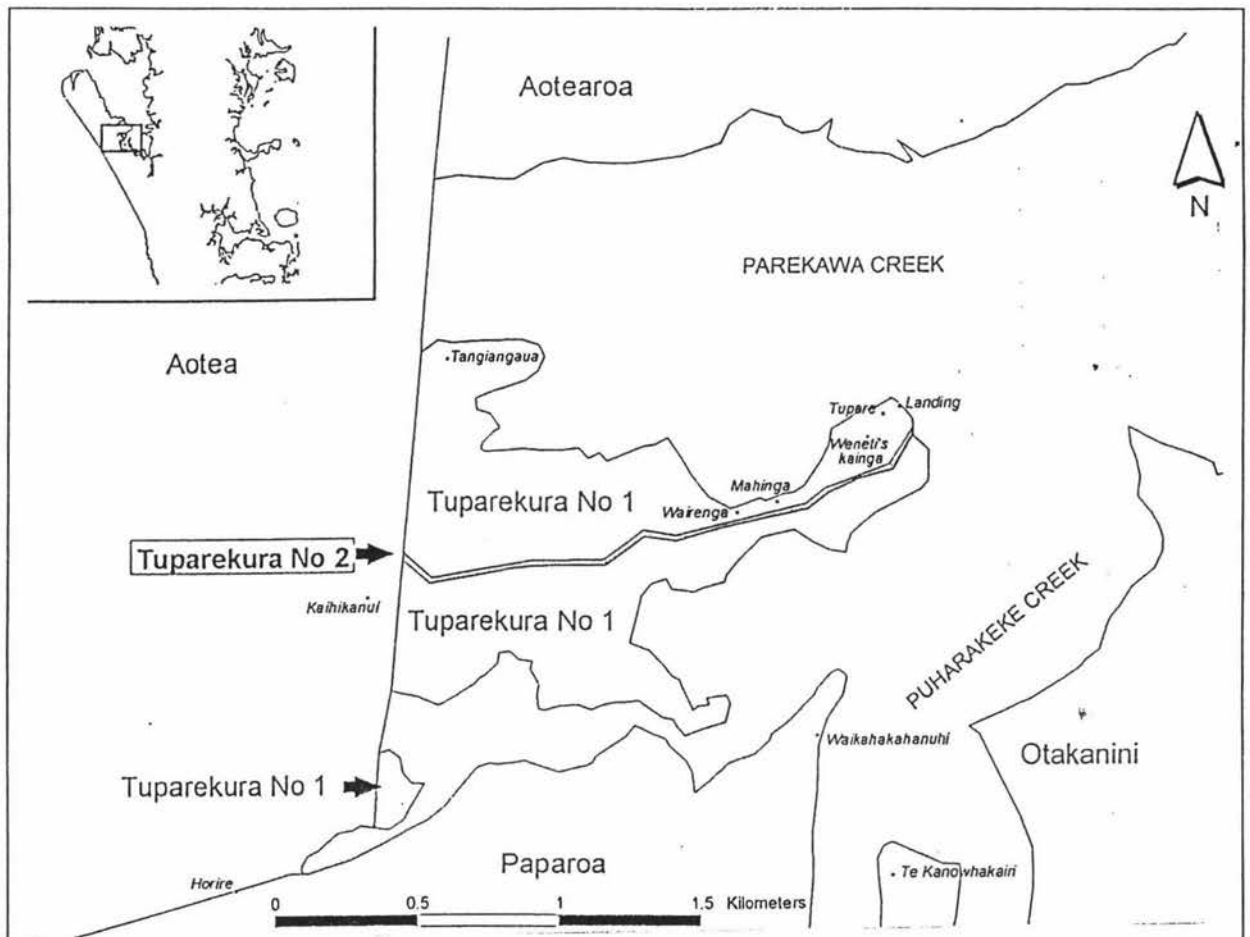




The Fenton Enclave: TUPAREKURA Nos. 1 & 2

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Chapter 5

TUPAREKURA: 'White Mischief' Afoot

Tuparekura shares at least two aspects in common with its distant connection Pukapuka: it has no history, at least none in the conventional formalised form that we know as a micro-history; and it features, more prominently than in Pukapuka, an actor crucial to the Land Court's foundational acts: Francis Dart Fenton. In the Pukapuka scenario his role is that of witness called to support the Mahuta claim (and rebutt the counter-claim of Paora Tuhaere) the 1890 title investigation; in the Tuparekura history his role is a personal one of alienator. The history of Pukapuka will follow that of Tuparekura.

Tuparekura, a 289 acre block has been chosen to highlight some of the quirky features of the Native Land Court system, two of which will be introduced immediately and returned to in full later: first, in the initial alienation process, 7 acres of Tuparekura (for which he publicly declared he had no need to obtain title) became the *personal* property of Francis Dart Fenton, the Chief Judge of the Native Land Court;¹ secondly, Tuparekura shares with a few blocks in the Kaipara and many throughout Aotearoa/New Zealand the phenomenon of a mistaken belief that land may appear to be wholly alienated by the process of the sale of shares in a multiple land holding, yet closer interrogation often reveals incomplete alienation as a result of errors and oversights made in the complex business of ascertaining the exact status of a fraction (defined or undefined on the ground) of partitioned and fragmented land holdings.

These two aspects are quite discrete, not connected. Arising out of each of these there are at least two features worthy of the historian's attention: (1) a roadway 2 chains wide and a few miles in length and later surveyed as 20:1:00 a.r.p. in area was delineated through the larger block and given a separate 'conventional' block title; the rationale behind this was probably to give the Fenton family access/egress to and from the Kaipara harbour from the western-adjointing block of Aotea, which Fenton had acquired on 8 May 1880 from the two European titleholders (Sir Henry Brett, an absentee owner resident at Pupuke, Takapuna, on Auckland's northern shores, & H.E. Williams); (2) the process of

¹ My emphasis; *AJHR* 1891, G-1, p.49.

fractionation, inherent in the system of multiple share ownership and equitable sibling inheritance and for which Fenton was largely responsible in introducing and implementing on a national scale, brought confusion as to legal entitlement, with the result that one of the two Tuparekura daughter blocks was for some time believed erroneously to have been *wholly* alienated.²

This however is to anticipate the very interesting and unique events that shape this history of Tuparekura. As usual in the mode of presentation commences with a brief chronological guide to the alienation process.

TUPAREKURA No. 1: Stamping The Colonial Template On Maori Land

Title Created: Title Investigation – NLC, Te Awaroa (Helensville) 15 July 1880.
Grantee: Patoromu Te Akariri.
Area: 289: 2: 7 a: r: p.
Survey: ML4978-A, R. Connell.
Costs: £2/-/- court costs.
£7/-/- for survey.

Extending the process of alienation of Tuparekura No. 1

- * Lease to Ihapera Nelson for 21 years from July 1880.
- * Assignment of lease from Ihapera Nelson to Francis Dart Fenton, February 1882.
- * Transfer by way of 'sale' of 'Part A' of 7:0:00 a.r.p. for 10/-/- from Patoromu Te Akiriri to Francis Dart Fenton, 12 December 1888. The sale was not immediately recognised by the NLC.
- * Lease to J.A. Wilson of part of block (which later became 1B), for 25 years (RR), at £15/15/- p.a. rental, 26 August 1910. Confirmed MLB 27.7.1911.
- * Partition into 1A of 71:0:30 a.r.p. and 1B of 216:2:11 a.r.p., NLC, 26 July 1911.

TUPAREKURA No. 1A: Stamping The Colonial Template On Maori Land.

Title created: Title Investigation – NLC, Te Awaroa (Helensville), 26 November 1911.
Grantee: One Maori owner.
Area: 71: 0:30 a. r. p. Total acreage until 1931 when most of '2' (the "Road") was merged, making a new total of 82:2:00 a.r.p.
Survey: ?.
Costs: £? court costs.
£24/5/- for survey.

Extending the process of alienation of Tuparekura No. 1A

- * Partial transfer of interests (2/7 ths = 20:0:00 a.r.p.) for £40/1/6, from Maori owners to Harold Monk confirmed by NLC in July 1931.
- * Partition into 1A1 of 41:3:11 a.r.p. with 1 owner (Monk.) and 1A2 of 40:2:29 a.r.p. (10 Maori owners.)

Alienation of 1A1 completed.

² My emphasis; F.D. Fenton, 1879, pp.18-19.

TUPAREKURA No. 1A2

Title created: Title Investigation – NLC, Te Awaroa (Helensville), 8 July 1931.
Grantee: 10 Maori owners.
Area: 40: 2:29 a. r. p.
Survey: ?.
Costs: £? court costs.
£? for survey.

Extending the process of alienation of Tuparekura No. 1A2

- * Purchase by E.G. Leighton (the titleholder of the adjacent blocks of Tuparekura 1A1, 1B, part of “2” and part of Aotea block) of the interests of 8 Maori owners, 1964 (= ca. 36:0:00 a.r.p.) 14.12.1964. The MLC refused to confirm transfer because not all 11 owners had signed the deed.
- * Purchase by E.G. Leighton of 2,381 shares via the Maori Trustee on 14.10.1970. This was confirmed by the NLC on 17/2/1971. Leighton’s shareholding stood at 47,619 shares out of a total of 57,143 (= ca 37:0:00 a.r.p.)
- * Declaration by MLC that 1A2 remained Maori freehold land, 26.4.1983. The two outstanding interests of 2/ 21 ths were succeeded to by the nine and ten children respectively of Eruini and Wirihana Hawke.
- * Unsuccessful suit by Leighton to have 1A2 declared “general” land in 1993; the other 19 owners (all Maori) declined consent.

TUPAREKURA No. 1B

Title created: Title Investigation – NLC, Te Awaroa (Helensville), 26 November 1911.
Grantees: several Maori owners.
Area: 216:2:11 a. r. p.
Survey: ?.
Costs: £? court costs.
£? for survey.

Extending & completing the process of alienation of Tuparekura No. 1B

- * Tokerau Land Board approved purchase by Harold R. Monk of 144:1:21 a.r.p., 11.11.1920.
- * Tokerau Land Board approved purchase by Harold R. Monk of 72:0:30 a.r.p., 21.9.1921.

Alienation of Tuparekura 1B completed.

TUPAREKURA No. 2 (“Road”) : Stamping The Colonial Template On Maori Land

Title created: Title Investigation – NLC, Te Awaroa (Helensville) 15 July 1880.
Grantee: Patoromu Te Akariri.
Area: 20: 1: 00 a. r. p.
Survey: ML 4978-A, R. Connell.
Costs: £2/-/- court costs
£? for survey.

Extending and Completing the Process of Alienation of Tuparekura 2

* Sale to Francis Dart Fenton for £10/-/-, 15 February 1881.

N.B. Harold Monk acquired No. 2 from Fenton's successors in 1924 and proceeded to incorporate the part of it (11:1:10 a.r.p.) contiguous with Tuparekura 1A within Tuparekura 1A (ibid,above.) The 'unused' part of '2' was included in Tuparekura 1A2 (q.v.).

Alienation of Tuparekura 2 completed.

All histories however require a contextualized placement: spatially and temporally and we now turn to a reflexive reconsideration of the micro-history of Tuparekura.

The Native/Maori Land Block known as Tuparekura is located on the eastern littoral of the southern Kaipara peninsula. The historic Tuparekura consisted of two parcels of land, one very much larger than the other, the former being a peninsula of 282:2:7 a.r.p. bound on its northern, eastern and southern margins by the Kaipara Harbour, and on its western flank by the Aotea block; the latter, infinitely smaller parcel, being but the tip of a separate peninsula of 7:0:00 a.r.p. located southwards from the much larger parcel, across a narrow estuary, and bounded by the harbour on three sides – north, east and south, and on its western boundary by the Aotea block. A sharp focus needs to be trained on the confusing and shifting pattern of block nomenclature (descriptors and numerators.) As Michael Belgrave has pointed out in his overview of the Land Court alienation process in the Auckland district, Maori land block appellations sometimes defy all logic.³

In this respect Tuparekura is somewhat different from other Tai Tokerau blocks in that one descriptor was used during the period of its 'informal' alienation, and a second set of simultaneous 'parallel' descriptors were given when matters were formalised from the time of the 1880 title investigation and first partition. This confusing situation arose solely out of the singularly idiosyncratic behaviour of the Chief Judge of the Native Land Court.

Thus, in some legal land administrative documents the larger peninsula was designated as Tuparekura 'B'; and the tip of the second peninsula was designated as Tuparekura 'A'. The latter was the smaller block which F.D. Fenton

‘acquired’ informally. From the time of the first title investigation and partition in 1880 the appellation ‘B’ of the ‘informal’ 282:2:7 a.r.p. parcel disappeared and the designations Tuparekura 1 and 2 were applied to it; in the meantime, the appellation of the smaller ‘A’ parcel, ‘owned and occupied’ by the F.D. Fenton’s successors up till about the second decade of the new century seems to have remained in a legal limbo until it was subsumed within the neighbouring Aotea block (owned by the Fentons) sometime after 1915.

There are no extant texts which account explicitly for these shifts in appellation. It is necessary to go behind or beyond the text – to make informed inferences sub-textually in order to flesh out the bones in the evidential record. A closer examination of the detailed recorded processes involved in alienation, partition, and native succession between 1880 and 1915 suggests that the Fenton interests played a leading role.

Thus, before moving on to some of the detail that this introduction summarises, the situation at the turn of last century was:

- Tuparekura ‘A’ of 7:0:00 a.r.p. was ‘squatted on’ by the successors to F.D. Fenton (d. 23.4.1898), presumably his two sons, Roger Edward and Carleton Hugh, whom we shall meet in later on in the history of the adjoining block of Paparoa ;
- Tuparekura ‘B’ (known as Tuparekura 1 and 2 from the time of the first title investigation in 1880) of 282:2:7 a.r.p. was Maori Land in the name of the six successors (three of whom each held $\frac{1}{4}$ share; and three of whom each held $\frac{1}{12}$ th of a share) to Patoromu Te Akiriri (d. before 29.11.97, probably in 1891, at Shelley Beach, Kaipara), the first sole titleholder.⁴

Fenton’s Unique Arrangement

Modern (or postmodern!) sensibilities may find the singularly distinctive behaviour of Francis Dart Fenton, Chief Judge of the Native Land Court quite inappropriate in present day’s terms, but in the context of his own time and place, the incidence of informal and specific ‘treaties’ between settlers and and representatives of local hapu throughout the early stages of the colonisation

³ M. Belgrave, *Counting The Hectares*, 1997, op.cit., pp. 11-12.

⁴ MLC-A 2 20 Successions, Book 3, 1896-1906, p.23.

process was or had been the norm, at least up to the 1860s. Fenton had seen at first hand in the Waikato and the Kaipara many distinctive styles of land buying operations in the late 1850s and early 1860s.. What is perhaps a little distinctive about Fenton is that he allowed the continuation of the informal system well into the period - some 30 or so years - of the operations of the Native Land Court entirely for his own, and his family's benefit.⁵

It is a matter of public record that he was a most out-spoken and controversial figure. Yet there was nothing covert about his operations. This detailed history of his own personal land dealings opens, perhaps appropriately with the account he gave to the 1891 commission into the Native Land laws of his involvement in the Tuparekura block: ⁶

I bought seven acres of land – a corner of a block of 300 acres, of which I held a twenty one years' lease because it contained a convenient landing place for my boats. There was only one owner. He asked me ten pounds and also wanted me to surrender the lease. I surrendered the lease and paid him the ten pounds for the seven acres. He was perfectly satisfied and thought he had done a good thing; but I cannot get a Crown title.

Why not?

The law does not provide for such cases. You can get a title for an undefined piece of land, share of an estate, but where it is defined you cannot get a title. My case has one advantage. I have full confidence in the vendor. I have his deed, witnessed by a Native Land Court Judge, and passed by the Trust Commissioner according to law, and the land was fairly bought for a due consideration. There I am on my land, and I escape all rates and taxes through want of a Crown title, so that I am not so badly off after all.

Yet you cannot get or transmit a title?

No, nor do I want to so long as I am alive, or while my children are alive. We do not want to sell or part with it. .

From the official extant primary records a short history of, first, the initial alienation process of the general block known as Tuparekura; and second, the processes whereby confusion arose as to the total alienation of Tuparekura 1A1 - but a bare skeletal outline - can be re-constructed.

⁵ W. Renwick, 'F.D. Fenton', in *DN ZB*, Vol. 1, 1990, pp. 121-2, and A. Ward, *A Show of Justice*, 1995, op. cit., (passim.)

⁶ *AJHR*, 1891, G-I, p.49.

The First Alienation

An investigation of title into the land block known as Tuparekura was held at Te Awaroa/Helensville on 13 July 1880 before Judge Rogan. The claimant Patoromu Te Akiriri was awarded the title to the two partitioned portions of the original block, Nos. 1 (of 282:2:7 a.r.p.) and 2: 'the road', (of 20:1:00 a.r.p.) Shortly after the grant for No. 2 was issued to Patoromu Te Akiriri, the land was transferred to the well-known Maori wife of local Pakeha identity, surveyor, land speculator and interpreter Charles Nelson, Ihapera/Isabella Nerihana/Nelson. She transferred the title within a year (in 1881) to Fenton. There is only very scattered textual evidence in the land administrative and land court records on this woman. A surviving photograph in the local Te Awaroa/Helensville museum captures the very appealing beauty of this 'half-caste' woman.

A transaction in the western-neighbouring block of Aotea was undoubtedly closely linked to this latter transfer. In early 1880 Fenton had acquired the title to Aotea from the original alienees, Sir Henry Brett and H.E. Williams. The acquisition of the title to the Tuparekura 'road' block would have given Fenton access to the Kaipara Harbour from the Aotea block. It is perhaps more than a coincidence that the survey of Tuparekura defined a road running west-east through Tuparekura from the Aotea boundary to the tip of the peninsula. There is no written record to corroborate the evidence given by Fenton at the 1891 Commission inquiry that he had an informal lease of what became Tuparekura 1 from Patoromu. Retrospective re-construction from the surviving records would suggest the following probable scenario:

In return for relinquishing the informal lease of the entire block Patoromu entered into an agreement to sell Fenton the seven acres at the tip of the adjoining peninsula and on which Fenton had established his residence, 'Crosland'. As a double surety of Fenton having continuing access to the Kaipara Harbour a road (which became Tuparekura No. 2, with a separate title) was cut from the surrounding block (to be called No.1.) For reasons that are not clear Ihapera Nelson acquired the title to the road. She held that title for a brief period before transferring it to Fenton in 1881. The documentary record of the Court order for a Memorial of Ownership to be issued in the name of Patoromu Te Akiriri has a

hand-written note scribbled above the word "Patoromu" bearing the words: "altered to Ihapera Nerihana [Nelson] at the request of Patoromu." ⁷

Local archaeological and other circumstantial corroborative evidence would suggest that Fenton had occupied and resided occasionally on the seven acres for several years prior to 1881. It was given the English name 'Crosland' and was the base for Fenton's pioneering viticultural work in the local district. Yet as we have seen above in his evidence to the 1891 Commission he steadfastly refused to obtain title to this small 'block'. On 12 December 1888 he settled the informal transaction with Patoromu for the sum of £20/-/-, but the Native Land Court did not recognise this immediately. The formal transfer was not entered in the records until 1909.⁸

The documentary trail with respect to the seven acre block after 1909 becomes very convoluted, but it is not appropriate or relevant to re-construct its history. What remains certain is that the alienation of the small block from Maori to colonist began as an informal lease agreement sometime in the 1870s between the Chief Judge of the Native Land Court, Francis Dart Fenton and a local Maori, Patoromu Te Akiriri, probably well known to Fenton; the formal title was not recognised by the Native Land Court and the Land Transfer Office until 1909.

The Missing Shares and the Incomplete Transfer.

The main block of Tuparekura had the appellations (with area) No. 1 (289:2:7 a.r.p.) and No. 2 (20:1:00 a.r.p.). It was partitioned in 1911 following a Native Land Court order because a 25 year lease at £15/15/- p.a. for part of the block (216:2:11 a.r.p.) which became 1B had been granted to J.A. Wilson in 1910. Tuparekura 1A (71:0:30 a.r.p.) remained Maori land. It is this 'daughter' block that is the focus of the narrative recounting the process of partial and incomplete alienation.

The Tuparekura 1B block was purchased over the period of a year (1920-1) in two stages by Harold Monk, a son of Richard Monk, sometime MHR, and alienor and titleholder of part of the mid-Kaipara valley block of Paeroa No. 1 and its small adjacent block, Paeroa No. 3. The Monks were a well known settler

⁷ NLC-W, 80/3336.

⁸ Transfer 50089, NALTO, 17.5.1909.

family in the district.⁹ Harold Monk had acquired all the interests in 1B from Maori shareholders by 1922, so that at that date only Tuparekura 1A of some 71 acres remained in native ownership. The successor to Harold Monk, his son Percy set about acquiring all of Tuparekura 1A from the twenty owners in 1930. That process, continued by his successors in a further sub-divided portion, known as 1A2, (as will be recounted below) had not been completed by 1999; yet the present titleholder, E.G. Leighton of the majority of undivided shares in Tuparekura 1A2 has been carrying out farming activities as if he were the outright owner. Leighton had began acquiring shares in the grand-daughter block in 1964. As well, he had become the outright owner of the adjoining Tuparekura 1A1, part of Tuparekura 2 and part of the adjoining Aotea block.

As we have noted in our introduction the process of the purchase of shares in Tuparekura 1A from the native shareholders began in 1930. The block was at the far end of a peninsula bounded on three sides by the Kaipara Harbour and in the west by Tuparekura 1B. The only practical access was by way of the mud-flats. The 1A block had remained undeveloped and was reported as being covered in scrub and infested with rabbits.

A development in the alienation process of Tuparekura 1A occurred as the outcome of the purchase by Monk of the shares of some titleholders who were minors (with the consent of their trustees.) The issue was brought to the attention of the Tai Tokerau District Native Land Court Judge F.O.V. Acheson. He ruled that the transfer was not in the best interests of the minors. The application to have the purchase of the whole block confirmed was struck out until a meeting of the owners could be held.

At a meeting in February 1931 the majority of owners of 1A present were against the proposal to sell the whole block to Monk.¹⁰ As a result, only a partial transfer of interests to Monk (2/7ths equating to 20 acres) for £40/1/6, was confirmed by Judge Acheson in July 1931. The subsequent partition saw the western portion of 1A (given the appellation 1A1) go to Monk and the balance at

⁹ Refer Chapter 3, PAEROA, pp.62 ff. (above.)

¹⁰ Minutes, Meetings of Owners, 17.2.1931, NA-A: Maori Files: BAA1, A139 MA-W, R 6276, Box 234.

¹¹ M.I. van Ruyssvelt, Senior Clerk, to Judge Gillanders Scott, Tuparekura Correspondence File, Tai Tokerau MLC-W, K318, 8/9/1964.

the tip of the peninsula (1A2) remained with the Maori owners. An urupa containing five graves of 9:1:08 a.r.p. located at the eastern tip of the block was noted in the partition hearing, was to have been cut out, but this injunction was never carried out.

There was also the problem of Tuparekura No.2, the 20 acre road strip running east-west from the Kaipara Harbour through 1A and 1B to the Aotea block. This strip, originally owned by Fenton was acquired by Harold Monk from the estate of Roger Fenton (the son of the Judge) in 1924. In 1931 Tuparekura 2 was amalgamated into 1A enabling Monk to merge part of the road-line (11:1:10 a.r.p.) with his 2/7ths interest making a total acreage of 31:2:24 a.r.p.¹¹ The unused part of Tuparekura 2 ('the road'), was included in Tuparekura 1A2. The purchase by Monk of another 'seventh' (10 acres) in 1A in August 1931, took his total acreage to 41:3:11 a.r.p. The remaining balance of 41:1:22 a.r.p. (Tuparekura 1A2) stayed with the Maori owners but was effectively cut off from any other access except the mud flats. This portion included the urupa. Tuparekura 1A2 has remained intact since 1964 when E.G. Leighton first began to acquire the interests of Maori shareholders. In 1963 the Commissioner of Crown Lands advised the Maori Land Court that Leighton had applied to reclaim part of the Kaipara Harbour. It has been noted above that Leighton had already acquired the title to No. 1A1, part of No. 2 ('the road') and part of the western-adjointing block of Aotea. Leighton planned to stop-bank and then grass 78 acres in the vicinity of Tuparekura 1A2. This plan would clearly impact on the remaining Maori land. Thus it was necessary for the owners to be approached for the surrender of their riparian rights.¹²

Leighton purchased the interests of several owners in 1964, but the Maori Land Court refused to confirm the transfer to him because not all the owners had signed the deed. There had been a succession in 1964 which had increased the number of owners of Tuparekura 1A2 to eleven. The Maori Land Court suggested that Leighton should apply under Section 387 or 438 of the Maori Affairs Act

¹² M.I. van Ruyseveldt, Senior Clerk, to Secretary for Marine, Tuparekura Block Correspondence File, Tai Tokerau MLC-W, K 318, D.B.33/3/43.

1953 to have the land block placed under the aegis of the Maori Trustee. In February 1965 Leighton's proposal for reclamation was approved under Section 178 (b) of the Harbours Act 1950. Several months later the Maori Appellate Court confirmed a transfer of 45.24 shares out of a total of 57.143 shares to Leighton. In 1970 a further 2.381 shares were acquired, to bring his shareholding to 47.619, equating to approximately 37 acres.

No partition has been made to date. Tuparekura 1A2 was declared to be Maori freehold land by the Tai Tokerau Maori Land Court on 26 April 1983. On the Schedule of Ownership Orders E.G. Leighton is recorded as a European holding 47.619 shares. The outstanding 9.524 shares in Tuparekura 1A2, representing about 4 acres in the theoretically 'undivided' block were succeeded to by the nine and ten children respectively of Eruini and Wirihana Hawke in May 1986. One of the nine children is Joe Parata Hawke of Bastion Point fame. Leighton's attempt to change the status of 1A2 to 'general' land in 1993; he was unsuccessful in obtaining the consent of the other title-holders, the Hawke whanau.

At the time of writing access to the 41 acre block at the tip of the Tuparekura peninsula by the successors of Eruini and Wirihana Hawke is a continuing issue, due to difficulties with Leighton, the owner of the majority of shares. Leighton's projected reclamation schemes have never been realised.

Conclusion

The initial informal alienation of the seven acres of Tuparekura is not so much remarkable in its very occurrence, because there were many, often unrecorded instances of this throughout the colony. No, it is rather the very fact that the act was carried out by a man the architect and engineer of the land title system between 1865 and 1881. There can be little question that Fenton perceived himself in a personal colonist's role in his relations with the indigenous people involved in his purchase of the seven acres and his persistent refusal to seek title for it. His personal relationship with both Ihapera Nelson and Patoromu Te Akariri was almost certainly in this mould. The public record – the texts – ironically indicate that the whole transaction was regarded as quite literally 'beyond the text', that the natives/Maori alienating were regarded as beyond

ordinary normative processes of consciousness, public acknowledgement, etc. But in rejecting any move to give the transaction any public acceptance and authority Fenton was carrying out his own private act of colonisation.

The other feature of the Tuparekura which requires attention in these concluding comments is that concerning the so-called 'lost shares'. It is a curious twist of the highly complex succession patterns (which we have already noted was one of Fenton's foundational acts in 1867) that a Maori whanau prominent in both Orakei and the southern Kaipara should have succeeded to the 9.524 shares. This is but one of the thousands of examples nationally of the long-term outcomes of the Papakura case 1867 cited in the introduction. The succession of Eruini and Wirihana Hawke occurred well before one of the members of the Hawke whanau came in to the national spotlight in his Bastion Point protest in 1977-8. Unlike Bastion Point at Orakei, the sea-marsh lands at the tip of the Tuparekura peninsula remained the concern of only one acquisitive alienor and his few agents. The Hawke whanau only became aware of the intrinsic value of their fractionated small-holding in any resistant sense after the events of Bastion Point. That served to galvanise their resolution to remain non-sellers in Tuparekura 1A2.¹³ In a very real sense the Hawke whanau's relationship with Tuparekura and the would-be alienor during the early period when they were ignorant of their titleholding remained 'beyond the text'; yet paradoxically when they became conscious of their shareholding they were immediately brought into a conscious relationship with the legal freedoms and constraints of the capitalist market-place. The outcome of the attempt to oust them from their inheritance was a refusal by them to allow that appropriation. Metaphorically they may have once been beyond the text, mere anonymous titleholders, but from the moment of their cognisance of their title they ironically became other than colonised.

¹³ Personal communication with Grant and Rocky Hawke, and Nellie Clay (of the Hawke whanau), 1998.