

## Choosing Peace or War

### THE 1863 INVASION OF WAIKATO



IN THE EARLY HOURS OF 12 JULY 1863 British Imperial troops, led by Lieutenant-General Duncan Cameron, crossed the Mangatāwhiri River into territory controlled by Kīngitanga supporters, marking the start of the Waikato War. While much has been written and said concerning the ultimate causes of that war, the proximate events leading up to the invasion are not usually subjected to the same close scrutiny.<sup>1</sup> This article focuses on the three weeks prior to the invasion, and the justification given for such a momentous move, including the evidence for an imminent Kīngitanga attack on Auckland that supposedly necessitated a pre-emptive move against the Waikato tribes. It then explores events in the days immediately preceding the attack, including the forcible eviction of all Māori living between the Waikato River and Auckland, before finally examining a crucial ultimatum issued to the Waikato tribes.

New Zealand in 1863 maintained a system of 'double government' in which both the governor and ministers answerable to a General Assembly held various powers; but it was the former who retained exclusive responsibility for the deployment of British troops within the colony. It is not clear when the governor, George Grey, definitely decided to proceed with the invasion of Waikato, but he must have done so some time before 24 June 1863. On that date, the premier and colonial secretary, Alfred Domett, drafted a memorandum outlining the proposals agreed at a recent Executive Council meeting at which the plans for war and confiscation were finalised.<sup>2</sup> According to Domett, Grey had explained that it was:

impossible to settle the Taranaki question so long as the Waikato was the centre of disaffection, and the wealthy and prosperous settlement of Auckland was constantly threatened with invasion and destruction from that quarter; that he had arranged with the Lieut.-General when he went to Taranaki, only to try if the Waikato tribes would allow the difficulties in that Province to be settled without their interference, and that if they would not, then not to run the risk of the destruction of the Auckland settlement, but immediately to return there, and after bringing the Waikato tribes to terms, then conclusively to settle the difficulties at Taranaki.<sup>3</sup>

To these ends, a 'temporary line of defence' was to be established across Waikato, extending from the west coast right across to the Hauraki district, before throwing forward military posts as far south as Paetai and Ngāruawāhia, taking permanent possession of these places and stationing a steamer permanently at the latter. At the same time the plan called for the clearing out of 'all hostile Natives at present residing between the Auckland isthmus, and the line of the River and fortified posts'. Allied with this was the decision 'to confiscate the lands of the hostile Natives, part of which lands would be given

away and settled on military tenure to provide for the future security of the districts nearer Auckland, and the remainder sold to defray the expenses of the War'.<sup>4</sup>

A case still needed to be made for taking such drastic measures, however, and Domett set out the familiar charges against the Waikato tribes. The premier claimed that:

Every effort to conciliate these tribes has failed, especially those on the Waikato. No known grounds of complaint against Government, reasonable or unreasonable, has been left to them; yet their acts of aggression have been continually increasing in frequency and violence. The expulsion of the Civil Commissioner Mr. Gorst, and his scholars from Government land at Awamutu; the seizure of property [including a printing press]; the driving away of all Europeans married to Maori women, and the kidnapping and abduction of their wives and half-caste children; the complicity of these tribes in the murders at Oakura, of which they were the prompters, and their adoption of the cause of the murderers; the abundant evidence of their attempts, to a considerable extent successful, to organize a general conspiracy to expel, or murder, the European population throughout the Northern Island; these things shew that it is no longer at the option of Government to choose between Peace and War — but that the Natives have determined to force the latter upon us. It is unquestionable that no chance is left for the establishment of any peace that is likely to be permanent, until the Natives have been taught that they cannot make aggressions on the lives and property of Europeans with impunity. The aggressions already committed by them really amount to a declaration of war — and the preparations they are making to meet it seem to prove that this is their own opinion.<sup>5</sup>

It was left to Grey to assemble for Colonial Office consumption the main case for a supposedly defensive (or pre-emptive) war waged by Crown forces. On 4 July 1863 he forwarded the British government a number of letters purporting to demonstrate that Auckland was under very real threat of an imminent Kīngitanga attack, followed by yet more correspondence to this effect a week later. As B.J. Dalton observed with respect to this correspondence:

Of the total of eighteen letters cited by Grey as evidence, only three were written, and only one can have been received, before 24 June when invasion of the Waikato became accepted policy. None gives details of any plot, bloodthirsty or otherwise: most merely retailed rumours of impending danger, rumours that were discounted by the writer in three instances. The two weightiest letters did no more than report warlike talk throughout the Waikato district and warn that the peace party might yet be outvoted. Together the letters are evidence of widespread unrest, nothing more — unrest which had been present since Grey went to Taranaki at the beginning of March, and which had received fresh stimulus from the massing of troops in Auckland and the arrest in that city of one Aporo for his part in the seizure of Gorst's press. If Grey really concluded from this or other evidence that an attack on Auckland was imminent, he did so after deciding to invade the Waikato district and after giving the initial orders to Cameron.<sup>6</sup>

As Dalton further noted, no 'temporary line of defence' was ever established. The whole notion was probably intended as little more than window-dressing designed to mask an outright act of aggression.

In the first letters accompanying Grey's 4 July despatch, Grey claimed in a covering letter to the secretary of state for the colonies that it had 'now been

clearly proved that some of the Chiefs of Waikato ordered the recent murders at Taranaki, and that being thus responsible for them, they have determined to support the people who carried out the orders which they issued. For this purpose, they are quite prepared to attack this populous district, and even to commit similar murders here.<sup>7</sup> Hinting at the already confirmed arrangements for the imminent invasion of the Waikato district, Grey added that he had confirmed with Cameron a plan of operations which would ‘not only effectually protect the Auckland district and its inhabitants from the dangers which threaten at this moment, but will also have the effect of placing this part of New Zealand in a state of permanent security’.<sup>8</sup>

What, then, were the alarming reports that had supposedly compelled Grey to adopt firm and decisive measures in response? The first of these was a letter from the Te Kōhanga missionary Robert Maunsell, written chiefly to convey to Grey a message from Reverend Heta Tarawhiti at Taupiri. Maunsell observed in forwarding Heta’s letter that ‘I should perhaps, at the same time, state that I do not coincide with his views, and do not think that the grounds that he states are sufficient to bear his conclusions. Heta seems to be of an anxious despondent mind, and in the former war his dismal statements frightened some of our friends out of their propriety.’<sup>9</sup>

Heta Tarawhiti claimed that a rūnanga recently held at Ngāruawāhia had resolved to attack the British position at Te Ia.<sup>10</sup> ‘They *did*’, Maunsell noted, ‘hold a runanga about three weeks ago, but from the enquiries that I made at the time, I did not infer that the majority were in favor of hostilities.’<sup>11</sup> He also pointed out that the removal of the bones of the dead from their graves at Māngere, which had been cited by Tarawhiti as evidence of hostile intent, was ‘customary in all doubtful states of affairs’.<sup>12</sup> Maunsell had heard of no fewer than six different proposals to attack Te Ia over the previous 12 months, but commented that an attack was by no means certain: ‘The opinion of the Maoris seems clear that at least up to a late date it was assailable. Their not having attacked that post heretofore, I have regarded as a strong proof of the friendly disposition of the majority.’<sup>13</sup> Moreover, Maunsell added with respect to the Māori King Matutaera (later known as Tāwhiao) and Wiremu Tamihana, that he had received ‘of late several indisputable reports that confirm me in my belief that they desire peace’.<sup>14</sup>

Tarawhiti’s report was thus more or less comprehensively rebutted even before it reached Grey. A third letter, dated 23 June 1863, from fellow missionary Benjamin Ashwell, consisted of little more than a second-hand account of the fears already expressed by Heta. The intentions of Ngāti Maniapoto were, it was said, ‘kept secret’, though there was reason to suspect that they might be planning something in retaliation for the recent arrest of their relative Aporo in Auckland.<sup>15</sup> A short message from the missionary Cort Schnackenberg (who appears to have been writing from Kāwhia) observed that Anatipa and party had arrived. They were very friendly to Schnackenberg, declaring that he would be permitted to remain in the district without paying tribute and reassuring him that all Pākehā should live without fear, ‘but if Aporo be not given up we are all to leave, and Anatipa and party join Rewi against Auckland’.<sup>16</sup> However, in a separate and apparently unpublished letter

written on the same date, Schnackenberg defended Aporo as someone who had demonstrated kindness and moderation to the settlers in the past, and added that it was John Gorst's newspaper which had created anger against the printing press recently seized from Te Awamutu: 'Had the Hokioi spoken thus in the town of Auckland, Natives say, it would have been seized and the owner sent to jail, whereas we gave Notice by letter and messenger to Mr. Gorst to go away and take the press with him, before any force was resorted to.'<sup>17</sup>

A short message from yet another missionary, Thomas Buddle, conveyed a warning from a Māori minister at Raglan, Hāmiora Ngaropi, who declared 'be on your guard with respect to Auckland by night, and by day, throughout all its boundaries (be on the alert) every day and every night; whether for a long or a short space of time. This is all I have to say to you on that subject, that is to you all. If nothing happens it will be well.'<sup>18</sup> Whether this was intended as a specific warning of an imminent attack or a more general caution is less than clear.

Grey, though, was clearly eager to receive more compelling evidence of the approaching threat than he had hitherto managed to assemble, and appears to have kept the mail open for these purposes: the final enclosure to his letter of 4 July 1863 was actually dated 8 July. This letter came not from a missionary but from one of Grey's own officials, Mauku Resident Magistrate James Speedy. Speedy claimed that at a recent meeting 'strange Maori, connected with the disaffected Natives of Ngatiraukawa and Ngatiwakane [sic], from the neighbourhood of Maungatautari, [proposed] that they should massacre the Europeans of this District without delay'.<sup>19</sup> That proposal had supposedly been carried by the majority of the meeting, though many wished to obtain the prior sanction of the Ngāti Hauā leader Wiremu Tamihana first. In any case, according to Speedy, the meeting had taken place on 28 June, and some ten days later, when he drafted his letter, no such 'massacre' had taken place, notwithstanding the apparent desire of many not to wait for Tamihana's reply. Speedy added that:

My interpreter, Mr. King, was speaking to Tamati Ngapora this morning, previous to his leaving Waiuku for Mangere, when he told him that the Europeans should leave Waiuku as soon as it was known that he had left for the Waikato. He was ready to go when called upon by the Waikato or ordered to leave by the Government.

Patara a near relative of Matutaera also told Mr. King in the presence of the previous mentioned native, that if any were killed now, it would not be called murder, as hostilities were inevitable and the evil was near.<sup>20</sup>

Neither reported conversation constituted evidence of any kind of plot to attack settlers, whether in Auckland or elsewhere, while the letter came much too late to have influenced Grey's decision to invade Waikato anyway.

The same consideration applied with respect to the two subsequent batches of letters forwarded to the Colonial Office, the first lot by covering letter dated 7 July and the second 11 July. Yet even if Grey had made the decision to invade without a sufficiently convincing body of evidence in favour of his claims that Auckland was under imminent threat, that call might have been belatedly justified by subsequent intelligence gathered in support of such claims. A closer consideration of this later evidence demonstrates, however, that this was

not the case. As Alan Ward notes, ‘Most were merely rumours of impending danger, reports of warlike talk and warnings that the moderate Kingites might not always prevail over the hotheads’.<sup>21</sup>

Ashwell, for example, passed on vague rumours of plots, though even Wiremu Tamihana was said to be unaware of any details and Ashwell himself admitted that ‘as far as we can judge nothing very immediate is likely to take place’.<sup>22</sup> Ahipene Kaihau wrote a number of letters warning that the settlers of Waiuku were not safe but appears to have been at least in part motivated by a desire to obtain further arms and ammunition from the government, vowing to protect ‘his’ Pākehā if provided with the necessary supplies.<sup>23</sup> Ngāti Te Ata may also have been worried about their own defences, since a further letter from Hori Tauroa asked that soldiers be stationed at Waiuku to assist them in protecting the place.<sup>24</sup>

The final group of letters, all dated between 3 and 8 July 1863, ramped up the rhetoric in some cases, but without much more in the way of solid evidence. In one letter it was claimed that Wiremu Tamihana had consented to attack Auckland,<sup>25</sup> another suggested that the tribes of Hauraki, Kaipara and Northland might be party to the assault,<sup>26</sup> while a third suggested Raglan was also under threat of attack.<sup>27</sup> Waata Kukutai meanwhile asked that Ngāti Tipa be provided with arms and ammunition,<sup>28</sup> while John Rogan (writing on 8 July) passed on further rumours to the effect that Wiremu Tamihana had given the Māori resident at Manukau six days to retire to Waikato.<sup>29</sup> One Ihumātao settler was told on 7 July that there would be a great rūnanga for the next three days and on the fourth day he should leave for Sydney, implying that Waikato would rise up on 10 or 11 July.<sup>30</sup> The final piece of proof of the supposedly ‘blood-thirsty’ designs of the Waikato tribes Grey forwarded to the Colonial Office was a statement from the Reverend Arthur Purchas reporting a conversation with Matutaera’s uncle, Tāmami Ngāpora. According to Purchas:

He found that the talk of Waikato was very bad, and that many of the people were proposing to kill the Europeans without delay, while the peaceably disposed were doing their best to defeat these murderous designs, and to persuade the people to ask the Governor to ‘whakawa’ [investigate or judge] them for their misdeeds at the Kohekohe and the Awamutu.

Tamami [Ngāpora] told me that there is to be a large gathering of the tribes either at Rangiriri or Ngaruawahia to-morrow or the next day, and that the special messenger who returned early this morning on his way up the river was charged by him with a message, urging the people to think quietly before they rushed into war, and whatever decision they came to, to take care to let the Europeans know before any acts of violence were committed. He added that he hoped they would act on his advice, but he did not feel sure that they would. He said that formerly, regard to his safety would have ensured their giving notice of their intentions, but now he was no better than a *kuri* (dog), and it was quite possible that they might disregard him and leave him to his fate.

I asked Tamami what he thought about any persons who might be travelling quietly along the roads; his answer was ‘ko whai, ka mohio ki ta te tangata whakahihi?’ [‘Who knows what the boastful people will do?’] He said that if no murder was committed, nor any attack made before next Sunday, then his mind would be greatly relieved, as he would feel sure that the advocates of peace had gained a hearing, and that the people

were quietly considering the matter.<sup>31</sup>

There were no murders or attacks before the following Sunday (12 July). But Grey and his ministers had already made their decision: at dawn on that morning the British invasion of Waikato commenced, Lieutenant-General Cameron leading 380 Imperial troops across the Mangatāwhiri River.<sup>32</sup>

Considered as a whole, the letters provided a flimsy pretext for such an invasion. While the governor was entitled, and indeed expected, to take prudent steps for the defence of Auckland, ordering an all-out assault of this kind went way beyond what could be justified under the circumstances. Grey had selectively fed the Colonial Office correspondence designed to talk up the supposed threat to Auckland, but there was plenty of other information in circulation that tended towards a completely contrary conclusion. Writing at the end of June, for example, the Raglan correspondent for the *Daily Southern Cross* (an avowedly pro-war publication) observed that Wiremu Tamihana:

has no thoughts of war in his head, if one may judge from his daily occupations. He is at present down with some of his companions at the mill near Pokeno, superintending the grinding of his wheat, with a view of supplying these sinews of war to the [British] troops there stationed. The Ngatimaniapoto tribe were down also selling pigs at Pokeno, and the peaceable natives of Lower Waikato were astonished that they escaped being apprehended, and wondered what the extensive civil and military government staff had to think about.<sup>33</sup>

According to the correspondent, about three weeks earlier Tamihana had gone up to Otawahao 'to reason with the Ngatimaniapoto chiefs and William King of Waitara':

He found them all ready prepared to go to Pokeno and attack the troops. He remonstrated with them on their folly in thus rushing upon destruction, but finding them unreasonable and obstinate, he told them to go, but to take a long and last farewell of their homes, as they would never come back to them. He left them, and they determined not to go, being in doubt, from the oracular talk of Thompson, whether if they escaped extermination by the soldierly [sic] while on their mad proposed enterprise, their own fellow countrymen would not make short work of them while attempting a return home through the Lower Waikato district.<sup>34</sup>

The same story went on to explain that there were some solid reasons why the Waikato tribes were anxious to avoid further war, including the heavy losses sustained by them during the previous conflict at Taranaki in 1860–1861:

The disinclination to go to war with the troops which now exists throughout Waikato, is greatly owing to the losses the tribes of that district sustained during the Taranaki war three years ago. The Ngatihaua lost the greatest number, and are now the most peaceably inclined. One can scarcely find a village in the Waikato without a cripple in it; one has got his lower jaw shot away, and has since subsisted on spoon diet; a second is lame, and great numbers are disfigured more or less. Another reason of the aforesaid disinclination is that the Maoris consider that they have no quarrel with the Government, and they do not intend to make one; therefore Auckland people need have no fear whatever of attack by the Waikato Maoris, as these are all well employed cultivating their soil, the Ngatimaniapoto being the only disaffected tribe, and they being well convinced that they have no chance of success in an attack upon either the

troops or the European villages near Auckland. In fact the Waikatos are more afraid of the Governor than Europeans are of the Maoris ... Auckland was never more safe than it is at present from an attack by the Waikato Maoris.<sup>35</sup>

While there was no threat of any attack on Auckland or the outlying settlers, the same correspondent also cautioned that the Waikato tribes 'would not, however, tamely submit to an invasion "to put down the king movement", or any such fool's errand'.<sup>36</sup>

Grey's supposed dossier of incriminating evidence against the Kīngitanga hardly provided sufficient justification for the subsequent invasion of Waikato, and nor were his retrospective justifications any more convincing.<sup>37</sup> In January 1864 Grey asked the secretary of state for the colonies a rhetorical question:

Was it to be expected that a civilized people, who knew that the question of whether they were to be attacked or not was discussed in runangas (which anyone could enter then vote), and was only decided in the negative by a small majority, which any night might have become a minority, should delay for a day to take the requisite measures for the protection of their families and properties; and what would have been said of the Government which, having the then recent and lamentable example at New Plymouth before its eyes, had hesitated to provide for the safety of the Queen's subjects?<sup>38</sup>

As Dalton remarked, the same question might equally well have been asked of the Waikato tribes, 'who saw military preparations being matured against them and their subjugation advocated almost daily in the public press'.<sup>39</sup> The difference, as he observed, was that the Kīngitanga had Auckland almost entirely at its mercy when the city was denuded of its Imperial troops between March and June. To attack it at the end of that period, just as troop numbers were surging, would have been not just illogical but in military terms close to suicidal. As John Gorst noted in 1864:

It is, without doubt, highly probable that an attack on Auckland was proposed and discussed at war meetings. It would be strange had it been otherwise. We had often proposed and discussed an attack upon Waikato ourselves. But that the Waikatos would have crossed Mangatawhiri to assail us, I utterly disbelieve. Such an act was contrary to their principles, and could not have been carried out without a serious division amongst themselves. As a matter of fact, Tamihana and others kept Rewi from attacking Auckland, for a period of two months and a half, while the town was comparatively defenceless; and there is no reason to suppose they would have failed to restrain him when the town was under the protection of ten thousand soldiers.<sup>40</sup>

By early July 1863 massive movements of troops, horses, weapons and other military supplies in Auckland and further south caused widespread fear and alarm amongst many tribes. According to Gorst, bonfires lit to celebrate the Prince of Wales' marriage on 1 July 1863 were interpreted as war signals marking the start of the march upon Waikato.<sup>41</sup> Rumours abounded, but the only confirmed preparations for war being made at this time were those of the British. Native Minister Francis Dillon Bell wrote to Walter Mantell on 7 July that:

If any doubt had existed ... as to the state of the natives in Waikato it would have been

dispelled by the accounts received in the last day or two. The news which Ashwell brought down on Sunday is of a very dark character. There is now no doubt that on last Wednesday a plot had been brought almost to the point of execution for murdering a number of the Patumahoe settlers, & if it had not been for the discovery of the plot by one of the 30 engaged in it, I might have had to tell you of a more horrible tragedy than the Oakura one. The certainty of the existence of a conspiracy to commence the work of murder upon our own frontier has determined the governor to make the first move, & it may not be another fortnight before some advance takes place ... The governor's mind has been very much influenced, as well as ours, in coming to the resolution that immediate action was necessary, by accounts similar to Ashwell's relating to a general rise throughout the Country.<sup>42</sup>

Those rumours and scares conveniently happened to relate to the very same tribes whose military defeat officials had now deemed necessary if substantive British sovereignty was finally to be enforced over all of New Zealand. Bell added that:

[I]f, choosing our military ground, we can compel Waikato to make a stand & show fight, we hope to be able to divert the danger from the Southern settlements & to concentrate it upon the battle ground which must now, as we have always hitherto believed, be that upon which the question of the Queen's authority in New Zealand must be settled. You will see by the minute that the governor has come to the same conclusion that we all did in 1860–61, that fighting at Taranaki did nothing & that the real issue must be tried in Waikato.<sup>43</sup>

Yet Rewi Maniapoto, the Ngāti Maniapoto leader whose supposedly pending attack on Auckland was used to justify the British move south of the Mangatāwhiri, was reportedly attending a *tangi* at Taupō at the time of the invasion of Waikato.<sup>44</sup> That was just one piece of information to emerge from a special investigation into the causes of the Waikato War conducted by the chiefs of Ahuriri. They wrote in October 1863 that:

The war we hear of, but the cause we do not know. The Pakehas tell us that the causes were ambuscades, and murders on the part of the Maoris. We have not heard of those ambuscades and murders. This was what we heard of. Rewi's demand for war, after Aporo had been apprehended and imprisoned. Rewi proposed then to fight, but it was disapproved by Matutaera, by Tamehana, by Te Paea, and the Chiefs of Waikato. In consequence of their strong opposition, Rewi desisted, and he came to Taupo to the *tangi* for (the death of) Te Heuheu.<sup>45</sup>

According to a letter dated 6 July 1863 from Isaac Shepherd, a government clerk stationed at Ōruanui who appears to have had well-placed informants regularly update him on developments in Waikato, a party of some 300 Ngāti Maniapoto had arrived at Kihikihi some time prior to this, intent on escorting the Te Āti Awa rangatira Wiremu Kīngi back to Taranaki. Rewi Maniapoto had inspected them on parade, even climbing on to the roof of famed meeting house Hui Te Rangiora in order to get a better view of their manoeuvres, before declaring that they should abandon all thought of going to Taranaki, at least until after he returned from Taupō, lest none of them should come back alive. However, according to Shepherd, Rewi was also planning to travel to Ahuriri at some point.<sup>46</sup> Whether or not he intended going to Taranaki, it does not



appear that any movement in the direction of Auckland was imminent.

On 20 June 1863 Cameron returned to Auckland from New Plymouth for talks with Grey. Sometime between then and 24 June final confirmation of plans for the invasion of the Waikato district were agreed.<sup>47</sup> Nonetheless, George Whitmore, who had recently been appointed commander of the Napier militia,<sup>48</sup> had confided in Walter Mantell as early as 9 June that ‘If the Govr. is to be trusted he means to prosecute the War with vigour & to carry it into the Waikato’.<sup>49</sup> Frederick Whitaker, who was attorney-general outside Cabinet, also hinted at things to come in a letter to former Native Minister C.W. Richmond on 25 June. He observed that ‘Things here are coming to a crisis. I see nothing for it, but a campaign into Waikato, and I don’t think, however we may try, that the Maoris will let us out of it unless we prefer fighting in Auckland Park. Nothing can exceed their insolence and the contempt they shew towards us. I am disposed to think that the Governor’s patience is exhausted, and that we are on the eve of great events.’<sup>50</sup>

Already, troops had been removed from the Taranaki district and returned to Auckland for the planned attack.<sup>51</sup> By 6 July preparations were well advanced for an invasion timed to commence ten days later, on 16 July. Military records confirm that the scheme formulated between Grey and Cameron was ‘intended to clear the country north of the Waikato River of all disaffected natives, by surprising their settlements, making prisoners of the inhabitants, or driving them into the interior, simultaneously with which boats, already purchased, were to be conveyed overland to the Mangatawhiri River (35 miles) for the transport of troops; and the colonial steamer “Avon” (made defensible with iron plating, &c.) was to enter and work up the Waikato to our stockade near the mouth of the Mangatawhiri’.<sup>52</sup> The Mangatāwhiri was then to be crossed, Māori lands on the opposite banks occupied and a vigorous push made southwards by both land and water.<sup>53</sup> But on 8 July Grey and Cameron decided to bring forward the date of the planned invasion, and orders were given for the immediate movement of troops ‘to the front’.<sup>54</sup> Cameron later claimed that this had been done in response to the most recent reports of an imminent Māori uprising, while other evidence indicates it may simply have been a result of military preparations being completed slightly earlier than originally anticipated.<sup>55</sup>

A day later, on 9 July 1863, a proclamation was issued consistent with prior instructions to clear the area between the Waikato River and Auckland of all potentially hostile tribes. Addressed to ‘the natives of Mangere, Pukaki, Thirmatao [sic], Te Kirikiri, Patumahoe, Pokeno, and Tuakau’, it warned that:

All persons of the native race living in the Manukau district and the Waikato frontier are hereby required immediately to take the oath of allegiance to Her Majesty the Queen, and to give up their arms to an officer appointed by Government for that purpose. Natives who comply with this order will be protected.

Natives refusing to do so are hereby warned forthwith to leave the district aforesaid, and retire to Waikato beyond Mangatawhiri.

In case of their not complying with this order they will be ejected.<sup>56</sup>

On the same date some 1500 troops marched from Auckland for Drury, while

magistrates were despatched to the various South Auckland settlements to deliver the demand for submission or withdrawal behind the 'frontier' line at Mangatāwhiri. Gorst later wrote that most of the residents of these villages were 'old and infirm', besides being totally surrounded by Europeans with whom they had long lived cordially and without the slightest suggestion of 'harbouring dangerous characters', far less rising up in rebellion. But as he noted, these facts hardly mattered:

They were Maories and relatives of Potatau. Underlings of the Native Office were despatched in haste to call upon them to give up their weapons and take the oath of allegiance to the Queen, or, in default, to retire beyond Mangatawhiri under pain of ejection. The first native to whom this cruel decree was made known was Tamati Ngapora, the uncle of the Maori King, who lived at Mangere, in European fashion, receiving a large income from letting his lands as grazing grounds to the neighbouring farmers. After a short silence, Tamati asked — 'Is the day of reaping, then, at hand?' Being told that it was, he observed — 'Why has not the Governor put Waikato on her trial, before stretching forth the strong hand?' Tamati and the other Mangere natives quite understood the alternatives. They must submit to what they regarded as an ignominious test, or lose the whole of their property. And yet, to their honour be it said, they did not hesitate for a moment.

They all thanked the Pakeha for this last act of kindness in giving them timely warning of the evil that was to come upon Waikato, and an opportunity of themselves escaping; but they could not forget that they were part of Waikato, and they must go and die with their fathers and friends .... All the old people showed the most intense grief at leaving a place where they had so long lived in peace and happiness, but they resolutely tore themselves away.<sup>57</sup>

At Mauku, James Speedy found just one man willing to take the oath of allegiance.<sup>58</sup> Henry Halse reported from Māngere that 'the answer of all the people, when I read the notice was, why does not the Governor "*whakawa*" (investigate) the "he" (misconduct) of Waikato before he puts forth the "*ringa kaha*" (strong hand)'.<sup>59</sup> In a more detailed report drafted a few days later, Halse explained that, immediately upon receipt of the ultimatum on 9 July, he had departed for Māngere, Ihumātao and Pukaki for the purpose of administering the oath of allegiance to those Māori resident there. On his way he came across the Reverend Purchas in the company of Tāmāti Ngāpora, and it was agreed that the object of his mission should first be explained to the chief before seeing his people. Halse reported that:

[A]fter tea the notice was read to Tamati Ngapora. He listened attentively, and requested that it might be read a second time. His request was complied with. After the customary Maori silence, Tamati put the following question to Mr. Purchas — '*Kua tata ranei te ra o te kotinga witi?*' ('Is the day of harvest close at hand?') 'Yes,' Mr. Purchas replied. Tamati then asked why the Governor had not caused an investigation to be made into the wrongs of Waikato before moving the troops? I said it was not my business to discuss that question; ample time had been given, and now that the troops had been moved forward to prevent Waikato Natives making an attack on Auckland, I heard of the desired investigation for the first time. Tamati then asked why the natives could not have their king as well as the pakehas? I replied that I had come to read the notice,

and not to talk about the Maori king. Tamati, in a thoughtful mood, said that, if he had influence, there should be no fighting. He had dear friends living in the midst of the English, and dear friends living with the Maoris, and would like to know why they were to be killed. He would not cease to urge for the investigation.<sup>60</sup>

Halse gave Tāmami Ngāpora a copy of the ultimatum, the chief departing for Māngere soon after. When Halse reached the settlement the next day, about 20 men were assembled in Ngāpora's whare. Halse read the notice to them, and asked if they wished to read it again. He reported that:

Two men said there was no occasion, because they all understood it. In the course of a few minutes a native, whose name I did not obtain for the reason that his friends objected to give it, jumped up and said 'I belong to Waikato; I am going to Waikato[.]' He then sat down.

Rihari then s[a]id, 'Hearken. My fathers and my friends are in Waikato; I am going to them.' An elderly native then rose, and looking at several natives who had not spoken, asked me whether I understood the meaning of their silence. I asked him to explain. He said their thoughts were the same as the previous speakers, and all would go to Waikato. Tamati Ngapora, who had been reclining, sat up and said, 'When I arrived here last night I gave the Panuitanga to the people for their consideration, without attempting to influence them either one way or the other. You have now heard their decision. I have nothing to say in addition to what took place between us last night. We are one tribe, and cannot be separated.'<sup>61</sup>

A small group of women and men, some of whom were visitors from Ngāpuhi, did agree to take the oath of allegiance, though when called upon to surrender their arms and ammunition they denied that they had any. At the same time, the group asked for some distinguishing mark so that Pākehā might recognise them, and Halse added that 'The women expressed great fear of the sailors belonging to the vessels of war, and hoped the Governor would protect them'.<sup>62</sup>

When Halse reached Ihumātao a short while later, he discovered that many of the residents had gone to Ōnehunga to sell poultry, having previously disposed of some of their cattle.<sup>63</sup> Clearly they had decided to lighten their load, since those who were at the settlement told Halse that they had also resolved to return to Waikato. One speaker told Halse that there were some infirm people amongst their number who would not be able to travel, and that the governor would be expected to look after them. But before Halse had a chance to reply, others said that they would take the 'turoro' (sick people) with them.<sup>64</sup>

At Pukaki people were also making hasty arrangements in anticipation of the impending war. Halse discovered that Mohi, the chief of the settlement, had gone off with Bishop Selwyn to point out a burial ground which (together with a village church) was to be handed over to the care of the Anglican Church during their absence. The people of the settlement had all packed up their possessions, ready to make a start, and when Mohi returned he also told Halse that all the people were going to Waikato.<sup>65</sup>

While those communities visited by Halse appear to have been resigned to their fate at the hands of the Crown, James Armitage encountered a more defiant response to the ultimatum on the part of the Tuakau community. Armitage

reached the settlement on 10 July 1863 and later reported that 'I communicated to them the purport of my mission, and was informed by Te Atua, for himself and others — except Hira Kerei and te Atua, who dissented from same — that they would not take the Oath of Allegiance, nor give up their arms, &c., nor leave their lands, unless driven away by force, which they would resist'.<sup>66</sup>

Just two days later, on 12 July 1863, Colonel Wyatt and 300 men of the 65th Regiment marched on Tuakau. As John Featon described the scene:

The village was situated on the edge of the river, and justly considered one of the prettiest and most flourishing in the lower Waikato. The land was good. Potatoes, kumeras [sic], and corn grew luxuriantly, and each year filled the storehouses of the Natives to overflowing. A water mill close by ground their wheat into flour, and their fruit trees were loaded with apples and peaches, whilst the branches of the vine bending under their juicy weight trailed in the swift running stream. No wonder the Natives were loth [sic] to leave their beloved home. The 65th debouched suddenly from the bush in the rear of the settlement, and surprised the Natives, who hastily collecting their lares and penates,<sup>67</sup> moved mournfully down to the canoes, and with many tears and deep sighs paddled away.<sup>68</sup>

Thus the first supposed 'rebels' of the Waikato War were created at Tuakau and elsewhere between Waikato and Auckland through the enforced expulsion of peaceful communities of Māori from their own lands. As Henry Sewell wrote, 'this expatriation of the whole families and tribes was prematurely to drive them into open rebellion'.<sup>69</sup> He believed, in fact, that no more than about six people north of Waikato had agreed to take the oath of allegiance, but added some weeks later (after a few settlers had been attacked in the early stages of the war) that 'Upon the whole, I am surprised at their moderation. What would have been said or done by a mob of Englishmen and their wives and families turned out of house and home without warning and set adrift *with arms in their hands* to starve. Such has been the course of dealing with the natives, and I am bound to say that beyond rumour and suspicion nothing has yet come to my knowledge to justify such severe measures.'<sup>70</sup>

Grey claimed in defence of such a blatantly unjust and discriminatory approach that the Waikato chiefs 'had considerable numbers of their relatives and adherents living on different tracts of land in the midst of the most prosperous European settlements in this district, and these people had amongst them some of the most turbulent natives in this part of the country, who were the instigators of the proceedings which were being taken against the European race'.<sup>71</sup> The governor offered no evidence in support of this assertion, probably because none existed.<sup>72</sup> Tāmāti Ngāpora, after all, had proven a true and consistent friend of the settlers, maintaining the approach of his late relative Potatau Te Wherowhero, the first Māori King, who had originally agreed to live at Māngere as a token of that friendship. Ngāpora told Reverend Purchas in May 1863 that he remained at Māngere as a 'hostage for peace', and that if any sudden attack was made upon Auckland without notice his own life would justly be forfeited.<sup>73</sup> There was little to suggest than any of the other chiefs or their communities were any more 'turbulent'. To be sure, many fought against the British after being driven from their homes, though that hardly constituted

evidence that they had been a threat to the settlers all along. Grey, though, claimed that ‘It was impossible to leave a strong disaffected population, well armed (many of whom were known to be bent on plans of violence and murder), in rear of the General and of the troops, when they occupied the frontier for the purpose of preventing armed bands from falling upon the out-settlements’.<sup>74</sup>

The governor professed to have hoped that a large number of the South Auckland residents might have been persuaded to abstain from taking part against the government forces, in consequence of which he had had the ultimatum (euphemistically described as a ‘notice’) printed. But despite this it had been found that many of the communities had gone over to ‘the enemy’ or were preparing to do so when visited by officials. No doubt the forcible removal from their lands, combined with a crescendo of public speculation as to the imminent invasion, had done much to bring about this situation. A poor translation may not have helped matters. According to James Fulloon, some of those who read the ultimatum of 9 July understood it as ‘a positive order to leave’;<sup>75</sup> others evidently believed that the oath of allegiance required them to fight for the Crown, and fears were expressed that the demand to surrender all arms was no more than a prelude to their own destruction.<sup>76</sup>

Kīngitanga leaders also appear to have interpreted the 9 July ultimatum as an order to Māori resident north of the Mangatāwhiri to leave. Matutaera wrote to the chiefs of Ahuriri later in August that: ‘On the 9th July, a letter from the Governor to the people of Manukau arrived, telling them to go to the other side (*i.e.*, South side) of Mangatawhiri, in Waikato. They left their land at Mangere, Pukaki, Patumahoe, and Te Kirikiri, which was occupied by the soldiers on the 10th. On the 11th July the soldiers arrived at Pokeno and Tuakau. The property at those places was consumed by fire. Some of the people were driven off those lands.’<sup>77</sup>

The Māori King’s letter appears to have given the Hawke’s Bay chiefs grounds for querying the official explanation as to the background of the Waikato War promoted by the government. The Wellington provincial superintendent, Isaac Featherston, had recently visited the settlement of Ōtaki, where formerly staunch Kingite Wi Tako Ngatata and the other chiefs had revealed the existence of a letter from the King which appeared to solicit their assistance in the coming war.<sup>78</sup> But the Ahuriri chiefs did not believe that Matutaera had asked Wi Tako to rise up and murder Europeans, as had been alleged. They pointed to his letter of caution to them, and told Featherston:

Sir, we have been searching in vain to make out why our pakeha friends say that murders were the cause of the war in Auckland. Not being able to satisfy ourselves, we sent an express messenger to the seat of war to make enquiries, and he returned last Saturday evening. His report was that the Governor’s war had not been caused by murders as the Pakehas alleged. Murders could not be heard of (*i.e.*, preceding the war.) The only ground that could be alleged were — first, the expulsion of the Maoris from Auckland, from their own lands, and the burning of their properties and houses; and secondly, the crossing of Mangatawhiri.<sup>79</sup>

It was in the early hours of 12 July 1863 that Cameron and his troops crossed the Mangatāwhiri. The invasion of the Waikato district had begun

and was recognised as such by all concerned. An official Imperial army report observed that 'The passage of this stream by an European force has been always regarded by the natives of the Waikato as tantamount to a declaration of war.'<sup>80</sup> It was said that Rewi Maniapoto was returning from Taupō when he was met on the road by a messenger who told him that British troops had crossed Mangatāwhiri. Rewi and others then went to Meremere to assist in the defensive effort.<sup>81</sup> Remarkably, however, Grey remained silent on the movements of Imperial troops for more than a fortnight, finally advising the Colonial Office of the crossing of the Mangatāwhiri in a despatch dated 28 July 1863. Even then, he described this in such low key terms that the momentous nature of the decision was scarcely apparent.<sup>82</sup> Grey sought to portray the movement as a defensive one, taken with the utmost reluctance and only after receiving credible reports of a real and imminent threat to settlers.

For these purposes a second proclamation was also issued, this time addressed directly to the 'Chiefs of Waikato', and dated 11 July 1863; that is, one day before the crossing of the Mangatāwhiri. It declared that:

Europeans quietly living on their own lands in Waikato have been driven away; their property has been plundered; their wives and children have been taken from them. By the instigation of some of you, officers and soldiers were murdered at Taranaki. Others of you have since expressed approval of these murders. Crimes have been committed in other parts of the island, and the criminals have been rescued, or sheltered under the color [sic] of your authority.

You are now assembling in armed bands; you are constantly threatening to come down the river to ravage the settlement of Auckland, and to murder peaceable settlers. Some of you offered a safe passage through your territories to armed parties contemplating such outrages.

The well-disposed among you are either unable or unwilling to prevent these evil acts.

I am therefore compelled, for the protection of all, to establish posts at several points on the Waikato River, and to take necessary measures for the future security of persons inhabiting that district. The lives and property of all well-disposed people living on the river will be protected, and armed and evil-disposed people will be stopped from passing down the river to rob and murder the Europeans.

I now call on all well-disposed Natives to aid the Lieutenant-General to establish and maintain these posts, and to preserve peace and order.

Those who remain peaceably at their own villages in Waikato or move into such districts as may be pointed out by the Government, will be protected in their persons, property, and land.

Those who wage war against Her Majesty, or remain in arms, threatening the lives of Her peaceable subjects, must take the consequences of their acts, and they must understand that they will forfeit the right to the possession of their lands guaranteed to them by the Treaty of Waitangi, which lands will be occupied by a population capable of protecting for the future the quiet and unoffending from the violence with which they are now so constantly threatened.<sup>83</sup>

While this notice was not published in the *Government Gazette* until 15 July

1863, that was hardly unusual. Grey and ministers later consistently referred to the notice having been issued on 11 July, though historians have often referred to Gorst's comments about when Waikato Māori actually received the warning. Gorst was scathing of the proclamation, describing it as produced 'not so much with the view of producing an effect on the Maories themselves, as of justifying the war in the eyes of the British public'.<sup>84</sup> He was equally adamant that Waikato Māori did not receive the notice until after the Mangatāwhiri had been crossed, writing with respect to its 11 July date that 'This date is fallacious. I met the messenger, carrying the first copies printed in the native language, on the evening of July 14<sup>th</sup>, at dusk. He was then on the road between Auckland and Otahuhu, and did not reach Waikato until after the battle of Koheroa, which was fought on the 15<sup>th</sup>.'<sup>85</sup>

On the basis of this evidence the Waitangi Tribunal, mirroring the conclusions of the historians who have written on the subject over the years, concluded in its *Hauraki Report* that 'few Maori would have received the 11 July proclamation until *after* the troops had moved, on 12 July'.<sup>86</sup> In fact, *no* Māori would have received the proclamation prior to the crossing of the Mangatāwhiri River on 12 July 1863.<sup>87</sup> Hitherto neglected evidence reveals that the notice to the Waikato chiefs was still being drafted one day later, on 13 July 1863.<sup>88</sup> Among the miscellaneous correspondence files of the former Native Department is one that includes multiple drafts of the proclamation, each with various revisions. These include one with a minute initialled by 'FDB', (Francis Dillon Bell, then Native Minister) with the statement, 'This Revise submitted to His Excellency'. The minute is dated 13 July 1863.<sup>89</sup> While it might perhaps be suggested that Bell was retrospectively describing an action taken a few days before, this would not be consistent with contemporary practice. Countless files passed between officials and politicians in the nineteenth century, most of them with scribbled minutes, usually recommending, instructing or explaining actions taken, and nearly always dated contemporaneously with the event described. Indeed, it was often vital that this was the case to ensure that the sequence of instructions and actions remained clear. There is no reason to believe Bell's minute was any different.

Clearly, then, not only did the various hapū and iwi of Waikato never have any opportunity to comply with the demands set out in the proclamation, thereby protecting their own lives and lands, but — and perhaps rather more strikingly — it was never intended that they should be given such an opportunity. The notice to the 'Chiefs of Waikato' was little more than cosmetic window dressing designed (as Gorst suggested) more with a view to the court of British public (and Colonial Office) opinion than with any real concern as to what Waikato Māori might make of it or how they might respond. It was probably preferable, in fact, not to allow the hapū and iwi of the Waikato an opportunity to respond, lest they seek to comply with the terms demanded, thereby complicating the pre-determined decision to invade their district, establish military settlements and confiscate the lands of its inhabitants. A retrospective ultimatum would deny the tribes any opportunity to comply. The invasion was in this way perhaps even more cynical than has previously been described by historians.

Contrary to Domett's assertion, the government did have a choice between peace and war. It opted for the latter while denying Waikato Māori a similar opportunity to choose. Forced into a genuinely defensive war, they would pay a heavy price for the government's calculated act of invasion.

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## NOTES

1 On the origins of the war see: Keith Sinclair, *The Origins of the Maori Wars*, Wellington, 1957; Alan Ward, 'The Origins of the Anglo-Maori Wars: A Reconsideration', *New Zealand Journal of History*, 1, 2 (1967), pp.148–70; Harold Miller, *The Invasion of Waikato*, Auckland, 1964; B.J. Dalton, *War and Politics in New Zealand, 1855–1870*, Sydney, 1967; M.P.K. Sorrenson, 'The Politics of Land', in J.G.A. Pocock, ed., *The Maori and New Zealand Politics*, Auckland, 1965, pp.21–45; James Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland, 1986.

2 The Executive Council had met most recently on 15 and 20 June 1863, making the latter date the latest at which the plans could have been finalised and agreed upon. At its 20 June meeting the Executive Council agreed to employ 'certain friendly native chiefs, with their followers[,] in the defence of the borders along the Waikato', and it was also resolved that a British officer should be selected to command the men in question. However, there is no indication from the minutes that anything like the broad-ranging plans outlined in Domett's memorandum had been discussed on either date. Minutes of the Executive Council, 20 June 1863, EC 1/2, Archives New Zealand, Wellington (ANZ); W.P. Morrell, *British Colonial Policy in the Mid-Victorian Age*, Oxford, 1969, p.295, fn.2. The role of colonial secretary in the New Zealand Cabinet should not be confused with that of secretary of state for the colonies (often shortened to Colonial Secretary) in the British one. The British minister headed the Colonial Office.

3 Domett to Grey, 24 June 1863, *Appendices to the Journals of the House of Representatives* (AJHR), 1863, E-7, p.8.

4 *ibid.*

5 *ibid.*

6 Dalton, p.176.

7 Grey to Newcastle, 4 July 1863, AJHR, 1863, E-3, Sec.I, p.54. A ten-strong party of British troops had been ambushed at Oakura on 4 May 1863, and all but one killed. Many Māori attributed the attack to the recent government decision to seize control of lands at Tātaramaka that had been occupied by the Taranaki tribes as an equivalent for the disputed Waitara area. Grey, under fire for failing to return Waitara before the Oakura raid, preferred to point to rumours that Rewi Maniapoto had issued orders for the attack on behalf of the Waikato chiefs.

8 *ibid.*

9 Maunsell to Grey, 16 June 1863, AJHR, 1863, E-3, Sec.I, p.54.

10 Heta Tarawhiti to Maunsell, 16 June 1863, AJHR, 1863, E-3, p.55.

11 Maunsell to Grey, 16 June 1863, AJHR, 1863, E-3, Sec.I, p.54.

12 *ibid.*

13 *ibid.*

14 *ibid.*

15 Ashwell to Bishop Selwyn, 23 June 1863, AJHR, 1863, E-3, Sec.I, p.55.

16 Schnackenberg [to Grey?], 23 June 1863, AJHR, 1863, E-3, Sec.I, pp.55–56.

17 Schnackenberg to Grey, 23 June 1863, Schnackenberg Papers, John Kinder Theological Library, Auckland.

18 Buddle to Grey, 'Thursday afternoon', AJHR, 1863, E-3, Sec.I, p.56.

19 Speedy to Native Minister, 8 July 1863, AJHR, 1863, E-3, Sec.I, p.56.

20 *ibid.*

21 Alan Ward, 'A "Savage War of Peace"?' in Richard Boast and Richard S. Hill, eds, *Raupatu: The Confiscation of Maori Land*, Wellington 2009, pp.104–105.

22 Ashwell to Bishop Selwyn, 30 June 1863, AJHR, 1863, E-3, Sec.I, p.58.

23 Ahipene Kaihau to Speedy, 4 July 1863, 6 July 1863, AJHR, 1863, E-3, Sec.I, pp.58–59.

24 Hori Taurua to Speedy, 5 July 1863, AJHR, 1863, E-3, Sec.I, p.59.

25 Anon., 'Letter from Raglan', 4 July 1863, AJHR, 1863, E-3, Sec.I, p.60.

26 Anon., 'Letter from Raglan', 3 July 1863, AJHR, 1863, E-3, Sec.I, p.60.

27 Anon., 'Letter from Raglan', 6 July 1863, AJHR, 1863, E-3, Sec.I, pp.60–61.

28 Kukutai to Fenton, 7 July 1863, AJHR, 1863, E-3, Sec.I, p.61.

29 Rogan, Statement made by Anatipa at the Three Kings, 8 July 1863, AJHR, 1863, E-3, Sec.I, p.61.

30 Mark Somerville, statement before the Native Minister, 8 July 1863, AJHR, 1863, E-3, Sec.I, p.62.

31 Statement by the Rev. A.G. Purchas, 7 July 1863, AJHR, 1863, E-3, Sec.I, p.61. Thanks to Angela Ballara for checking my translation.

32 Cameron to Grey, 13 July 1863, *Great Britain Parliamentary Papers* (GBPP), 1864 [3277], p.38.

33 *Daily Southern Cross* (DSC), 6 July 1863 [report dated 29 June 1863], p.3.

34 *ibid.*

35 *ibid.*

36 *ibid.*

37 Officials sometimes sought to point to a letter penned by Wiremu Tamihana on 26 July 1863 in justification of their actions. In it Tamihana warned the Tauranga missionary Archdeacon Brown that unarmed people would not be spared and that the towns were vulnerable to attack, statements said to have proven that even moderate leaders of the Kīngitanga had been caught up in the war fervour. However, as Brown and others pointed out at the time, Tamihana's letter was clearly intended as a friendly word of warning and not a statement of intent. And despite being misdated in some official publications, it had also been penned two weeks after the British invasion of Waikato had commenced. Tamihana to Brown, 26 July 1863, AJHR, 1863, E-3A, p.7; Evelyn Stokes, *Wiremu Tamihana: Rangatira*, Wellington, 2002, pp.345–49.

38 Grey to Newcastle, 6 January 1864, AJHR, 1864, E-2 (appendix), p.3. Grey went on to ask whether, 'Under such circumstances, must it not be held that Her Majesty's forces may be moved into any part of her possessions, for the protection of the quiet and peaceable against the armed and turbulent who are plotting their destruction; and that the mere fact of their having marched across a certain stream to attain this object cannot be regarded as an act which justifies the turbulent in entering an European settlement, and in murdering inoffensive and unarmed settlers, or in attacking Her Majesty's forces?'

39 Dalton, p.178.

40 J.E. Gorst, *The Maori King, or The Story of Our Quarrel with the Natives of New Zealand*, London, 1864, p.377.

41 *ibid.*, p.373.

42 Bell to Mantell, 7 July 1863, Mantell Family Papers, MS-Papers-0083-245, Alexander Turnbull Library, Wellington (ATL).

43 *ibid.*

44 Isaac Shepherd (Oruanui) to C. Law, 2 July 1863, 6 July 1863, NZMS 1064, Auckland Libraries (AL); Brian Morehu McDonald, 'Rewi Manga Maniapoto: A Study in the Changing Strategies of Nineteenth Century Maori Political Leadership', MA thesis, University of Auckland, 1977, p.139.

45 Renata Tamakihikurangi and others to Featherston, 19 October 1863, AJHR, 1863, E-11, p.4.

46 Isaac Shepherd (Oruanui) to C. Law, 6 July 1863, NZMS 1064, AL.

47 However, Cameron was not recorded as being present at the Executive Council meeting on 20 June. Minutes of the Executive Council, 20 June 1863, EC 1/2, ANZ.

48 James Belich, 'Whitmore, George Stoddart', in *The Dictionary of New Zealand Biography*, Vol. One, 1769–1869, Wellington, 1990, p.591.

49 Whitmore to Mantell, 9 June 1863, Mantell Family Papers, MS-Papers-0083-402, ATL.

50 Whitaker to Richmond, 25 June 1863, in G.H. Scholefield, ed., *The Richmond-Atkinson Papers*, 2 vols, Wellington, 1960, II, p.52.

51 Ann Parsonson, 'Tainui Claims to Onewhero and Maramarua Forests: Historical Overview', Wellington, 1995, p.97.

52 D.J. Gamble, 5 August 1863, Journals of the Deputy Quartermaster General in New Zealand, 5 August 1863, p.43, WO 33/16, ANZ (microfilm copy of original documents held at National Archives, London).

53 *ibid.*

54 Parsonson, p.107.

55 *ibid.*; Gorst, p.383.

56 Notice, 9 July 1863, GBPP, 1864 [3277], p.36.

57 Gorst, pp.381–82. See also Henry Sewell, *The New Zealand Native Rebellion: Letter to Lord Lyttelton*, Auckland, 1864, pp.27–29.

58 Speedy to Native Minister, 10 July 1863, cit. Sewell, pp.26–27.

59 Halse to Native Minister, 10 July 1863, cit. Sewell, p.27.

60 Halse to the Native Minister, 13 July 1863, cit. Sewell, pp.27–28.

- 61 *ibid.*, p.28.
- 62 *ibid.*
- 63 Fulloon had also reported late in May that, when visiting Ōnehunga, he found ‘the natives of Manukau have been unusually busy in selling pigs, Fowls, produce &c. even chickens, taking whatever they could get for them’. Fulloon, Memorandum reporting visits to Māngere on 21 and 22 inst., 24 May 1863, MA 1/1863/144, ANZ, in *Raupatu Document Bank* (RDB), 139 vols, Wellington, 1990, LV, p.21025.
- 64 Halse to the Native Minister, 13 July 1863, *cit. Sewell*, p.29. One settler later observed that ‘The Ihumatau [sic] natives ... were good neighbours and very much respected by the settlers around; nearly all their houses and fences have been destroyed; their church gutted, the bell, sashes, door and Communion Tables stolen and the floor even torn up and taken away; and now their land is to be occupied by Mr. [Thomas] Russell’s brother-in-law’. *New Zealander*, 18 February 1864, *cit. Harold Miller, Race Conflict in New Zealand, 1814–1865*, Auckland, 1966, p.220.
- 65 Halse to the Native Minister, 13 July 1863, *cit. Sewell*, p.29.
- 66 Armitage to Native Minister, 12 July 1863, *cit. Sewell*, p.30.
- 67 Latin for household gods or deities.
- 68 John Featon, *The Waikato War*, Auckland, 1879, p.20.
- 69 Sewell, Journal, 19 July 1863, qMS-1787, ATL.
- 70 Sewell, Journal, 2 August 1863, qMS-1787, ATL. Emphasis in original.
- 71 Grey to Newcastle, 1 August 1863, GBPP, 1864 [3277], p.39.
- 72 However, Grey subsequently accused the Te Akitai chief Ihaka Takanini of plotting a wholesale ‘massacre of a part of the European population’. The rangatira and 12 men, along with seven women and three children, were seized by a combined force of Imperial and colonial troops at their village at Kirikiri on the morning of 16 July 1863. Ministers later admitted that there was no legal basis for their subsequent imprisonment, and the Attorney-General ‘twice advised that there was not evidence to establish any criminal charge against them’. A number of the group died during their captivity, including Ihaka himself, who passed away soon after the group were confined to the island of Rakino in the Hauraki Gulf. It was said that he had died of ‘homesickness and a broken heart’. Sewell, pp.31–32; William Fox, Statement of all Native Prisoners who have been permitted to go at large by or under the advice of Ministers, 1 July 1864, AJHR, 1864, E-1, Part II, p.34.
- 73 Halse, Memorandum for Mr. Bell on various subjects, 24 May 1863, MA 1/1863/145, ANZ, in RDB, LV, p.21031.
- 74 Grey to Newcastle, 1 August 1863, GBPP, 1864 [3277], p.39.
- 75 Fulloon to Native Secretary, 2 September 1863, *cit. Sewell*, p.30.
- 76 Henry Sewell, Journal, 19 July 1863, qMS-1787, ATL; J. Rutherford, *Sir George Grey K.C.B., 1812–1898: A Study in Colonial Government*, London, 1961, p.488.
- 77 Matutaera Potatau to Karaitiana, Renata, Paora, and Tareha, 21 August 1863, AJHR, 1863, E-11, p.1.
- 78 Porokoru Titipa and Taati Te Waru to Heremia Te Tihi and Wi Tako Ngatata, 29 June 1863, AJHR, 1863, E-3A, p.12.
- 79 Renata Tamakihikurangi and others to Featherston, 7 September 1863, AJHR, 1863, E-11, p.2. The government’s Māori-language newspaper, *Te Karere Maori*, was silent on the invasion of the Waikato when published on 18 July 1863. However, on 8 August 1863 *Te Waka Maori o Ahuriri*, a paper founded by Hawke’s Bay Superintendent Donald McLean, published an account of a recent meeting held at Pāwhakairo at which the situation in Waikato had been discussed. My thanks to an anonymous reviewer for pointing this out. See also Lachy Paterson, *Colonial Discourses: Niupepa Māori, 1855–1863*, Dunedin, 2006, pp.194–96.
- 80 D.J. Gamble, 5 August 1863, Journals of the Deputy Quartermaster General, p.44, WO 33/16, ANZ. See also Cameron to Secretary of State for War, 8 March 1862, CO 209/171, p.447, ANZ (microfilm copy of original documents held at National Archives, London).
- 81 Renata Tamakihikurangi and others to Featherston, 19 October 1863, AJHR, 1863, E-11, p.4.
- 82 Grey to Newcastle, 28 July 1863, GBPP, 1864 [3277], p.38.
- 83 Notice to Chiefs of Waikato, 11 July 1863, *New Zealand Gazette*, 15 July 1863, No. 29, pp.277–78.
- 84 Gorst, p.377.
- 85 *ibid.*, p.380. In fact, the Koheroa engagement was fought on 17 July 1863.
- 86 Waitangi Tribunal, *The Hauraki Report*, 3 vols, Wellington, 2006, I, p.205.

87 Just how widely the proclamation was distributed when it was eventually delivered to the Waikato is also open to question. Wiremu Tamihana, for example, later declared that he had never seen the proclamation. DSC, 29 December 1865, p.7.

88 Although it would appear that the first handwritten version was drafted on 11 July 1863, and the first proofs printed that same day. See Notice from Grey to Chiefs of Waikato, 11 July 1863, MA 1/1863/201, ANZ, in RDB, LV, pp.21133–36.

89 Draft notice to the Waikato tribes, 13 July 1863, MA 24/22, ANZ, in RDB, LXXXIX, p.34131.