

# The alienation of the Opuatia Block: A GIS Case Study



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## Mihi<sup>1</sup>

Tiipa tangata, Tiipa whenua, Tiipa te iwi.  
Puea te putaiāo, te katonga whenua, te weherua atu o rātou te āka te rēinga.  
Hīria he oranga hei painga mo te iwi  
mo ake tonu atu.

Tiipa the person, the land, the people.  
Let our science and ways of knowing flourish, about our lands that were severed  
from us, and our ancestors who have departed.  
So that our collective wellbeing may likewise flourish  
and endure.

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<sup>1</sup> Mihi provided by Karu Kukutai

## Executive summary

This report provides an analysis and visualisation of the fragmentation and alienation of the Opuatia block (Opuatia hereafter), as well as changes in its ownership and geographic structure since 1866.

The three main aims are to quantify the amount of Opuatia remaining in Ngāti Tiipa ownership at the end of each decade, identifying critical moments in time, and highlighting the processes through which Opuatia was alienated and fragmented. These questions are addressed through a bespoke method that was developed to link data from several sources. These include (but are not limited to) historic records of land alienation, held by the Māori Land Court, and geospatial information available through Land Information New Zealand.

The key findings show that approximately 94% of the original Opuatia has been alienated, with only small parcels of land remaining in Ngāti Tiipa ownership. The late 1890s and early 1900s were a critical period where over 80% of alienations were carried out. The results indicate that the Crown was a key driver of this process, directly alienating more than 18,000 acres from Opuatia, much of which was taken on a single day in 1896. Individual settlers were responsible for most other alienations, and some of the same names appear several times in the historical record as settler families alienated clusters of land to build up significant stakes in the area. Finally, another result of this report is the method itself, which outlines an approach for tracing a defined block of land through the Native Land Court and linking this information to geospatial datasets.

The limitations of this report include the poor interoperability of key data sources, and the barriers that this presents to other hapū or organisations who may want to replicate this work. A more detailed investigation of archival records is required to examine the specific reasons behind why each parent block, and the subdivisions with them, was alienated from Ngāti Tiipa ownership.

## Purpose of this report

This report, undertaken for the Counting our Tūpuna project, provides an analysis of the fragmentation and alienation of the 45,500 acres<sup>2</sup> of land known as the Opuatia Block (Opuatia hereafter). Opuatia is in the borderlands that straddle southern Auckland and northern Waikato, and which include the customary rohe (territory) of Ngāti Tiipa.

Ngāti Tiipa are one of the 33 iwi and hapū that comprise the Waikato-Tainui confederation.<sup>3</sup> Tiipa was the son of Paoa, the founding ancestor of Ngāti Paoa, who lived with this first family at Kaitotehe opposite Taupiri maunga (Kelly, 1949). After an embarrassing incident in which he failed to provide adequate sustenance for his brother's visiting party, Paoa departed to Hauraki where he met Tukutuku, a granddaughter of Tamaterā (Ngāti Tamaterā) and great-granddaughter of Marutūāhu. There he had a second family, including Tiipa (Kukutai et al., 2021). Paoa remained in Hauraki where his descendants, Ngāti Paoa, occupied the western shores of the Hauraki Gulf. Around the mid - 17<sup>th</sup> century Tiipa settled at Waikato Heads in the area also known as Te Pūaha o Waikato. The people of Ngāti Tiipa all descend from this tūpuna.

For Ngāti Tiipa the period 1840-1900 was a tumultuous one. It included invasion and warfare, raupatu (land confiscation), diminished mana motuhake (political autonomy), dispersion, disease epidemics, demographic 'swamping' by settlers and rapid population decline. Ngāti Tiipa's lands were included in the 1.2 million acres of Waikato land confiscated under the New Zealand Settlements Act 1863. However, 45,500 acres was subsequently returned to them under provisions in the Act which allowed compensation for loyal or neutral tribes whose lands and livelihoods were affected by confiscation (for a fuller account of Ngāti Tiipa's role in the Waikato wars, see Ewe, 2020; Kukutai et al., 2021). The Certificate of Title for Taupari and Opuatia shows the land was awarded to Waata Kukutai and nine others (Certificate of Title, 1866), in keeping with the Native Land Court's (NLC hereafter) notorious '10 owner' rule which was not abolished until the Native Lands Act 1874 (Taonui, 2012).

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<sup>2</sup> While the original 1866 title for Opuatia notes an area of 45,500 acres, a subsequent 1891 land title estimates the area of Opuatia as 46,195 acres (Certificate of Title, 1891)

<sup>3</sup> This description of Ngāti Tiipa comes from Kukutai et al., 2021

The purpose of this report is to provide an in-depth assessment of changes in the ownership and geographic structure of Opuatia, from its inception to the present. Such an analysis has not been hitherto attempted. Three key questions guide this research:

1. How much of Opuatia was still in Ngāti Tiipa **ownership** at the end of each decade, from 1870 through to the present?
2. What were the **critical moments in time** for the fragmentation (dividing up) or alienation (through 'purchase' or compulsion) of Opuatia. To what extent did this timing vary across the constituent blocks?
3. What were the key **processes** by which Opuatia was either fragmented or alienated?

## Background

### *Context*

The experiences of Ngāti Tiipa are unusual in the Waikato-Tainui rohe, and nationally. Ngāti Tiipa were among only a few hapū/iwi that experienced raupatu under the 1863 Act but afterwards received land back. This means that Ngāti Tiipa lands in 1866 have clearly defined boundaries. Although these boundaries were constructed by the Crown, and do not represent the full extent of the Ngāti Tiipa customary rohe (this matter is covered in a separate report for this project by John Rapana), it means that there is a clear picture of the amount of land that was in Ngāti Tiipa ownership in 1866. This provides a distinct starting point for a qualitative analysis of the alienation and fragmentation of Ngāti Tiipa land. In the time since 1866 a huge proportion of the block has changed hands from Ngāti Tiipa to settlers and the Crown, and it is estimated that only 952 ha of land in the area of the original Opuatia is currently classed as Māori Land.<sup>4</sup> Waikato-Tainui negotiated directly with the Crown and signed a Deed of Settlement in 1995,<sup>5</sup> and therefore a Waitangi Tribunal investigation and report has not detailed the exact amount of land alienated from Opuatia, the key dates when this happened, and details of the process of alienation.

### *Similar reports*

Most approaches to examining land alienation have previously been developed to understand the quantity and value of land alienated within specific rohe in support of Waitangi Tribunal claims in a pre-settlement context. One example of this is the scoping report which aimed to quantify Māori land alienation in the Te Rohe Pōtae inquiry district (Heinz, 2008). Although the context and research questions for Ngāti Tiipa are different, the Te Rohe Pōtae scoping report provides a useful template as it is also concerned with discerning the amount of land alienated in each decade. Furthermore, it refers to several other quantitative Waitangi Tribunal studies of land alienation in Wairarapa,<sup>6</sup> the Central

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<sup>4</sup> According to information held by Māori Land Online (2021)

<sup>5</sup> The Waikato-Tainui Deed of Settlement can be found here:  
<https://www.govt.nz/assets/Documents/OTS/Waikato-Tainui-Raupatu/Waikato-Tainui-Deed-of-Settlement-22-May-1995.pdf>

<sup>6</sup> Ellis et al. (Wai 836, A70)

North Island,<sup>7</sup> Whanganui,<sup>8</sup> and Tauranga,<sup>9</sup> and summarises the key sources and approaches used in these studies.

### *Literature*

While not examining the experiences of Ngāti Tiipa specifically, the published literature describes the role, processes, and outcomes of the NLC and provides important context and insight. A key book is David Williams's (1999) *Te Kooti Tango Whenua* which details the workings and impact of the NLC between 1864 and 1909. Williams outlines the process and methods by which Māori customary title was extinguished, replaced with individualised titles vested in the Crown, and alienated into Crown or settler ownership through the NLC. The first sitting of the NLC was at Kaipara in 1864. While in its first 45 years a huge amount of legislation concerning the Court was passed, the Court's main purpose was to clarify the ownership of Māori land so that clearly defined and tradable titles could be issued (Williams, 1999). This was closely tied to the objectives of colonisation, and Dr. Pollen remarked in 1896 that the "object and business in this Colony was to obtain possession of the lands of the Natives, *recte si possimus, si non quocunque modo* [legally, if possible; if not, by whatever means]." (Williams, 1999, p. 32).

The NLC was so effective in achieving this goal that between 1865 and 1900, around 13 million acres of Māori land passed through the Court, extinguishing Māori customary tenure and replacing it with freehold grants to Māori individuals (Williams, 1994; Boast, 2017). This had the effect of fragmenting and individualising hapū land which sped up the process of settler and Crown land purchases, often through underhanded means. For instance, NLC rules meant that owners could be excluded from the titles of blocks if they were not present at the exact moment when the Court considered their claims. Since a claim could take weeks to be heard, individuals needed to wait near the Court, at a huge personal expense, inconvenience, and risk of illness or death.<sup>10</sup> As a result, individuals were often trapped in debt by Pākehā traders, storekeepers and land speculators who worked in collusion and then threatened Supreme Court action unless they were paid with land (Gilling, 1994). The

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<sup>7</sup> Bayley et al. (Wai 1200, #G4)

<sup>8</sup> Mitchell and Craig (Wai 903, document A66)

<sup>9</sup> Belgrave et al. (Wai 215, T16a)

<sup>10</sup> Sorrenson (1956) has linked the alienation of tribal land and subsequent European settlement to Māori depopulation, both nationally and for Waikato iwi.

NLC process was closely associated with business interests and Boast (2017) argues that the particularly close connections between the Cambridge Court and “Auckland capital” make it the site of an intersection between tenurial change and “frontier capitalism”. While the land court sittings involving Opuatia did not take place at Cambridge, it is likely that business interests had an influence on proceedings, and the Māori Land Court (MLC hereafter)<sup>11</sup> ‘Record Sheets’ note the name of corporations that purchased land in the block. Furthermore, Gilling (1994) notes that there are many examples of the Government buying Māori land at low prices, and quickly selling it on at a much higher price.

Some of the policies of the NLC and its judges also expedited the fragmentation and alienation of land. For instance, the ‘Ten-Owner Principle’ was a policy favoured by Judge Fenton that each block of land should only have a maximum of 10 listed owners. This meant that previously communal land could be much more easily subdivided and alienated – leaving many hapū members landless (Gilling, 1994). However, in land that was not alienated, the cluttered and multiple ownership, which increased as land was passed through generations, made dealing with land difficult, particularly before alternative ownership structures such as trusts were developed.

A further issue was the requirement for land to be surveyed before a claim would be heard. Surveyors often charged high prices, and since land was often the only asset of many Māori, large segments had to be sold simply to pay for having it surveyed. The 1865 Native Land Act allowed the Court to grant liens<sup>12</sup> over land for survey costs, while the 1867 Execution of Judgements against Real Estate Act then meant that debtors could have their land seized and sold. The overall impact of these policies and pieces of legislation were that as hapū land passed through the NLC it was sold or seized as a result of debts accrued *because of* the Land Court process. Furthermore, as title was individualised, those individual owners could have their portion of land alienated for personal debts.

Sir Hugh Kawharu called the NLC “a veritable engine of destruction for any tribe’s tenure of land, anywhere” (1977, in Gilling, 1994, p115-116). The loss of lands and rangatiratanga was an inevitable result of legislation around the NLC, and so Williams (1999, p3) argues that its operations, policies, and practices represent a “judicial raupatu” on hapū which was

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<sup>11</sup> The Native Land Court was renamed the Māori Land Court in 1954.

<sup>12</sup> A lien is a right for a creditor to retain possession of a debtor’s property until the satisfaction of that debt (McLintock, 1966).

just as devastating as the “legislative raupatu” of the New Zealand Settlements Act 1863. The Waitangi Tribunal (1995, in Williams, 1999, p. 4) has remarked that “...it mattered not whether one was ‘rebel’ or ‘loyal’, for at the end of the day the result for each was the same.” As this report shows, this is certainly the case for Ngāti Tiipa.

#### *Key terms and definitions*

The following key terms are defined in Table 1 for the context of this report.

*Table 1: Key terms and definitions*

| Term          | Definition  |
|---------------|---|
| Alienation    | The transfer of Māori Land out of Māori ownership (Office of the Auditor General, 2021). In the context of this report, alienation is the transfer of land in Opuatia to new owners who are not Ngāti Tiipa members.  |
| Fragmentation | The ongoing subdivision of land that leads to increasingly smaller land parcels (Hart et al., 2014).  |
| Partition     | The separation of a parcel of Māori Freehold Land into two or more parcels, with new titles being created for each parcel (Office of the Auditor General, 2021). Partitioned land remains in Māori ownership.   |
| Parent block  | In the context of this report, parent blocks (1 – 17) are the large blocks of land within the original Opuatia which were surveyed and mapped soon after the first title to Opuatia was issued.   |
| Subdivision   | In the context of this report, this refers to the dividing of parent blocks into smaller parcels of land that were alienated.   |
| Succession    | According to Te Ture Whenua Māori a succession is where an interest in land is transferred from a person who has died to the successors who are entitled to take the deceased person’s property (Community Law, 2021).  |
| Superseded    | In the context of this report, succession in the MLC Record Sheets identifies the individual or organisation to whom Ngāti Tiipa land was “superseded to” or transferred to. In this context this represents the alienation of Ngāti Tiipa land by an individual or organisation. |

## Method

### *Background on previous methods*

A key component of this research was to develop a bespoke approach for addressing the question of when, where, and how Opuatia was alienated since there is no clear method documented in the literature. This is partly due to what Gilling (1994) describes as the paradoxical issue of both an abundance and scarcity of information in the MLC with files on individual blocks maintained in regional MLC archives, but a large volume of other relevant material stored in other locations (e.g. National Archives, Papers Past). Furthermore, Gilling (1994, p. 117) notes that the MLC Minute Books can provide a rich source of information, but requires “wading through thousands of pages of often half-illegible [handwriting].”

Another key issue is the incompatibility of the source data – both historic records of land tenure which were collected with the aim of facilitating and monitoring colonisation, and current Government land information data – with Indigenous values and interests (Morad & Jay, 1997). This makes it difficult to address research questions, such as aiming to trace and understand the alienation of ancestral land, as a large part of the process involves accessing, compiling and interpreting multiple data sources that were usually not designed to be used together. Many of the key data sources used in this research do not contain useful metadata and do not meet the FAIR principles for scientific data management and stewardship, particularly around data interoperability (Go Fair, 2021).

Another challenge is the previously outlined unusual context of Ngāti Tiipa and the specific research questions guiding this work. Since Opuatia was allocated as compensation for raupatu, and Waikato-Tainui are now in a post-settlement stage, the context surrounding Waitangi Tribunal investigations in support of claims by other iwi and hapū differs. Despite this different context, Waitangi Tribunal investigations can be examined, and a similar approach adopted. For instance, while the aims of the Te Rohe Pōtae report are not exactly the same as the question guiding this research, Heinz (2008) was tasked with showing chronological alienation patterns for the region and therefore required detailed information on the date, size and location of alienated land. Importantly, Heinz identified MLC Record Sheets as a key central index of highly structured data on historical Māori land titles and alienations which includes this important information in a much more accessible

format than the MLC Minute Books. From this starting point, a bespoke methodology for examining, quantifying and visualising the alienation of Opuatia was developed.

### *Sources*

Datasets and other information used in this research came from four main sources: The MLC, Land Information New Zealand (LINZ), Archives New Zealand, and the New Zealand Gazette.

#### *Māori Land Court data*

There were two sets of data accessed through the MLC:

- (a) MLC Record Sheets
- (b) Māori Land Spatial Dataset (Māori Land Court, 2021)

The MLC office in each region holds paper 'Record Sheets' for each land block. The Record Sheets for a block are a structured list of all 'subdivisions' that have passed through the NLC or MLC and been alienated. The Record Sheets include the subdivision name, the date when the Land Court order was made, the area of the land when it was surveyed (in acres, roods and perches), who the land was 'superseeded' to (this may be the name of an individual settler, a corporation, the Crown, or may just state European Land'), and a historic title for the land. Therefore, the MLC Record Sheets are a key source of information for this research and provide the data on key dates and amounts of land that were alienated from Opuatia in a relatively accessible format.

There are however some challenges to working with MLC Record Sheets. First, paper copies of the records need to be manually accessed in person from MLC offices, and each page needs to be photographed and compiled into a digital database. While the MLC Record Sheets are the most systematic record of land alienations for Opuatia, they are historic documents, and in some cases information is incomplete or missing. Furthermore, it is usually not clear *why* land was alienated, and alternative sources such as the Minute Books, newspaper articles or personal correspondence from the period need to be examined. The MLC has also dealt with the partitioning of Māori Land without leading to alienation, and these records are also included in the record sheet (often without a 'superseeded' name recorded). Finally, the historic land titles listed in the record sheet are usually out of date

and have been replaced by newer titles and therefore cannot be directly linked to a current legal title and associated parcel of land.

The MLC also maintains spatial data of current Māori Land in the form of a Geographic Information Systems (GIS) shapefile. While these data were last updated in June 2017, it can still be used to provide a good idea of current Māori Land in Opuatia. Furthermore, as it is linked to current land parcels, it is easy to visualise in GIS and, in some cases, can be used to verify whether subdivisions with missing details in the record sheet are in fact Māori Land that has been partitioned or succeeded rather than alienated. However, one weakness of the MLC shapefile is that it does not show General Land that is owned by Ngāti Tiipa members. For the latter cases, an alternative process for identifying this land had to be developed, and the details of this approach are outlined below (in step 4 of the key steps subsection).

#### *Land Information New Zealand data*

There were five datasets accessed via Land Information New Zealand:

- (a) NZ Parcels
- (b) NZ Property Titles List
- (c) Landonline: Title Hierarchy
- (d) Individual land titles (both current and historic)
- (e) ML and SO survey plans

In general, the strengths of these datasets are that they are (usually) accurate and regularly updated, free (with the exception of (d) and (e)), and available to download. The key weakness of these datasets is that they have not been designed with the current research in mind. In fact, Morad and Jay (1997) argue that the New Zealand cadastral system does not adequately provide for Indigenous land management principles and goals. Therefore, a complicated and laborious process of linking different datasets and images together was required to meet the goals of this report.

The NZ Parcels dataset is a shapefile that provides all cadastral land parcels in Aotearoa as well as some associated descriptive data for each parcel such as the appellation, a list of surveys plans that affect the parcel, a list of titles associated with the parcel, and a surveyed area of the land. This dataset is free to download and use within a creative commons

license, is regularly updated, and can be linked to other LINZ datasets. However, its effective use does require skills with using geospatial software such as ArcGIS.

The NZ Property Titles list is a table which provides top level, general information on Records of Title such as the title number, the type of title (e.g. Freehold, Cross Lease etc), and number of registered owners for the title. The table also identifies titles which may potentially be Māori Land, but LINZ acknowledge that this information is known to include omissions and errors and is indicative only. The Property Titles list can be directly linked to the NZ Parcels shapefile and displayed in a GIS environment. This means that it can be cross-referenced with other datasets such as the MLC shapefile to check whether this information is accurate.

The Landonline: Title Hierarchy dataset is a table that is part of the comprehensive Full Landonline Dataset designed for use by data professionals requiring the complex versions of LINZ property ownership and boundary data. The table lists all prior references for a current title, and therefore provides a link between the current NZ Parcels shapefile and the historical titles listed in the MLC Record Sheets. The Title Hierarchy dataset therefore plays an important role in this research as it allows information in the MLC Record Sheets to be linked to a current parcel of land and visually displayed and mapped. The Title Hierarchy dataset is also free to download and use, regularly updated, and can be linked to the NZ Parcels or NZ Property Titles datasets. However, a key issue with the dataset is that it includes over 30 million records and therefore searching through it can be very time consuming. Furthermore, since each current title is only linked to one previous title, which in turn is only linked to one previous title, the process of connecting a single historic title to a current title can require multiple searches of the database. This is compounded by the fact that many of the subdivisions listed in the MLC Record Sheets have since been further subdivided as General Land, and therefore a single historic record can be associated with several different 'current' parcels of land. At this stage there does not appear to be a way to automatically find the most recent title(s) associated with a historic title (or vice versa) and therefore it is necessary to manually search through the complicated web of associations. Shep et al. (2021) have outlined an innovative approach to linking information from Māori Land Online to the register of Births, Deaths and Marriages. Although beyond the scope of this report, it is possible that a similar approach for dealing with the idiosyncracities of historic Crown records and information held by LINZ could be developed in the future.

Individual land titles available through LINZ show the ownership of land and the rights and restrictions that apply to it. Current records of title show the current owner(s) and also include a plan or diagram of the land. This can be useful for determining whether General Land may be owned by Ngāti Tiipa members. Historic records of title include the name of the owner(s) at the time, a date that the title was issued, and often a map or diagram of the land. In some cases, historic titles can provide information that is missing from the MLC record sheet and could be used to estimate a date when land was likely to have been alienated out of Ngāti Tiipa ownership. A fee of \$15 applies to each title ordered from LINZ.

ML and SO survey plans often show the boundaries of 'parent blocks' or 'subdivisions' within the original Opuatia and can be useful for identifying parcels of land that could not be linked to the MLC record sheet through a historic title. While survey plans can be ordered from LINZ, in this research ML and SO plans for Opuatia were accessed free of charge via the University of Waikato Library which has a licence to the Institute of Cadastral Surveying pre-3000. One issue is that the plans are not linked to a GIS database and therefore each individual plan needs to be manually reviewed and checked against the NZ Parcels shapefile.

#### *Archives New Zealand data*

Data from Archives New Zealand is primarily relevant to providing richer information about how and why land was alienated (e.g. through Court records, newspaper articles or written correspondence). However, it also is the source of some maps and plans of both the entire Opuatia block and parent blocks. Archives New Zealand also holds information and files related to particular subdivisions of parent blocks that have been redesignated from Māori Land to General Land, as well as some blocks that were alienated to settlers. However, these are somewhat piecemeal and the most comprehensive and easily accessible record of Opuatia alienations appears to be the MLC Record Sheets.

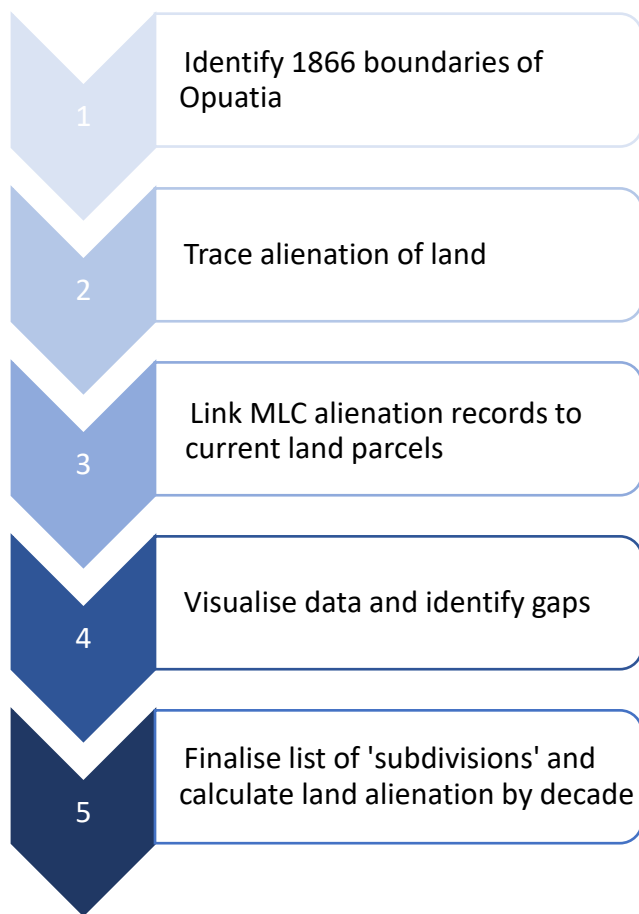
#### *New Zealand Gazette*

The New Zealand Gazette is the official Government newspaper and journal of constitutional record and has been published since 1841. It includes official notices and proclamations, such as 'Native Lands' acquired by and proclaimed to be Crown Land. This provides useful additional information in the cases of land in Opuatia which was alienated by the Crown. Gazette editions published after 1993 have been digitised and are available

online, however most relevant notices in this research were published in the 1800s and therefore access needs to be requested directly.

### *Key steps*

The bespoke approach developed to answer the research questions contains several key steps which are outlined below in Figure 1. These steps are described in detail in the subsections below, and a more detailed flow chart of methods and data sources is provided in Figure 2.



*Figure 1: The key steps involved in visualising the history of Opuatia*

#### *Step 1: Identifying boundaries*

The 'original' 1866 boundaries of Opuatia were identified from several sources including: a map of the block downloaded from the National Archives; individual ML and SO plans of Opuatia subdivisions; and the earliest available Certificate of Title (dated 24<sup>th</sup> September 1891)<sup>13</sup> for Opuatia which included a map of the block boundaries and a list of owners. The

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<sup>13</sup> Kukutai's grandson, Tuterangianini Poutaua Kukutai, appeared before the Compensation Court in July 1868 and lodged a list of Ngāti Tiipa claimants, many of whom appear in the 1891 Certificate of Title.

boundaries of parent blocks or subdivisions within the original Opuatia block were identified through ML and SO plans. The area and distribution of current Māori owned land was identified through the MLC shapefile.

*Step 2: Tracing land alienation*

The alienation of land was traced and quantified through the Opuatia MLC Record Sheets which had previously been access and photographed. The information in these sheets was manually transcribed into an excel spreadsheet so that this data could be more efficiently searched, queried, and linked to spatial datasets such as the NZ Primary Parcels shapefile.

*Step 3: Linking datasets*

The historic title recorded for each parent block and subdivision was linked to a current title through the LINZ 'Landonline: Title Hierarchy' dataset. Each historic title listed in the MLC Record Sheets was searched in the Title Hierarchy dataset. If the historic title was recorded in the dataset, then the next title in the 'chain' would be returned. Each title in the 'chain' was searched until a likely 'current title' was reached. This current title was then searched in the LINZ 'Property Titles' dataset to ensure that it actually exists and was for land in Opuatia. If accurate, this 'current title' was then recorded in the appropriate row in the excel spreadsheet. In many cases, several current titles were associated with a single block name as land must have been further subdivided and sold over the decades. In these cases, all relevant 'current titles' were listed for each block name. In cases where a 'current title' could not be found for the block an alternative approach of searching for the block name in the *estate description* field of the NZ Property Titles dataset was used. In this way, current titles for the subdivided blocks were able to be identified and recorded. This then allowed the linkage of MLC record sheet information on each block and the date of alienation to be linked to current land parcels and visualised.

*Step 4: Visualising data and filling the gaps*

The 'current title' field in the digitised record sheet matches the 'titles' field in the NZ Primary Parcels shapefile, meaning that information in the Record sheet can then be linked to current land parcels and mapped. This was used to visualise general patterns of

alienation for Opuatia, such as the land that was alienated for each decade between 1866 and present, and land that was alienated by particular settler families or the Crown.

Some block names listed in the MLC Record Sheets were missing information such as who the land was 'superseeded' to, and what the historic title was. Furthermore, other block names were unable to be linked to a current title. Both of these types of records were reviewed and more details sought using the MLC Minute Books, and records held in the National Archives. When these sources did not provide additional information, ArcGIS was used to examine the spatial location of records with a 'current title' but no information about who the land was superseded. Some of these parcels of land were Māori owned land, and were therefore tagged as such and removed from any calculations of land alienation.

The following manual approach was then used to fill in missing data in the mapping and visualisation of current land parcels that were unable to be directly linked to the MLC record sheet. ML and SO Plans were reviewed for block names in the MLC Record Sheets which had not been linked to a current title. This allowed the spatial location of current land to be identified, and then information about land alienation for that subdivision could be manually added to the ArcGIS attribute table. This manual linkage was validated by checking whether the total surveyed area (in m<sup>2</sup>) of land recorded in the current parcels LINZ data set aligned with the surveyed area (in acres) recorded on the MLC Record Sheets and the ML or SO Plans. A "*manually edited*" tag was added to these records in ArcGIS so that they could be reviewed at a later date if necessary.

In some cases, ML or SO plans were not available and an alternative approach was followed. If there were only one or two subdivisions in a block that could not be linked to current titles, sometimes it was possible to find the location of current land by reviewing neighbouring land parcels, which were often named sequentially (e.g. 6A1, 6A2, 6B, etc). If the area of surveyed land in the record sheet (e.g. for subdivision 6C) was closely aligned to the area of land in the Primary Parcels dataset, and surrounding subdivisions suggested that the parcel would have a similar name, these records were also manually edited in the ArcGIS environment.

When block names and current parcels of land could not be linked through the above approaches, a final method was used. The oldest 'historic' title for an 'unlinked' parcel of land was then searched using the LINZ 'Landonline: Title Hierarchy' dataset, and a copy of this historic title was ordered from LINZ. The historic title included the name of the owner at

the time, a map of the boundaries, the surveyed size of the land, and a date when the title was issued. Although this information is not the same as a record of alienation, it does provide evidence of a point in time when a parcel of land was no longer in Ngāti Tiipa ownership. Therefore, it is possible to estimate the decade when the land was alienated (i.e. in the time before the oldest title was issued’).

There is some land within Opuatia that is classed as General Land but is owned by Ngāti Tiipa whānau. Land that may fit this description was identified from the record sheet through blocks of land that did not record a name in the “Superseeded” column, suggesting that it may remain in Ngāti Tiipa ownership. Furthermore, parcels of land without records of alienation, not classed as Māori Land, and with more than four owners were identified and current title records were ordered from LINZ<sup>14</sup>. Current title records show the names of current owners. A list of these owners was provided to haukāinga researchers working on the project. Any parcels of land owned by Ngāti Tiipa whānau were flagged, removed from the excel sheet used to perform land alienation calculations, and tagged in the GIS shapefile.

*Step 5: Calculate land alienation by decade*

Once a final list of alienated parent blocks and subdivisions within Opuatia had been developed through the approach described above, the final stage was to quantify land alienation each decade since 1866. The final excel sheet of land alienation records from the MLC, which had been updated through other sources, was used to carry out this calculation as it included the name of each block, the date an alienation was ordered, and the size of land alienated. The total number of acres, roods, and perches alienated each decade was calculated, and converted to m<sup>2</sup> so that the proportion of land alienated could be calculated. Finally, key actors in the alienation of Opuatia were identified through the ‘superseeded’ column, and the total size and proportion of land that they alienated was calculated.

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<sup>14</sup> Both current and historic LINZ records of title cost \$15 per title to order and are provided as a PDF via email.

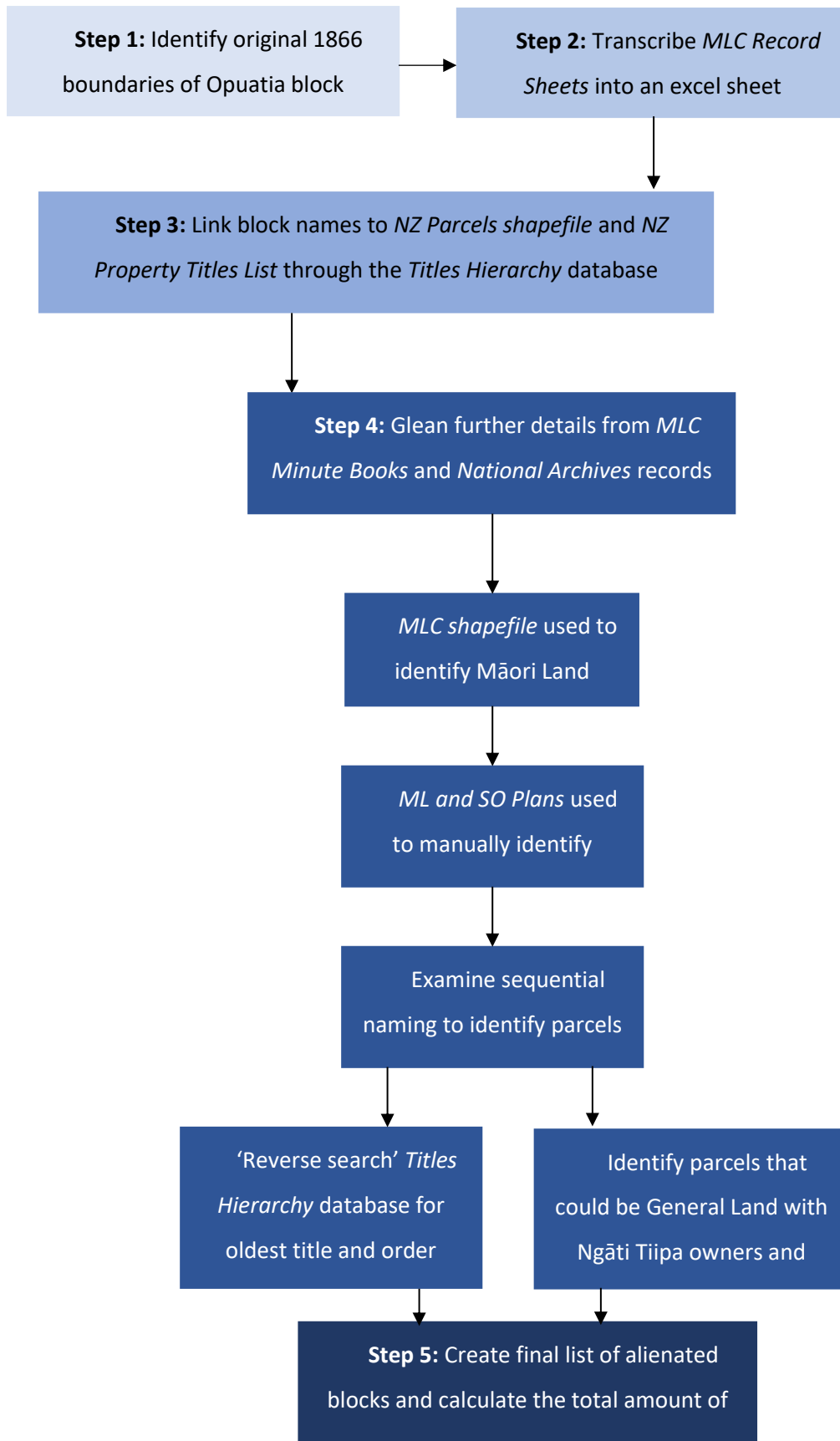


Figure 2: Detailed flow chart of steps and datasets involved in calculating and visualising land alienation

## Results

### *Novel method*

One of the key results of this research is the development of a method to answer questions of when, where, and how Māori Land was alienated in a particular region. The steps described in the methods section above outline a relatively systematic way of dealing with an overwhelming amount of information that does not fit together nicely. Although some steps, such as the visualisation of land alienation, require a specialised skillset and access to GIS software, this work shows how the history of blocks of hapū land can be traced through MLC Record Sheets. Although Opuatia is likely to be one of the larger blocks of land to pass through the NLC, the approach described in this report could be adapted or followed by other hapū seeking to trace the history of their whenua post 1864.

### *When was land alienated?*

Table 2 outlines the details of land that was alienated from Opuatia over the 71-year period between 1896 when the first alienation was recorded and 1967 when the last alienation appears in the Opuatia MLC Record Sheets. Each row includes a date that an alienation was ordered, the name of the block, and the amount of land alienated. The total amount and proportion of land that was alienated is also calculated for each decade.

*Table 2: Land alienation in Opuatia by decade from the 1890s to the 1960s*

| <b>Date of alienation order</b> | <b>Blocks</b>      | <b>Acres</b> | <b>Roods</b> | <b>Perches</b> | <b>Size in m<sup>2</sup> (% of alienated land)</b> |
|---------------------------------|--------------------|--------------|--------------|----------------|--|
| 04/03/1896                      | 7A                 | 10           | 0            | 0              |  |
|                                 | 7C                 | 1299         | 3            | 24             |  |
|                                 | 7D                 | 852          | 3            | 12             |  |
| 11/03/1896                      | 8A                 | 512          | 0            | 5              |  |
| 04/04/1896                      | 17                 | 239          | 0            | 0              |  |
| 09/7/1896                       | 1                  | 9450         | 0            | 0              |  |
|                                 | 2                  | 8145         | 0            | 0              |  |
| 06/01/1898                      | 12A                | 293          | 3            | 35             |  |
| 30/05/1898                      | 10A                | 16           | 1            | 34             |  |
|                                 | 10B                | 47           | 2            | 3              |  |
| 07/06/1898                      | 6A, 6D 1, 5B 1 pts | 537          | 3            | 0              |  |
| 28/04/1899                      | 13B                | 28           | 2            | 13             |  |
| 05/05/1899                      | 6D 2 part          | 394          | 3            | 25.5           |  |
|                                 | 6D 3               | 618          | 3            | 0              |  |
|                                 | 6D 4               | 338          | 1            | 35             |  |
|                                 | 6D 5               | 334          | 1            | 0              |  |
|                                 | 6D 6               | 134          | 3            | 31             |  |

|                    |                    |              |           |              |  |
|--------------------|--------------------|--------------|-----------|--------------|--|
|                    | 6D7                | 427          | 1         | 36           |  |
| 06/05/1899         | 5B 1               | 601          | 0         | 0            |  |
| 07/06/1899         | 6A, 6D 1, 5B 1 pts | 716          | 0         | 0            |  |
| <b>1890s Total</b> |                    | <b>25125</b> | <b>29</b> | <b>289.7</b> | <b>101,714,031.2 m<sup>2</sup> (63.6%)</b> |
| 07/06/1900         | 6B                 | 20           | 0         | 0            |  |
| 14/05/1901         | 11C 4              | 53           | 3         | 3            |  |
|                    | 11C 5              | 20           | 1         | 0            |  |
| 02/08/1902         | 5C 1               | 323          | 3         | 38           |  |
| 11/06/1903         | 5B 2A              | 279          | 1         | 37           |  |
|                    | 5B 2B part         | 428          | 0         | 11           |  |
|                    | 5B 2C              | 148          | 2         | 27           |  |
| 12/06/1903         | 6C 1               | 100          | 1         | 0            |  |
|                    | 6C 2               | 399          | 3         | 0            |  |
|                    | 6C 3               | 847          | 2         | 10           |  |
| 15/06/1903         | 11C 2B             | 184          | 3         | 32           |  |
| 16/06/1903         | 11C 3A             | 13           | 1         | 28           |  |
|                    | 11C 3B             | 87           | 1         | 3            |  |
| 15/06/1905         | 4 & 5A Lot 16      | 196          | 2         | 0            |  |
|                    | 4 Lot 10B          | 11           | 2         | 0            |  |
|                    | 4 Lot 11B          | 3            | 0         | 0            |  |
|                    | 4 Lot 20           | 85           | 2         | 0            |  |
|                    | 4 Lot 22           | 217          | 2         | 0            |  |
|                    | 4 Lot 23           | 111          | 2         | 0            |  |
|                    | 4 Lot 26           | 108          | 2         | 24           |  |
|                    | 4 Lot 33           | 200          | 3         | 15           |  |
|                    | 4 Lot 44           | 381          | 0         | 0            |  |
|                    | 4 Lot 45           | 275          | 1         | 32           |  |
|                    | 4 Lot 46           | 168          | 0         | 0            |  |
|                    | 4 Lot 47           | 111          | 2         | 37           |  |
|                    | 4 Lot 48           | 497          | 2         | 0            |  |
|                    | 4 Lot 50           | 1410         | 0         | 0            |  |
|                    | 5A Lot 10A         | 84           | 2         | 0            |  |
|                    | 5A Lot 11A         | 95           | 3         | 0            |  |
|                    | 5A Lot 27 part     | 96           | 3         | 23           |  |
|                    | 5A Lot 3           | 87           | 0         | 0            |  |
|                    | 5A Lot 36          | 44           | 0         | 0            |  |
|                    | 5A Lot 37          | 111          | 2         | 18           |  |
|                    | 5A Lot 38          | 104          | 2         | 0            |  |
|                    | 5A Lot 39 part     | 41           | 3         | 10           |  |
|                    | 5A Lot 4           | 77           | 0         | 0            |  |
|                    | 5A Lot 40          | 193          | 1         | 0            |  |
|                    | 5A Lot 41          | 144          | 0         | 0            |  |
| 23/01/1908         | 7B 1               | 221          | 2         | 3            |  |
| 25/06/1908         | 13A 1              | 33           | 0         | 14           |  |
| 15/06/1909         | 5A Lot 39 part     | 100          | 0         | 0            |  |
| 05/12/1909         | 12B 1 & 2 part     | 165          | 1         | 33.9         |  |
| <b>1900s Total</b> |                    | <b>8269</b>  | <b>60</b> | <b>398.9</b> | <b>33,534,278.6m<sup>2</sup> (20.7%)</b>   |
| 29/07/1910         | 7B 2A              | 140          | 3         | 35           |  |
| 28/01/1911         | 16A                | 58           | 1         | 0            |  |
|                    | 9B                 | 1            | 0         | 0            |  |
| 31/08/1911         | 5A Lot 43          | 45           | 2         | 10           |  |
|                    | 5A Lot42A          | 94           | 2         | 30           |  |

|                    |                |             |           |              |   |
|--------------------|----------------|-------------|-----------|--------------|---|
| 06/09/1911         | 7B 2B 1        | 20          | 0         | 0            |   |
|                    | 7B 2B 2        | 262         | 1         | 0            |   |
| 08/05/1912         | 17B            | 236         | 0         | 0            |   |
| 2/07/1912          | 11B 1          | 66          | 2         | 12           |   |
|                    | 11B 2          | 3           | 1         | 19           |   |
|                    | 11B 3          | 4           | 2         | 1            |   |
|                    | 11B 4          | 52          | 0         | 24.6         |   |
|                    | 11B 5          | 33          | 2         | 0            |   |
|                    | 11B 6          | 12          | 1         | 20           |   |
| 24/07/1912         | 15B 1          | 69          | 1         | 16           |   |
|                    | 15B 2          | 346         | 2         | 32           |   |
| 27/06/1913         | 3B             | 304         | 0         | 0            |   |
| 23/06/1914         | 17B 2          | 209         | 0         | 0            |   |
| 08/06/1915         | 4 Lot 28C 2    | 20          | 2         | 24           |   |
| 17/06/1915         | 4 Lot 49A      | 69          | 3         | 35           |   |
| 09/07/1915         | 10C 1          | 47          | 3         | 33           |   |
|                    | 10C 2          | 39          | 3         | 36           |   |
| 10/11/1915         | 16C 2A         | 97          | 0         | 0            |   |
| 23/02/1916         | 17B 2A         | 45          | 1         | 16           |   |
|                    | 17B 2C         | 132         | 1         | 2            |   |
| 25/02/1916         | 11B 7A         | 91          | 0         | 25           |   |
|                    | 11B 7B         | 51          | 3         | 21           |   |
| 24/06/1916         | 2 Lot 28 part  | 2           | 2         | 17           |   |
|                    | 5A Lot 27 part | 2           | 2         | 17           |   |
| 20/10/1916         | 11B 9F         | 35          | 3         | 31           |   |
|                    | 11B 9G         | 63          | 2         | 7            |   |
|                    | 11B 9H         | 24          | 3         | 37           |   |
| 24/01/1917         | 4 Lot 51A      | 18          | 0         | 4            |   |
|                    | 4 Lot 51B      | 16          | 0         | 19           |   |
|                    | 4 Lot 51C      | 58          | 1         | 37           |   |
| 05/10/1917         | 2B 2           | 46          | 0         | 39           |   |
| 11/10/1917         | 2A             | 158         | 3         | 20           |   |
| 18/06/1918         | 5C 2A          | 164         | 1         | 0            |   |
|                    | 5C 2B          | 313         | 0         | 25           |   |
| <b>1910s Total</b> |                | <b>3444</b> | <b>53</b> | <b>644.6</b> | <b>14,007,318.5m<sup>2</sup> (8.8%)</b> |
| 24/03/1921         | 3D 1           | 195         | 3         | 28           |   |
|                    | 3D 2 Part      | 185         | 4         | 50           |   |
| 09/09/1921         | 4 Lot 49B 1    | 21          | 3         | 3            |   |
|                    | 4 Lot 49B 2    | 132         | 0         | 27           |   |
| 09/06/1922         | 17B 2C 2       | 102         | 3         | 15           |   |
| 20/12/1922         | 11B 9i 2       | 73          | 0         | 36           |   |
|                    | 11B 9J 1       | 22          | 3         | 9            |   |
| Exact date unclear | 16C 2B 1       | 144         | 2         | 22           |   |
| 07/12/1923         | 5A Lot 42B 1   | 101         | 0         | 30           |   |
|                    | 5A Lot 42B 2   | 101         | 1         | 0            |   |
|                    | 6D 2B          | 42          | 3         | 0.2          |   |
|                    | 6D 2C          | 42          | 0         | 26           |   |
| 12/03/1925         | 9C 1A          | 24          | 3         | 10           |   |
| 18/08/1926         | 9C 2B Part     | 0           | 2         | 0            |   |
| 22/03/1927         | 9A Closed Road | 0           | 2         | 1.7          |   |
| <b>1920s Total</b> |                | <b>1040</b> | <b>27</b> | <b>235.9</b> | <b>4,241,993.7m<sup>2</sup> (2.7%)</b>  |

|  |                        |               |            |               |  |
|--|------------------------|---------------|------------|---------------|--|
| 12/07/1932   | 16C 2B 2D              | 21            | 2          | 32            |  |
| 25/06/1936   | 3D 3A                  | 179           | 1          | 12            |  |
|  | 3D 3B                  | 63            | 2          | 6             |  |
| 06/07/1938   | 4 Lot 28B              | 34            | 1          | 26            |  |
| <b>1930s Total</b>   |                        | <b>240</b>    | <b>6</b>   | <b>66</b>     | <b>978,985.8 m<sup>2</sup> (0.6%)</b>                      |
| 20/03/1940   | 3A 1                   | 60            | 0          | 0             |  |
|  | 3A 2                   | 60            | 0          | 0             |  |
|  | 3A 3                   | 60            | 0          | 0             |  |
|  | 3A 4                   | 60            | 0          | 0             |  |
| 24/02/1943   | 3A 6A                  | 63            | 2          | 20            |  |
|  | 3A 6B                  | 63            | 2          | 20            |  |
|  | 3A 6C                  | 63            | 2          | 20            |  |
| 19/09/1945   | 3B, 3C, 3D2<br>roadway | 16            | 0          | 22.4          |  |
| 31/03/1948   | 16B 2                  | 57            | 3          | 0             |  |
| <b>1940s Total</b>   |                        | <b>502</b>    | <b>9</b>   | <b>82.4</b>   | <b>2,042,702.9 m<sup>2</sup> (1.3%)</b>                    |
| 14/09/1950   | 5B 2B 1                | 1             | 0          | 21            |  |
|  | 5B 2B 2                | 1             | 2          | 0             |  |
| 09/06/1952   | 3C 1                   | 82            | 0          | 0             |  |
|  | 3C 2                   | 82            | 0          | 0             |  |
|  | 3C 3                   | 82            | 0          | 0             |  |
|  | 3C 4                   | 130           | 0          | 0             |  |
|  | 3C 5                   | 130           | 0          | 0             |  |
| 16/07/1957   | 9C 2B 1                | 0             | 1          | 8             |  |
| <b>1950s Total</b>   |                        | <b>508</b>    | <b>3</b>   | <b>29</b>     | <b>2,059,573.4 m<sup>2</sup> (1.3%)</b>                    |
| 19/07/1961   | 3D 19                  | 184           | 2          | 13            |  |
|  | 3D 20                  | 98            | 0          | 0             |  |
| 12/09/1961   | 4 Lot 28B 1            | 0             | 1          | 0             |  |
|  | 4 Lot 28B 2            | 34            | 0          | 26.6          |  |
| 05/06/1962   | 3D 19A                 | 1             | 0          | 32            |  |
| 18/09/1962   | 4 Lot 28C 2A           | 6             | 3          | 21.3          |  |
|  | 4 Lot 28C 2B           | 13            | 3          | 2.6           |  |
| 15/11/1967   | 4 Lot 28C 1A           | 6             | 3          | 27.5          |  |
| <b>1960s Total</b>   |                        | <b>342</b>    | <b>12</b>  | <b>123</b>    | <b>1,399,277.3 m<sup>2</sup> (0.9%)</b>                    |
| <b>Unknown date</b>  | 1 - Part               | <b>9</b>      | <b>0</b>   | <b>23</b>     | <b>37,003.4 m<sup>2</sup> (0.02%)</b>                      |
| <b>Total estimated land (1866)</b>                             |                        | <b>45,500</b> | <b>0</b>   | <b>0</b>      | <b>184,132,130 m<sup>2</sup></b>                           |
| <b>Total alienated land<br/>in MLC Record Sheets</b>           |                        | <b>39,479</b> | <b>199</b> | <b>1892.5</b> | <b>160,015,190m<sup>2</sup><br/>(87% of all Opuatia)</b>   |
| <b>Remaining Māori Land<br/>in MLC Record Sheets</b>           |                        | <b>2,455</b>  | <b>91</b>  | <b>1199</b>   | <b>10,057,430 m<sup>2</sup><br/>(5.5% of all Opuatia)</b>  |
| <b>Ngāti Tiipa owned General Land<br/>in MLC Record Sheets</b> |                        | <b>252</b>    | <b>3</b>   | <b>93.3</b>   | <b>1,025,195 m<sup>2</sup><br/>(0.5% of all Opuatia)</b>   |
| <b>Land unaccounted for<br/>in MLC Record Sheets</b>           |                        | <b>3,314</b>  | <b>293</b> | <b>3184.8</b> | <b>13,788,274m<sup>2</sup><br/>(7% of original survey)</b> |

### *Who alienated land?*

Table 3 highlights key organisations and individuals who alienated land in Opuatia. The Crown is clearly the single largest actor, alienating more than 18,000 acres of land, of which 17,595 in parent blocks 1 and 2 were alienated on a single day in 1896. Parent block 1 appears to have been used by the Crown for forestry, while parent block 2 is likely to have been sold on to settlers. A newspaper article from the Auckland Star on the 8<sup>th</sup> of June 1896, noted that the Crown had recently acquired thousands of acres of Opuatia “...from the Maoris [sic] at a very low price.” It went on to state that “...a large portion of this land was really good and likely to be disposed of by the Crown at a considerable profit...” Settler families and individuals also directly alienated large amounts of land. Although some settlers only appear once in the MLC Record Sheets, others are recorded multiple times and amassed large blocks of land over a period of several years. These settler families and individuals appear to have targeted blocks in a particular area. For instance, the Cameron family carried out five alienations of land in parent blocks 5 and 6, the Eyres focused on two lots in parent block 4. The Walters alienated seven sections of parent blocks 4 and 5, while the Crawford family and Rutherford respectively acquired two and four sections of land in parent blocks 4 and 5. The Muir family alienated six sections of land in parent blocks 11 and 16. Three corporations appear in the MLC Record Sheets and together came to own 2% of alienated land.

Table 3: Key organisations, individuals and families that alienated land in Opuatia

| Actors  | Acres         | Roods      | Perches       | Size in m <sup>2</sup><br>(% of alienated land) |
|---|---------------|------------|---------------|---|
| <b>The Crown</b>  | <b>18,463</b> | <b>7</b>   | <b>57</b>     | <b>74,725,700 m<sup>2</sup> (47%)</b>           |
| <b>Settlers (10 Settler families listed)<sup>15</sup></b> | <b>17,738</b> | <b>161</b> | <b>1486.6</b> | <b>71,983,694 m<sup>2</sup> (45%)</b>           |
| <i>A. Cameron, E. Cameron, D. Cameron</i>                 | 2,432         | 10         | 67            |   |
| <i>J. H. Eyre, I. A. Eyre</i>                             | 1,791         | 0          | 0             |   |
| <i>L. Forgie</i>  | 932           | 7          | 53            |   |
| <i>B. J. Walter, B. M. Walter, G. Walter</i>              | 894           | 13         | 164           |   |
| <i>R. H. Cathcart</i>                                     | 852           | 3          | 12            |   |
| <i>F. I. Rutherford</i>                                   | 818           | 4          | 67            |   |
| <i>W. J. Logan, J. Logan</i>                              | 805           | 3          | 40            |   |
| <i>J. Macauley</i>  | 601           | 0          | 0             |   |
| <i>A. Muir, M. Muir, T. Muir, O. Muir</i>                 | 533           | 10         | 112.6         |   |
| <i>A. Crawford, S. H. Crawford Jnr</i>                    | 475           | 3          | 37            |   |
| <b>Corporations</b>                                       | <b>868</b>    | <b>2</b>   | <b>23.2</b>   | <b>3,515,280 m<sup>2</sup> (2%)</b>             |
| <i>Pukekawa Co.</i>                                       | 686           | 2          | 18.2          |   |
| <i>Onewhero Land Co.</i>                                  | 164           | 0          | 0             |   |
| <i>M &amp; B Products Ltd</i>                             | 18            | 0          | 5             |   |
| <b>Unknown</b>  | <b>2863</b>   | <b>34</b>  | <b>325.7</b>  | <b>11,628,802 m<sup>2</sup> (7%)</b>            |
| <b>Total alienated land</b>                               | <b>39932</b>  | <b>204</b> | <b>1892.5</b> | <b>160,015,190 m<sup>2</sup></b>                |

<sup>15</sup> There are clear patterns to the settler acquisition of land in Opuatia. For instance, the Cameron family focussed on land in parent block 6; the Eyres on parent block 4; Forgie on subdivision 6D; the Walters on parent blocks 4 and 5; Cathart alienated a single large subdivision, 7D; the Logans focussed on parent blocks 8 and 12, which are geographically proximate; the Muirs on parent blocks 11 and 16, which are also proximate; and the Crawford family focussed their acquisition on land in parent blocks 4 and 5.

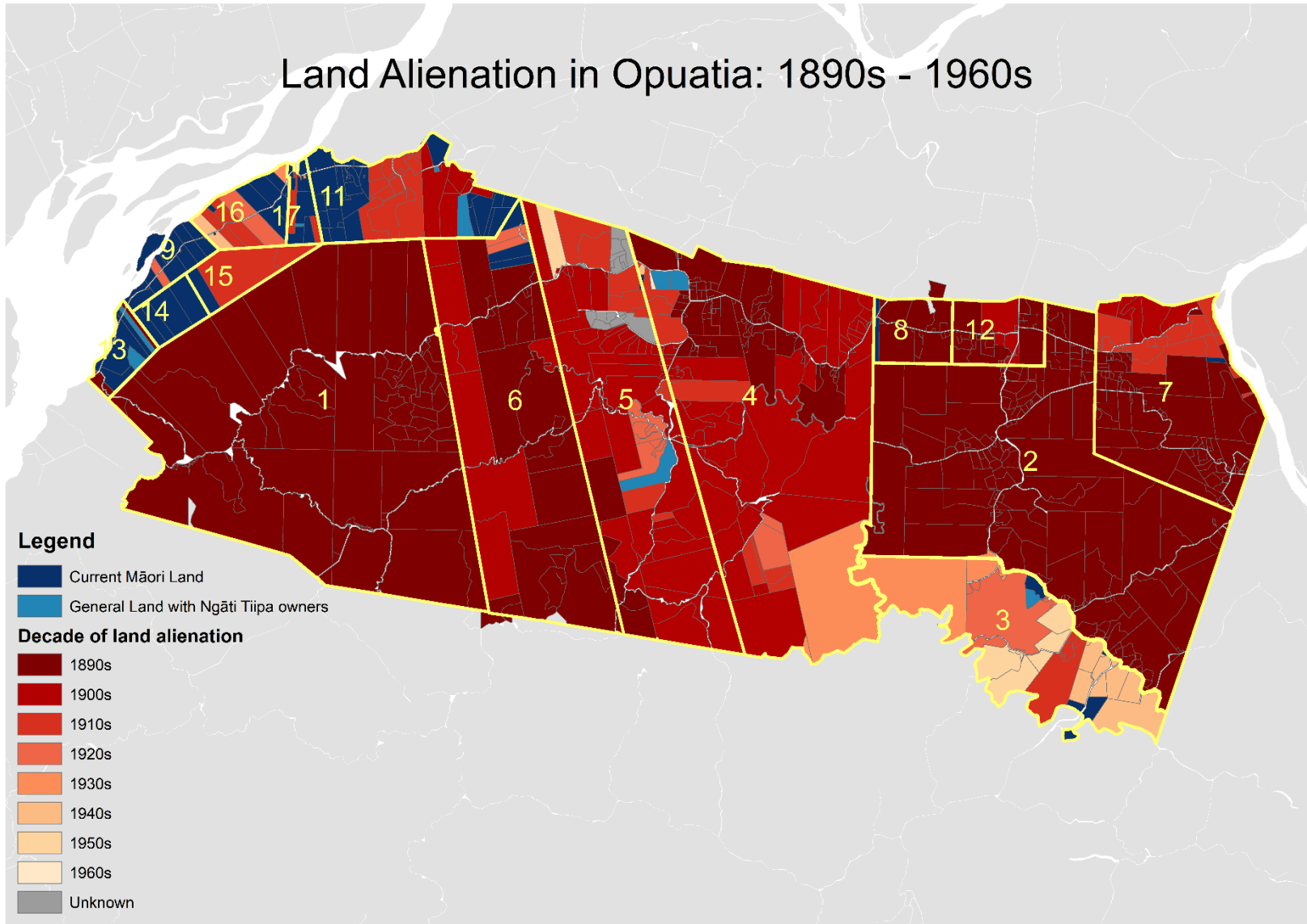
*Where was land first alienated?*

Map 1 is a visualisation of each parcel of land in Opuatia and whether it is classed as Māori Land, is considered to be General Land in Ngāti Tiipa ownership, or if it was alienated and the decade that alienation took place. The yellow boundaries and numbers indicate the 'parent blocks' which were further fragmented and subdivided through the process of alienation.

Map 1 indicates that only a small portion of the original Opuatia remains as Māori Land or is in Ngāti Tiipa ownership. Most of this land is on the north-western side of the block, close to the Waikato awa, in parent blocks 9, 11, 13, 14, 16, and 17. Furthermore, any land in this area that was alienated appears to have generally changed hands later than in other parts of Opuatia. The MLC Record Sheets do not provide a reason why subdivisions were alienated. Although further investigation is required, it is possible that the alienation of land by the awa was resisted due to its strategic location close to an important natural resource (the river itself) and other sites of significance. By contrast, parent blocks 1 and 2 were among the first to be alienated. This may have been due to the steep and rugged terrain of block 1 and the relative inaccessibility of block 2 on the far eastern side of Opuatia, away from the awa and other key sites.

Very little Māori Land or land in Ngāti Tiipa ownership remains in parent blocks 6, 7, 8 which were largely alienated in the 1890s and early 1900s. Again, the Record Sheets do not outline the reasons for these alienations, but it appears that land in this area is relatively flat and would have been perceived as desirable. One exception is parent block 3 which was mostly alienated during or after the 1930s.

# Land Alienation in Opuatia: 1890s - 1960s



Map 1: The alienation of land in Opuatia from the 1890s to the 1960s

### *Summary*

Overall, close to 40,000 acres are recorded as having been alienated from Opuatia, while around 2,700 acres are currently classed as Māori Land or are owned as General Land by Ngāti Tiipa whanau. The May 1866 title for the original Opuatia recorded an area of 45,500 acres. While this leaves around 3,100 acres of land unaccounted for, highlighting some of the issues of working with historic records from multiple sources, it also emphasizes that at approximately 94%<sup>16</sup> of Opuatia has been alienated from Ngāti Tiipa.

It is clear that the 1890s were a particularly devastating decade, with almost two-thirds of Opuatia being alienated by the turn of the century. The Crown was the catalyst for this early alienation, taking 17,595 acres on a single day in 1896. Parent block 1 was used for forestry, while parent block 2 appears to have been subdivided and sold on to settlers.

The pace of land alienation continued at the start of the 20<sup>th</sup> Century, however individual settlers rather than the Crown became the driving force behind land transfers. By the end of the 1910s more than 90% of land alienations in Opuatia had already been carried out. In 1920 only parent block 3, and the western area of Opuatia on the banks of the Waikato awa remained largely in Ngāti Tiipa ownership. Fragments of parent blocks 4, 5 and 6 remained, however these were mostly alienated in the 1920s and 1930s. Parent block 3 was alienated between 1936 and 1962, while the last remaining fragment of parent block 4 was alienated in 1967.

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<sup>16</sup> This figure includes the 87% of Opuatia with recorded alienations and the 7% of land which is unaccounted for in the MLC Record Sheets, but which can be assumed to be General Land that is not owned by Ngāti Tiipa members.

## Discussion

This report outlines a novel method for using a range of historic and current data sources to trace and visualise the life-course of hapū land blocks. While this highlights the possibilities of combining different data sets in a GIS to map and visualise the process of land alienation, it also emphasises the limitations of the data sources and the difficulties involved in carrying out this research. As noted, current geospatial datasets and land records have not been designed to be integrated with historic records of land alienation. Furthermore, the archival materials and land alienation records required in this research have not been systematically digitised or indexed and paper copies must be accessed in person. The time required and difficulty involved in accessing these materials is likely to be a significant barrier for hapū and whānau wishing to carry out similar investigations into the history of their whenua. A separate issue is that the accuracy of the historic records used in this research cannot be guaranteed (Gilling, 1994), and may conflict with other sources of information.

Despite these limitations, this work has addressed the key research questions and developed a timeline of land alienation in Opuatia. The 1890s-1910s were identified as the key period of rapid land alienation, and differences in the pattern of land alienation and fragmentation across parent blocks was identified. As noted, remaining Māori Land and parcels in Ngāti Tiipa ownership are generally located on the north-western side of Opuatia, closer to the Waikato awa and Te Kotahitanga marae. According to Williams (1999) one colonial argument for land alienation was that 'surplus' Māori Land should be either put to good (i.e. profitable) use, or sold on to settlers, and that hapū should only retain land that was being actively used. This may explain why parent blocks 1 (hilly terrain used by the Crown for forestry) and 2 (located on the eastern edge of Opuatia, away from Te Kotahitanga marae) were alienated early. However, the reasons underlying this spatial pattern of land fragmentation require further investigation, and is likely to require both a much deeper reading of the MLC Minute Books, and expert knowledge from Ngāti Tiipa whānau.

A more detailed investigation into the processes of land alienation in Opuatia would also require a much deeper reading of available archival records, and was therefore beyond the scope of this report. However, it is apparent that many of the processes described in the

literature are also relevant to Opuatia. For instance, the overall outcome of Ngāti Tiipa losing more than 90% of land is common across Aotearoa (Williams, 1999; Morad & Jay, 1997). Williams (1999) argues that this was the result of the Crown's colonisation strategy, legislation designed to 'free up' land for settlers, and the enormous demand for land from settlers. The Crown was directly involved in alienating huge sections of Opuatia and selling it on to settlers at a significant profit, a process that Gilling (1994) notes was replicated across Aotearoa. The pace of alienation in Opuatia also appears to be consistent with the experiences of other hapū and iwi. Williams (1999) argues that the NLC had the largest impact between 1864 and 1909, and that alienation only slowed in the 1910s due to a lack of remaining Māori Land. In the 24 years between 1896 and 1919 more than 90% of Ngāti Tiipa land was alienated. The legal and extra-legal methods used to acquire Opuatia is the topic of a separate report by Ariane Thompson that is being written for the 'Counting our Tūpuna' project. Although the Crown and settlers carried out 98% of alienations in Opuatia, the names of corporations do also appear in the MLC Record Sheets. Therefore, while the role and influence of business and capital from Auckland may not have been as pervasive as in the Cambridge Land Court (Boast, 2017), their interests in acquiring Ngāti Tiipa land cannot be discounted. Furthermore, the accumulation of land by individual settlers and their families is likely to be linked to a business strategy of developing the land for agriculture. The Pukekohe market gardens area which extends to include Te Kohanga in Opuatia is the largest market garden area in the country (Gillingham, 2008). Mahuta (2008) argues that while the Crown claimed that raupatu in Waikato was as punishment for 'rebellion', the main factor was the need to control the huge thriving agricultural industry on fertile Waikato land.

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