nine hours of their day would have been spent labouring, and the main tasks involved heavy lifting, pulling and shifting. Maori prisoners were facing disease, hard labour, unfamiliar food, exile from home, climatic changes as well as

facing an indefinite sentence. These conditions were far from the ideal

¹³⁵ O.W. 18 September 1880, p.19, clm 1

situation reported in the newspaper. The prisoners were certainly not 'better off than they ever were before'.

In October 1880, the Government released Wiremu Kingi Matakatea and 26 of his followers. The release was a Government ploy to lure Kingi and his men into acknowledging the authority of the Government, and to persuade those at Parihaka to do likewise. Prior to their release, Bryce wrote to Kingi in Dunedin.

'The Government has determined to set you, and those with you free first of all, so that you will see that the words are true which the Governor said, 'that he did not wish to return to war or to retain the prisoners longer than was necessary in the interests of both races. Our desire is to release the rest of the prisoners, and this will be done if, on your return, the Natives accept the proposals now made to them'.¹³⁶

Kingi and his followers left Dunedin early in October 1880, they had completed nine months in captivity. The prisoners journeyed through Wellington on 7 October, where it was reported that 'they looked well and had not suffered from their detention in gaol'.¹³⁷

The arrival of the men in Taranaki was keenly observed by the Press and Government authorities and both noted a defiance among the prisoners that they had not expected.

The 'Hinemoa' with the liberated Maoris aboard from Lyttleton, had a good run up from Wellington. She stopped an hour at Manaia to land Mr Wilson of the Marine Department, and got to New Plymouth at 10.00 am. The Maori prisoners wanted to be taken back to Opunake, and to be landed there, in order that they might get to Parihaka at once and see Te Whiti, but Mr Parris promptly decided to land the majority here, and only take back Wiremu Kingi and one or two others ... The liberated Maoris are the reverse of repentant, and are dogged and determined in their antagonism to the whites and in adherence to Te Whiti. They will obey his behests let the consequences be what they may. They say the Government may put

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137 Sir Hercules Robinson to the Earl of Kimberley 14 December 1880, BPP p.380

them on the roads, hang them, or whip them, but they don't care. in reply to remarks on board, they said 'the Government is selling our land', pointing at the same time in the direction of the Waimate Plains. Their extreme attitude surprised us all.¹³⁸

Another report described a large group of people gathered on the beach to witness the return of Kingi and his men. The men landed 'in a very quiet manner, not evincing the least gladness', and then, proceeded to the native office where a hangi had been laid down for them.¹³⁹

The Government hoped that the release of these men, described at one stage as the 'least dangerous' of those imprisoned, would reinforce their authority. It was also a bid to portray themselves in a favourable, benefactorial role, and to lure Maori submission to Pakeha law. The experiment failed because the prisoners remained defiant, they reasserted their loyalty to Te Whiti and their obedience to him, even if it meant imprisonment again, or even death.¹⁴⁰

Te Whiti refused to acknowledge the release of Kingi and his followers and forbade them to live in Parihaka, or even to visit the village until all the prisoners had returned from captivity.¹⁴¹

The resolve of the ploughmen and Te Whiti was not negotiable and in Dunedin Parihaka men remained imprisoned.

Oral tradition provides a valuable insight into the 'darker' side of imprisonment. It expresses the emotional impact that exile had on the men and feelings of homesickness, grief, and frustrations that is often overlooked by the written records. Prisoners in Otago who were mourning their separation from their wives and children in Taranaki sung

¹³⁸ Extract from New Zealand Times, 9 October 1880, BPP p.365

¹³⁹ United Press Association, 8 October 1880, BPP p.365

¹⁴⁰ AJHR 1881 G7, p.7

¹⁴¹ D Scott p.83

the following waiata tangi at a prison service;

Au mauru ere-ere pokai nei e
 E tangi ra naku ki aku nei tamariki e
 Ka wehe i nga tau ka wehea i nga noanga e
 Kahuri mai ki muri kai te mihia atu koe
 Tara i te Rangi rokia i te moana kia Maori e
 kia hoki tatou i nga tai a kupe
 kei te tai Hauaru e

O the westerly winds
 Calling about mourning for my children/loved ones
 From whom we have been separated
 I turn around and I reflect back to Taranaki
 Standing loftily in the sky above the sea
 Let us return to the tides of Kupe
 Which is on the western tides.¹⁴²

The differences between oral and written accounts of the exile are enormous. Written records are very factual, and have an air of being the 'authority' which makes the bias very insidious. Oral accounts such as the waiata are more evocative of emotion.

Both accounts are products of a particular culture and set of values, and each has it's own 'dynamic' to consider. In the written account what is not written down is as significant as what is recorded because records were often selectively written. In the oral tradition the passage of time and fluctuations of memory have to be taken into account.

A comparison of the two histories is valuable, because it illustrates that there is no authoritative, comprehensive version of the truth. It also demonstrates that neither the written or the oral accounts can claim complete objectivity. What actually happened, remains a point of conjecture.

¹⁴² This is a general translation only

The treatment of the prisoners was brought to the attention of Parliament at various times, but with negligible results. In 1879, The Hon.T.Captain Fraser (Otago) questioned 'the extraordinary bail of L200 each' given to the ploughmen, and the choice of Dunedin prison which subjected the prisoners to climatic extremes'.¹⁴³ He also commented on the government's inactivity in the face of these questions. In an attempt to force the issue he described how the prisoners were suffering from illness as well as climatic changes in Dunedin.

'The other day he found 5 of Te Whiti's men in the hospital through climatic influences and if it had been the beginning instead of the end of the winter, all the old and infirm would have died. He would suggest that Dunedin was not the place to send Native prisoners to from the North Island. They should be sent to Auckland where they might have some chance of living'.¹⁴⁴

Suggestions of harsh conditions that prisoners were experiencing also arose from an article that appeared in the Otago Witness on 8 January 1881. The article concerned, a letter written to the paper from a man named Simeon who was married to a Taranaki woman. Simon's letter called to public attention 'the brutality perpetrated on some of the Maoris during their imprisonment; and Simeon demanded an inquiry into the matter. He outlined the following which he reported to have been recounted to him:

'One poor old man (of the 2 year batch) was worked so hard that he fell back in spite of his entreaties for a little rest, when exhausted by lifting heavy barrows piled up with stone ... He was kicked and struck with a rifle and told if he did not work he would be put in a black hole ... and in a black hole he was put and taken from hence to the Hinemoa'

¹⁴³ P.D. Vol.34 1879, p.867

¹⁴⁴ P.D. Vol.34, 1879, p.867

A second concerned;

'another young fellow (one of the Bell Block Batch) sentenced to 2 months imprisonment with hard labour, and to find bail, or 12 months imprisonment, tells me that when 2 months expired he told the gaoler that his time was up for hard work. He was thereupon taken before Mr Watt, and ordered to go to work and upon refusing on the ground that the sentence had expired, was ordered 7 days solitary confinement. But mark this, he says he was kept 3 weeks and only allowed one quarter of an hour a day to obtain fresh air'.¹⁴⁵

The newspaper account outlined how Simeon's charges had prompted the Government to order a preliminary examination to take place, and that at the examination the old man (referred to by Simeon) had denied reporting such an event and that Simeon himself, had not appeared to argue the case. The paper then dismissed the matter with contempt: 'the whole affair is probably a trumped up tale for the purpose of exciting sympathy with the natives and a feeling against the government'.¹⁴⁶

The matter presumably concerns men who returned to Taranaki in 1880 with Wiremu Kingi Matakatea. Dick Scott identified the old man referred to, as Tipene Te Rua, who was confined at Lyttleton gaol.¹⁴⁷ The second account concerns an incident that presumably happened in Dunedin, because Mr Watt was Resident Magistrate here.

These two accounts may refer to two very rare and atypical situations, but that again is unknown.

The Otago Witness's reporting of the charge is significant for a number of reasons. First, there was no reason to assume that the treatment outlined did not occur. Related to this, the Witness's dismissal of the accusations reveals the paper's bias. It was not an objective judge.

¹⁴⁵ O.W. 8 January 1881, p.14, clm.2

¹⁴⁶ O.W. 8 January 1881, p.14, clm.3

¹⁴⁷ Scott p.85

According to Scott, Parihaka prisoners in Hokitika and Lyttleton had to withstand harsh treatment and dreadfully overcrowded conditions. Scott refers to an article written by a Lyttleton Times correspondent which describes the prison conditions for Maori at Lyttleton. Details of the article were withheld by editorial intervention. The editors stated 'our correspondent gives details which are really too disgusting for publication and, if true, cast the utmost disgrace upon those who had the prisoners in charge'.¹⁴⁸ The treatment of the prisoners, particularly those in Hokitika, Lyttleton and Rupa Islands is an area which demands a lot more research.

During the ploughmen's period of confinement the Government continually wrangled over their treatment. The prisoners were a constant source of embarrassment to the Government and forced them to adopt a defensive position. In 1880, Mr C. De Latour questioned the Native Minister closely about the prisoners. He demanded details of the number of men involved, their names, how long each had been detained in prison, how many had died whilst in prison, and what the weekly cost of their maintenance was. De Latour was emphasising that the government was treated the prisoners as a group rather than as individuals with families and responsibilities. William Rolleston then stated that 130 prisoners were in gaol, a figure which included 39 in Hokitika and 91 in Dunedin. Rolleston estimated the cost of maintenance per week at L75.¹⁴⁹ 62 prisoners were also sent to Lyttleton and 153 prisoners were confined on Ripapa Island.¹⁵⁰

One Government defence when questioned about the health of prisoners was that 'the deaths amongst Maoris have been very few in proportion to the numbers of the prisoners'.¹⁵¹

Such a stance suggests that they did not want to enquire into the matter too deeply.

¹⁴⁸ Scott, p.85 (a quotation from the Times)

¹⁴⁹ P.D., Vol.35 1880, p.229

¹⁵⁰ Rolleston to Gordon 24 December 1880 BPP p.385

¹⁵¹ Ibid, p.385

In 1881 the Government was again pushed into a defensive stance when Charles Bradlaugh, a radical free thinker in the British Parliament, wrote to the Secretary of State for the Colonies about the treatment of the prisoners. The Government denied Mr Bradlaugh's allegation that the prisoners were ignorant of the English language and were utterly defenceless by saying that;

'among the prisoners there are half-castes and also some Maoris who are well acquainted with the English language' and that 'whenever the prisoners have needed or asked for them, the services of an interpreter have been provided and the warden or gaoler in all cases is acquainted with the Maori language'.¹⁵²

The Government dismissed all suggestions that prisoners may have been ill-treated and they discounted Mr Bradlaugh as 'a man who has spoken and written honestly but ignorantly, having been misled'.¹⁵³

In general, Pakeha authorities chose not to delve too deeply onto allegations which questioned their treatment of Parihaka ploughmen. Parliamentarians were quick to defend their honour and their humanitarian impulses. Sadly, the ploughmen continued to be treated as a group (and a security threat) rather than as individuals.

The relationship established with Otakou Maori was very important to the exiled prisoners, and it was further strengthened by family connections between at least one Otakou family and the ploughmen. Raniera Ellison who lived on the Peninsula grew up in Taranaki and although he had settled in Dunedin he had regularly travelled North to keep in contact with his family.

One way in which Otakou Maori supported the prisoners was in the provision of food. The Parihaka men did not like the prison rations and familiar food must have been greeted with relief.

152 Ibid, p.385

153 Ibid, p.385

The Otakou elders provided valuable support when they persuaded gaol authorities to allow prisoners to celebrate Te Whiti's 18th at the Otakou Kaik. The prisoners were accompanied by an armed guard. The Otakou contact prevented the development of serious misunderstandings from developing between the prison authorities and the Maori prisoners on more than one occasion. Two versions of the same story are that the prisoners were celebrating news from home (the catch of an impressive fish) with a haka which the armed guards misinterpreted as a revolt. It was only at the intervention of some Otakou Maori, who explained that the prisoners were actually happy, that an armed reaction from the guards did not occur.

Taranaki oral tradition also reveals that some prisoners were accompanied to Dunedin by family members. This information is not referred to elsewhere, but it adds an interesting element to the episode. It would have been one way that Taranaki whanau could have supported the prisoners during their exile.

The treatment that the prisoners received, and the conditions they lived in are difficult area to assess, but it is significant that written and oral sources differ so markedly on the experience of the Parihaka men. Pakeha sources, gaol reports and newspaper accounts emphasise the well being of the prisoners and suggest that they even thrived. Oral accounts, including the waiata add a more human picture - they depict homesickness and some frustration. The following waiata written by the prisoners expresses their belief in their cause as well as a touch of sarcasm in reference to the Governor.

E piki mai Ringarehu ka tangi mai te piukara
 E tohu riro nga nonga e rere te maunawa
 E taiepa tike-tike te taiepa i nga tipuhi
 E taiepa pikonga no kawana te maunawa
 Piko mai e kawana ko ahau to ariki
 ko koe taku pononga e te kuini kei maunawa

May the rising spirit at the sound of the bugle
 Be a sign of a floating heart
 Lets join our hands to make a tall and long fence
 Winding the threads of governorship
 On the long road at the heart of Queens Drive
 Wing your way here Governor
 I am your God and you are my slave of the Queen

Due to widespread criticisms in newspaper throughout the country and in Britain, and because Governor Gordon was becoming increasingly reluctant to extend the Maori Prisoners' Act, under which the ploughmen were held, the Government started releasing men in 1881.

Even in this respect the Government was obtuse, and a selective release was imposed. The prisoner arrived in Taranaki in batches from April until June.¹⁵⁴ In April 1881, the desperately ill were released, and in May, 161 prisoners were released from Dunedin, Hokitika, and Lyttleton. They arrived in Taranaki on board the 'Hinemoa'. In June the final 156 men were returned.¹⁵⁵

The men were greeted at Parihaka as victors and all were given the Raukura, the snow white underwing feathers of the Albatross which were both a chief's insignia and a symbol of peace.¹⁵⁶ Of the men that returned, many were undernourished and ill and one prisoner, Te Pakeke from Hokitika Jail was described as 'slightly insane'.¹⁵⁷ Several prisoners died in exile. Three have been identified in Dunedin. They were Watene Tupuhi (24), Piriranga (60), and Panirau Pitiroi (45). They were buried in paupers' graves in the Northern Cemetery.¹⁵⁸ At least one prisoner Te

154 Riseborough p.134

155 Scott p.88

156 Scott p.89

157 Ibid, p.90

158 OW 23 March 1987, Article written by Bill Dacker

Whao stayed in Dunedin, and the Duff family who are descended from him are still settled here.

Te Whiti greeted the men with words of praise, and reinforced their sacrifice as symbolic:

'You were not imprisoned for heinous crime, or theft but for upholding the words of Te Whiti. In such a case prison -houses lose their disgrace and become houses of joy ... You were imprisoned for the land, for the chieftainship, and for godliness. A sea fish lying dead on the sand taints the atmosphere for miles around but the fact of your unjust imprisonment is now known far and near throughout the world'.¹⁵⁹

CONCLUSION

The imprisonment of Pakakohe men and Parihaka ploughmen in Dunedin demonstrates at the very least, a consistency in the Government's policy towards Maori who resisted land confiscation. The Pakakohe had been allied with Titokowaru and were implicated in armed resistance to European colonisation. The Parihaka ploughmen had also resisted European settlement on confiscated land but their tactics were passive. They had ploughed the belly of the government to force a declaration of policy from them.¹⁶⁰

Both groups were imprisoned because their actions endangered the peace and safety of the colony and threatened British rule. Although the government professed that safety was their main consideration, equally so was the acquisition of land and the establishment of unchallenged British rule.

In the face of determined resistance to European settlement the Government became convinced that a show of strength was needed, and this they proceeded to do, both legislatively and militarily.

The Government adopted their aggressive stance in response to the highly unorthodox tactics of resistance offered by Titokowaru and Te Whiti. These leaders had offered their people creative solutions to the problems of the period, notably land alienation. Their passive stance was baffling to the white population, and here perhaps is a fundamental difference between the two cultures. For Europeans, military struggle by Maori seemed a logical reaction, and even understandable given the issued of land involved. For Maori, the passive tactics, and the belief structure that surrounded them were a spiritual assertion, and an assertion of mana Maori.

¹⁶⁰ Scott, p.56

For Maori did not separate the spiritual and religious issues from the political and economic considerations. The primary importance of land was not its economic value but its life. To be divorced from the land would be to be divorced from oneself.

If the settler Government was consistent in its antagonism towards Maori self-assertion and autonomy. Taranaki Maori were consistent in their efforts to promote peace in the region. Titokowaru had resorted to armed resistance only after his attempts at reconciliation had failed. Te Whiti's message was based on biblical teachings, biblical imagery was used to reinforce his political message of Maori autonomy, but his major emphasis was on non-violence, and peace without compromise.

The New Zealand land wars and the Maori prophetic movements' are, in a larger context, an example of the resistance of native peoples to European expansion.

In the Pacific Islands this initiative on the part of the 'native' people was characteristic of a people under immense political, economic and social pressure. Hempenstall, who wrote about the German colonisation of Samoa stated that:

'Pacific Islanders, through their leaders and institutions, often took the initiative in colonial politics, while the Europeans struggled to make responses which accorded with their colonial objectives and their own image of themselves. The colonial relationship was never equal, and Pacific Islanders were seldom able to maintain their autonomy, but, given the presence of sufficiently gifted individuals in influential positions, their societies were dynamic enough to adjust of their own accord and to be a level which they themselves had decided'.¹⁶¹

In ploughing and fence removing activities of 1879 and 1880, Te Whiti took the initiative away from the Government and forced them to react to him. The Government responded in a way that demonstrated a limited vision of society and an unequal partnership with Maori.

¹⁶¹ Hempenstall, p.22

The Pakeha military and legislative assaults on Maori 'rebels' showed the extent to which they had been intimidated by the resistance movements.

European aggression was the result of a number of overlapping concerns. Part of the motivation was greed and the desire to secure the excellent arable lands in Taranaki, but another important factor was the fear of settler families who felt their isolation from the main centres of white settlement keenly. In the 1860's also, cultural snobbery among the educated elite in society was prevalent, and among the governing bodies there was the determination to establish firm control, and to end the humiliation of not being able to rule.¹⁶²

The land wars illustrated imperial aggression and the formation of policies of land acquisition which were typical of pastoral economies.

'In a number of colonies such as Australia, South Africa and the United States as well as New Zealand, the Colonial Policy was directed by the need to acquire large amounts of land. This was to enable the profit motivated agrarian or pastoral economies to flourish. Such economies were directly opposed to the subsistence based local economies of the indigenous populations'.¹⁶³

Hempenstall wrote of Samoa that:

The primary concern of imperial administration was to encourage the economic productivity, not the political development of colonial populations, to create a prosperous peasantry in the employment of imperial designs. Thus any movement of dissent was defined as illegitimate.¹⁶⁴

Again, parallels to the New Zealand situation can be drawn. The central Government was not an inclusive body, it was not prepared to negotiate with Maori opposed to Government land dealings. Te Whiti was

162 Ward, p.170

163 Betts, p.219

164 Hempenstall, p.201

politically developed, and on balance it would be hard to defend the settler Government's political maturity during this period.

The Pakeha authorities reacted to movements of Maori self-assertion in a very defensive and overbearing way. The Government discounted Te Whiti and his teachings as illegitimate but more than this, his teachings were said to be the ravings of a madman, a threat to the peace of the colony, and an advocacy of 'beastly communism'.

European authorities also went to great lengths to justify the imprisonment of Maori by asserting that not only was it necessary to avert the onset of warfare, but the prisoners were benefiting from the experience. The reasoning being, that the experience in gaol was an educational one and that the exposure to European technology would equip the men for survival in the modern world.

The 'dubious' legal questions surrounding the imprisonments were therefore side tracked.

In an interesting article exploring the treatment of Maori prisoners taken in the land wars from a legal point of view, L.H. Barber raises a number of pertinent points.

He comments that the prisoners taken in the 1860's presented difficulties for the Government because of the large numbers involved, but more importantly because of their status under the law. If the prisoners were not signatories to the Treaty of Waitangi and Taranaki tribes were not, then they had some claim to be treated as foreign nationals rather than as 'rebels against the Crown, captured in Arms against their lawful ruler'.¹⁶⁵

If the prisoners were classified as rebels then they should have either been tried by court martial or sent for trial to the civil court.

¹⁶⁵ Barber, p.324

If foreign nationals, then a court martial should also have ensued.¹⁶⁶ Either course involved a legal investigation into their actions and therefore their grievances. This did not eventuate.

Although the West Coast Commission was later appointed its questions were retrospective. The Commission was also biased through its membership, so the legal investigation in the impartial sense did not occur.

The Pakakohe men taken in the land wars did not receive a trial, and had a sentence of 'levying war against the Queen' arbitrarily imposed upon them. In the normal course of law their imprisonment was legally unjustifiable.

For the Parihaka ploughmen, imprisoned 10 years after the end of the land wars, the issue is the same. Should they have been regarded as followers of an alternative authority structure, or was it right that they were classified as rebels against the Crown? Te Whiti never acknowledged British sovereignty.

The legislation approved by the House in 1879-80 were not the first pieces of discriminatory legislation enacted by the Colonial Government. Earlier legislation had established the precedents to destroy Maori resistance to colonisation by first, discriminating against them economically, and second by banishing particularly 'turbulent' rebels into prison.

In November 1863, Governor Grey and the Whitaker Government passed the Suppression of Rebellion Act which was based on the Irish Act of 1799. This act was introduced to deal with Maori who rebelled against the Government. It suspended the right to trial before imprisonment and gave military Courts the power to deal with such offences.¹⁶⁷

¹⁶⁶ Barber, p.327

¹⁶⁷ M Walden, Te Whenua 1981, p.5

The 1865 Land Act was enacted to make the acquisition of Maori land by Europeans much easier. The law destroyed the Maori tribal system of land ownership by creating individual titles. It constituted an attack on the Maori social system.

In 1877, legislation was introduced to allow the direct purchase of Maori land. This was in contravention to Article Two of the Treaty of Waitangi, but again the political influence of the big land holders pushed the legislation through.

The series of laws passed by the government in 1879 and 1880 to 'legalise' the detainment of the ploughmen in gaol without trial illustrate the lengths to which the government was prepared to go, to avoid testing the prisoners' grievances in the Supreme Court. The settler government successfully sidestepped the normal legal machinations but in the process they sacrificed their moral justifications. The primary concerns of the central government were the establishment of political dominance and the acquisition of land for revenue.

In the political manoeuvring surrounding the legislation of 1879-80, the British Government, which was supposed to be an impartial overseer in Colonial Native Affairs, does not remain untarnished. In 1881 Sir John Hall had persuaded the British Secretary of State, Lord Kimberley to delay the publication of a report on West Coast Affairs. Lord Kimberley obliged and the House of Commons did not hear the despatch until late in 1882. They therefore did not have time to question the validity of the Government's actions towards Te Whiti and the ploughmen. The moral pressure that they could have exerted was avoided. The Government was prepared to use haste and secrecy to obtain their objectives.

The land wars and the events at Parihaka illustrate a fundamental difference in the value that each party attached to the land.

In Pakeha terms, land had a primarily economic value. It was there to be used in ways which would produce a profit and provide security and independence.

Some of the settlers had been dispossessed for example in Ireland and Scotland, and yet this did not seem to create any empathy among them with the dispossessed Maori. The desire for land was greater.

To Maori the land itself lives, and the people are involved in a relationship with it. It is not to be exploited. This attitude is shown in various proverbs:

'He Kura tangata, e kore e rokohanga, he kura whenua ka rokohanga.

Take heed of this, that people perish or disappear, not so the land which always remains'.

As a result of European colonisation, Maori had been placed in a situation where they could never win militarily, land cessions had reduced their territory drastically, and they had become economically dependant on Pakeha.

The prophets arose within this background, and like leaders of colonised peoples elsewhere they worked to restore confidence in their culture, and to generally revitalise the people.¹⁶⁸ The leaders urged their followers to reaffirm traditional economic, social and ethnic values. But more important, the movements were a reaffirmation of the spiritual aspect of life, and the superiority of the spiritual world over the transient worldly authorities.

The movements provided hope and reaffirmed the value in the traditional system.

¹⁶⁸ King Tawhiao, Te Ua Haumene and Te Kooti Rikirangi, Te Whiti and Tohu

The teachings of the prophets continue in their relevance, and Parihaka is still a spiritual centre for many Maori. Te Whiti and Tohu's sacred days on the 18th and 19th of each month are still faithfully kept.

The struggle of Taranaki Maori to keep their land and the story of Parihaka have been outlined in recent times by the publication of James Belich's I Shall Not Die : Titekowaru's War. New Zealand 1868-1869 and Hazel Riseborough's Days of Darkness. Taranaki 1878-1884. Tim Finn and Herbs also released a song about Parihaka this year (1989).

Undoubtedly the publication of material about these struggles is very important and enhances understanding of the complex power issues involved in the struggle. It also helps to redress the bias of the written accounts left to us by soldiers, settlers and Government authorities. But the written accounts, are only part of the story. Much of the depth and the richness are provided by the oral, tradition. Oral History provides its own set of demands and is a real challenge to any researcher.

It was largely impressed upon me that oral history cannot be done quickly nor should it be. In order to do justice to the oral tradition and to use it properly an emersion in the place and the people would be necessary.

A lasting impression I gained was that people are as much the authority as the written tests.

While imprisoned in Dunedin the Pakakohe men and then the Parihaka ploughmen established links with the Ngai Tahu which continue today. The relationship provided much support for the prisoners who were exiled so far from home. The help they received would have made the exile more bearable. The prisoners received gifts of food, and for the Te Whiti men - a place of worship. The Otakou people also mediated in times of misunderstanding between the authorities and the prisoners.

In recent years these contacts have been continued. In South Taranaki a very tangible reminder of the exile of Pakakohe men to Dunedin is the hapu Ngati Otakou.

In Dunedin, the families of the prisoners that stayed still remain here.

In 1987 the memorial stone Rongo was placed in front of the cave which lies beside the Andersons Bay Causeway. The ceremony involved people from Taranaki and Otakou and was a reaffirmation of their bond, as well as a remembrance of the Taranaki men, who in exile were cared for by Ngai Tahu.

Maori Prisoners' Labour, 6 November 1869 - 31 March 1870, and the Value of their Labour¹

DESCRIPTION OF WORK, &c.	RATE.		AMOUNT.	
	s.	d.	£	s. d.
1. High School—2,883½ days' labor, reclaiming ground	2	6	360	7 6
2. Botanical and Acclimatisation Gardens—1,126 days labor, trenching and re-forming ground, building embankment, &c.	2	6	140	15 0
3. Reclaiming Streets—31 days' labor at the Rattray Street Jetty	2	6	3	17 6
4. Road Metal—1,350 cubic yards of metal broken at Water of Leith... ..	2	0	135	0 0
Total			£640	0 0

Maori Prisoners' Labour, 1 April 1870 - 31 March 1871, and the Value of their Labour²

MAORIS—				2s. 6d.			
2034	Days' labor at the High School	...	...	...	...	254	5 0
2105	Do. Botanical Gardens	...	...	...	..	263	2 6
179	Do. embankment at same	...	...	...	..	22	7 6
1738	Do. Anderson's Bay Road	...	...	...	..	217	5 0
419	Do. Rector's residence	...	...	...	..	52	7 6
238	Do. Hospital grounds	...	...	...	..	29	15 0
39	Do. dredging the Harbor	...	...	...	..	4	17 6
796	Do. forming Kaikorai road...	...	...	...	..	99	10 0
834	Do. do. Pelichet Bay road	...	...	...	..	104	5 0
613	Do. quarrying at Water of Leith	...	...	...	..	76	12 6
259	Do. loading metal and gravel at same	...	...	...	..	32	7 6
14	Do. Police Barracks	...	...	...	..	1	15 0
						1,158	10 0

Maori Prisoners' Labour, 1 April 1871 - 31 March 1872, and the value of their Labour³

MAORIS—				2s. 6d.			
1816	days' labour at Russell street	...	...	...	...	227	0 0
1762	" " Vauxhall Road	...	...	...	..	220	5 0
1431	" " Recreation Ground, Caversham Road, &c.	...	...	...	..	178	17 6
1396	" " Water of Leith	...	...	...	..	174	10 0
984	" " Pelichet Bay Road	...	...	...	..	123	0 0
663	" " Botanical Gardens	...	...	...	..	82	17 6
235	" " Kaikorai Road	...	...	...	..	29	7 6
146	" " Rector's House	...	...	...	..	18	5 0
132	" " Anderson's Bay Road	...	...	...	..	16	10 0
120	" " Hospital Grounds	...	...	...	..	15	15 0
119	" " as Labourers on Harbour Works	...	...	...	..	14	17 6
75	" " at Octagon Reserve	...	...	...	..	9	7 6
63	" " Rattray street Jetty	...	...	...	..	7	17 6
62	" " Loading Gravel and Metal, Water of Leith	...	...	...	..	7	15 0
43	" " High School Grounds	...	...	...	..	5	7 6
86	" " Minor Works—Cleaning Shoot for Dredge, Spreading Metal, the Custom House, North Dunedin Rifle Range, and Bell Hill	...	...	...	..	10	15 0
						£1142	7 6

001 20 3 83
'Rongo' a fitting memorial

4

When the Last Post sounds at Anzac parades, Tom Ngatai, of Taranaki, spares a thought for his ancestors who were imprisoned in Dunedin last century.

The Anzac words, "We will remember them," prompted his start on a project to create a memorial to the people from Taranaki who were brought to Dunedin as prisoners from the colonial wars and Parihaka incident.

Two groups of prisoners are believed to have spent time in the city, working on the construction of the Portobello Road. Many of them died here, but only three graves have been found.

Mr Ngatai said the prisoners were never tried and followed a philosophy of peaceful resistance. He believes they were unnecessarily victimised.

At the end of Portsmouth Drive and Shore Street, tunnels have been uncovered which were used as shelter by the prisoners as they worked.

Mr Ngatai learned of the tunnels and the link they had with the Taranaki prisoners when he visited his son who lived in Dunedin.

He discussed the story with George and Ed Ellison from Otakou and from there the idea of using the site as a memorial grew.

On Monday, a piece of Taranaki stone will be unveiled as a permanent memorial to those unknown people who died as prisoners in Dunedin. (Many of the prison records were lost in a fire at Parliament last century.)

Once it was decided that a memorial should be built, the question then was what should it be made of.

Some suggested greenstone. Others thought gold. But eventually it was decided that the people would not want grandiose monuments.

"We agreed they were just humble people and all they needed was a plain stone, preferably from Parihaka," Mr Ngatai said.

Originally a stone from Parihaka was chosen to bring to Dunedin. It weighed 20 tonnes and was all ready to bring south when someone pointed out it was not the right stone.

When Rongo was eventually found, Mr Ngatai knew it was the right stone.

The second time he and the "tohunga" — or priest — went searching for Rongo the tohunga's hat flew off. He suggested that maybe the direction the hat had flown in would lead them to the right stone.

They found the hat on the edge of the bank and there below was a rock exposed by the low tide. Mr Ngatai recalls they were excited and sure this was the stone, but when they examined it, realised it would shatter into many pieces if they tried to move it.

Then just by chance they looked further out on the tidal flat — and 180 metres out they found "the" stone.

Their tribal history suggested that his people had been rock carvers and the stone which lay exposed by the tide had spirals carved on to it which were many years old, Mr Ngatai said.

"We saw the spirals carved on it and knew it had to be the one. I was leaping around . . . we were so excited," Mr Ngatai recalls with a glow in his eyes.

But the job of moving the stone was not so easy.

Nearby was a drain digger which had broken down. A part was needed to fix it and had proved difficult to get. But the next day it turned up and the digger was fixed.

Finding a truck to transport the stone to the stonemason at Hawera was the next task. With a little persistence Mr Ngatai persuaded a local contractor to lend him a small truck.

On December 23, the stone was lifted very gently, so as not to disturb the carvings, "and fitted into the bucket as if it was meant to be.

When they lifted the stone, Mr Ngatai had the inspiration for its name.

They had gone to the reserve which had been the site of the first peace pa during Te Whiti's time. The reserve was call-

ed "Te maunga a Rongo o te ika roa o mau i tiki tiki a Taranga."

"We knew we had to call the stone Rongo," and everyone agreed.

Weighing in at one tonne, the stone was not difficult to get to Dunedin, after its name had been carefully engraved on it.

The next task was to find a date suitable for the Governor General. Sir Paul Reeves, to do the unveiling.

Mr Ngatai said Sir Paul also had ancestors who were brought to Dunedin. Last year he visited the caves just after the Dunedin City Council had agreed to the memorial project going ahead.

The unveiling had to be in March because that was when the Taranaki people learned they would be leaving their homes. Many believed they would never return home, Mr Ngatai explained.

March 23 was the date the Governor General was able to attend, and it was pure coincidence that the day is also Otago Anniversary Day.

As well as unveiling the stone, which is set in the memorial facing the same direction in which it was found, Sir Paul will also unveil a series of four plaques set into each corner of the memorial.

The plaques record the story of the prisoners and feature an etching of Mount Taranaki and the peace sign of the Taranaki people.

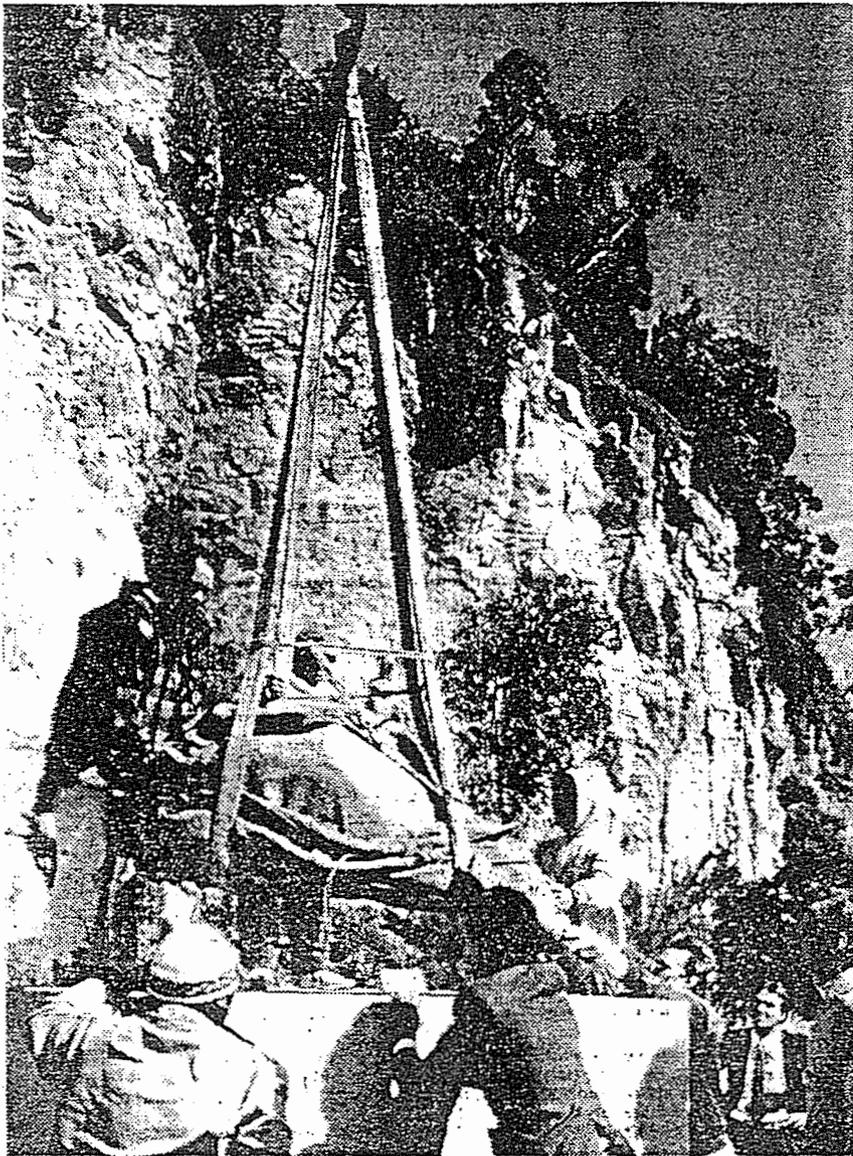
Mr Ngatai said the event is unique because there are two unveilings.

The stone and the plaques will also be christened by the ministers who have been invited to take part in the ceremony.

Mr Ngatai has water from a spiritual spring in the North Island which is reputed to be the site where Ratana — the leader of a Maori religion — saw the vision of an angel.

That water will christen Rongo, while water collected from Mount Cook last weekend will be used as the South Island component of the ceremony for the granite plaques.

About 80 people from Taranaki are coming by bus for the unveiling which begins at 10 a.m. An interdominational church service will be held on site after the unveiling.



A special ceremony was held when the stone which is part of the memorial to be unveiled at the Shore Street tunnels on Monday was laid. The stone has been brought from Taranaki and will be a permanent memorial to the Taranaki prisoners who worked in Dunedin last century.

‘Humane accommodation’ for Maori prisoners

Maori prisoners incarcerated in the Dunedin gaol last century were given humane and adequate accommodation, according to Mr S. C. Scott, the grandson of the gaoler responsible for the prisoners.

Mr Scott said his grandfather, Adam Scott, gave the distinct impression that those prisoners kept in Dunedin were kept warm and dry.

He doubts they were imprisoned for any length of time in the Shore Street tunnels. A standing joke in the Scott family is that the

prisoners were threatened by Adam Scott that if they were not back to the central gaol by 6 p.m. they would be locked out.

Probably prisoners working further out of Dunedin would have had improvised accommodation.

“Those working in the vicinity of Shore Street would have been within comfortable walking distance, by the standards of those times, of the Dunedin gaol, and . . . I can vouch for the fact that Maori prisoners within reasonable reach of the gaol were housed there every night,” Mr Scott said.

5



Mr Adam Scott

Their story began with the arrival in Taranaki of British settlers drawn by the promise of abundant and cheap land, only to discover the land still occupied by its owners. The Maori Taranaki Land League had firmly resolved not to part with more land, fearing that they would soon become a dispossessed minority in their ancestral home.

The colonial government, responding to the settlers' demands for land, contrived with a minor chief — himself in debt to the Land Purchase Commissioner and to a New Plymouth moneylender, and holding a grudge against the Land League — both to acquire land and break Maori unity.

Through the purchase of the Waitara block from him (land which he had no right to sell) and its subsequent seizure by force in March 1860, the first shots were fired that led to the land wars of the 1860s.

Illegal

The Waitara purchase was declared illegal by Governor Grey in May 1863, yet for the defence of their land, crops and property — then and during the similar seizure of the Tataraimaka block (the second Taranaki war) — the Maoris were punished by the confiscation of 460,000ha, or virtually the whole of Taranaki.

Out of that injustice grew what became loosely known as the Hau Hau movement, beliefs which developed in the intellectual and spiritual ferment that followed the fighting, the land confiscation, and the continuing impact of new European infectious diseases.

The Taranaki people, who had strongly adopted Christianity, were also disillusioned by the soldiers fighting on Sundays, burning prayer books and bibles, destroying churches, seizing land unjustly and killing women and children as well as men.

The Rev R. F. Riemenschneider, a missionary based at Warea before the fighting, had left when trouble was imminent and was understood to have provided the Government forces with information about the Warea defences. When he tried to return later, he was told to stay away unless he chose to support his flock in their cause.

One of Riemenschneider's pupils at Warea had been Te Whiti o Rongomai, who ultimately ministered at Otakou; and he is an early link between the people at Otakou and the history of these events in Taranaki.

Not reversion

Hau Hau belief as developed by Te Ua Haumene was not, as Europeans often saw it, a reversion to paganism. The alternative name of Pai Marire ("good and peaceful") describes better the intent of Te Ua's values and ideas. They were adopted and modified according to the particular conditions in many different areas, the famous Taranaki warrior chief, Titokowaru, adopting them to support his efforts to drive the pakeha from the land by force.

Te Whiti o Rongomai developed his own doctrine out of Te Ua's ideas and earlier movements such as the Kai Ngarara, and while Titokowaru was being pursued in the forests of Taranaki, Te Whiti devised a strategy offering a peaceful alternative to armed struggle and an assertion of Maori identity and rights.

Titokowaru was himself converted to Te Whiti's approach in 1870 — long before Gandhi adopted similar methods in south Africa and India.

In southern New Zealand, the tohunga and prophet Te Maiharoa, another outstanding leader, similarly drew on the

intellectual and spiritual legacy of the Hau Hau as it applied to the Kaitahu, Katimamoe and Waitaha peoples of Canterbury and Otago.

Reoccupied land

The 1870s saw Titokowaru and others, strengthened by these beliefs, reoccupy some of the confiscated land.

The government now adopted different tactics, including bribery, the provision of alcohol and manipulation of the Native Land Court, to continue the dispossession of land.

Te Whiti and Tohu Kakahi stood firm against such methods and, at Parihaka, established a model community in which pride in Taha Maori was retained, the new was successfully assimilated with the traditional, and which eventually attracted adherents from tribes as distant as Ngapuhi in the north and Kaitahu in the south.

By 1878, the government changed again to more direct methods of dispossession, and this led to the campaigns of passive resistance for which Te Whiti and Tohu Kakahi became famous — pulling up survey pegs, escorting surveyors off the land, ploughing land taken for roading and settlers' properties, and building fences across roads and survey lines.

As the ploughmen and fencers were arrested, they were replaced by more ploughmen and fencers, until the young men were replaced by old men, and the old men by children. The colony's gaols were filled.

APPENDICES FOOTNOTES

1 V+P OPC Session XXVII, 26 April 1870, p.73

2 Ibid, Session XXIX, 22 May 1871, p.41

3 Ibid, Session XXX, 20 April 1872, p.60

4 ODT, 21 March 1987

5 Ibid, 21 March 1987

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