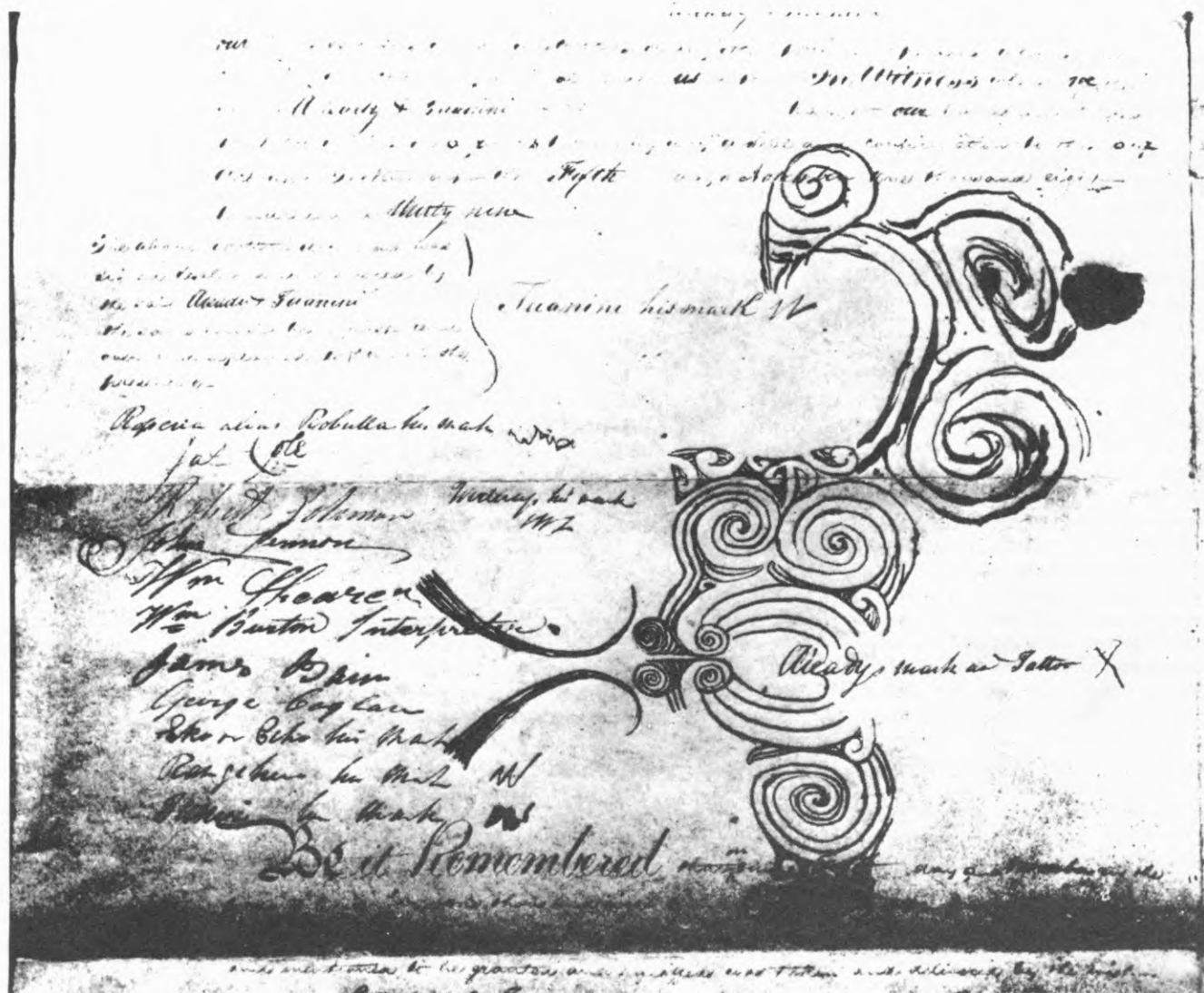


Shadow of the land



Alan Taylor

Hongi Hika wanted guns and ammunition for Ngapuhi land. But Anglican missionaries would trade only in axes; axes that proved however, just as deadly as guns in inter-tribal wars following Hongi's exchange of 13,000 acres for 48 axes at Kerikeri, Bay of Islands. Negotiated in November 1819, the exchange set a dangerous precedent: Maori land alienation on unprincipled terms. Not only missionaries but also traders, settlers and Government profited by the precedent. And with inevitable results. Maori became almost landless; they possessed only the shadow of the land lost to them.

Few 19th century Maori land deeds have survived. Fewer still have been published or researched by historians, despite being important social and cultural documents revealing much of the contrived complexity of Victorian legal

practice — and the avariciousness of its exponents when negotiating with tribal Maori. Greed knew no bounds. Nor did chicanery and hypocrisy: all, essentially, was villainy.

Among surviving Maori land deeds, is one registered in the Supreme Court of New South Wales, dated 5th November 1839. Drawn up in precise legalese (that secures the total interests of the purchasers to the complete disadvantage of the vendors) the deed is signed with a flourish by two Sydney merchants, a master mariner and several European witnesses. Involving the conveyance of 250,000 acres of land at Waikanae, the deed also carries the mark of 'Aready and Uanini, chiefs of New Zealand' who recieved payment in the form of 'arms and various merchandise' to the value of £150.

A typical land deed of the period, the

Waikanae transfer was, hopefully, disallowed under late Government legislation. If it wasn't, it stands as an example of the worst form of 'landsharking' recorded for the 19th century. Additional to its value as a land document rarely seen, the deed is also, of course, valuable as a historical manuscript and record of at least two chiefs **ta moko**, Aready and Uanini. Other chiefs who made their mark (an X) are: Widery, Eko, Rangihero and Robulla — who might well have been Te Rauparaha.

Finally, the Waikanae land deed is also important as a human document. It reveals much of the character and values of two remarkable cultures — and the source of later misunderstanding and conflict. It further documents innocence and guile, in terms as complex as its drafting. It was auctioned in Australia in 1978.