

## **A “class of no political weight”? Interracial Marriage, Mixed Race Children and Land Rights in Southern New Zealand, 1840s-1880s**

### **Abstract**

Interracial marriage was a defining feature of interaction between local Ngāi Tahu and newcomers in southern New Zealand from the early nineteenth century. Scholarship has explored the importance of such relationships to development of New Zealand’s early resource-based economies and to colonial assimilation policies. However, the experiences of cross-cultural households and families in colonial New Zealand are less well documented.

Using a body of writing produced by ~~white~~ fathers and their mixed race children in response to land claims investigations in the mid-nineteenth century, this article explores the political, economic and social world of interracial families in southern New Zealand. The correspondence over land rights reveals the ongoing importance of kinship ties through generations as colonial expansion impinged on these communities. Through petitioning and letter writing, fathers and children contested what marriage and family meant and strategically asserted their individual and collective identity in the face of increasing land dispossession and economic hardship.

**Keywords:** Mixed race children, racial amalgamation, interracial marriage, interracial families, land grants, Ngāi Tahu, New Zealand

Throughout the various sites of the British empire, mixed race children were an almost universal product of the interactions between newcomers and Indigenous populations (Salesa, 2000, p. 98). As living embodiments of the complexities and contradictions of the colonial encounter, racially mixed individuals complicated attempts to demarcate sharply the boundaries between the colonizer and the colonized and were everywhere the subject of imperial policy (Stoler, 2004). New Zealand was no different: although interracial marriage was not prohibited by law, interracial relationships and mixed race children were nevertheless the subjects of intellectual and political debate among official circles, and within Indigenous society, in the second half of the nineteenth century (Salesa, 2011; Paterson, 2010).

In New Zealand, historical scholarship on interracial marriage has focused on the relationship between race, intimacy and questions of colonial power and authority ([Salesa, 2011](#); [Wanhalla, 2013](#); [Wanhalla, 2017](#); [Stevens, 2013](#)). Kate Riddell (1996), for instance, characterised interracial relationships as forming part of a 'control test' for power on the colonial frontier, particularly in New Zealand's North Island during a period of intense interracial conflict in the 1860s. In her examination of interracial marriage and mixed race families in late nineteenth century Poverty Bay, Judith Binney (2006, p. 111) stressed the local political and economic impact of such relationships, arguing 'Māori women were both "property" and a means of access to property'. In general, the emphasis has been on colonial discourses, power relations and the effects of assimilative policies, rather than how Indigenous communities viewed such couples and their children (see Paterson, 2010). This is a pattern that reflects a wider trend in the large body of international scholarship on colonialism, intimacy and the practice of statecraft, which, as historian Carina E. Ray (2015, p. 18) has noted, 'has often been less successful in illuminating what these relations meant for the colonized.' More recent scholarship in New Zealand, though, has explored Indigenous

perspectives. It has established, for instance, the importance of interracial marriage to the development of New Zealand's early resource-based economies, arguing that in the context of intimate relationships, Indigenous women played a largely unacknowledged role in the economic prosperity of colonial industry. Importantly, this research has challenged assumptions that interracial relationships forged under economic conditions were arranged for solely strategic or political purposes. Affection, sentiment and emotional ties were possible too (Wanhalla, 2013; Stevens, 2008).

While the emotional dimensions of interracial relationships have garnered attention from scholars, there have been ~~few~~ ~~limited~~ investigations into the social and cultural practices of cross-cultural households and families in colonial New Zealand (Anderson, 1990; Binney, 2006; Newman, 2007; Wanhalla, 2009; Stevens, 2008). Elsewhere there is a burgeoning scholarship on mixed race children in the British Empire, ranging from the Canadian fur-trade, to British officials and soldiers in India, and plantation society in Jamaica. This work has tracked the economic and social fortunes of mixed race children and the barriers and opportunities they faced at home and abroad in the eighteenth and nineteenth centuries (Van Kirk, [1980 and 2002](#); Ghosh, 2006; Livesay, 2018). But, as Kelly Duke Bryant (2017, p. 309) argues in her work on colonial Senegal – then part of the French Empire – the focus tends to be on public and official discourses about interracial relationships and mixed race children, rather than the social, material and emotional worlds of the families. Partly, this is because sources relating to the political, scientific and intellectual debates about interracial marriage and mixed race children are abundant. Nonetheless, as Damon Salesa (2011, p. 8) has argued for mid-nineteenth century New Zealand, the 'intimate relations of household and families [were] where racial crossings were lived and experienced'. However, investigating what this looked like is difficult because how interracial families entered official archives 'was heavily

controlled and regulated, was encoded in colonial taxonomies, and circulated through official networks and discourses' (Salesa. 2011, p. 11).

Using a body of writing produced by ~~white~~-fathers and their mixed race children in response to land claims investigations in the mid-nineteenth century, this article explores the political, economic and social world of interracial families in southern New Zealand. This area comprises the modern-day regions of Otago, Southland, and Stewart Island, and is Ngāi Tahu tribal territory. We focus on this region because interracial marriage took place on a more extensive scale there than anywhere else in the country, due to the nature of early European economic activity. Newcomers had arrived in New Zealand from the late eighteenth century, drawn to the country's shores by seals and whales, as well as the trade opportunities offered by flax and timber.<sup>1</sup> These industries involved prolonged interaction with local populations and both temporary and permanent settlement along the southern coasts (Anderson, 1990). A prominent feature of the country during the first half of the nineteenth century, the success and longevity of these economies depended upon the support of the local Indigenous communities.

In southern New Zealand, the shore-whaling industry, in particular, heralded two decades of sustained cross-cultural contact, beginning in the late 1820s. Attracted by the presence of southern right whales in the bays and harbours between April and October, Sydney-based merchants established land-based whaling stations in order to turn these leviathans into tradeable bone and oil. As Ngāi Tahu held authority over resources, whalers had to negotiate access to the whaling grounds and land on which to establish the stations. These agreements involved the occupation of ground 'ashore for the requirements of a whaling station, and to

fish along a certain extent of coast, to the exclusion of all others, within a reasonable distance of the station' (Shortland, 1851, p. 122).

The growth and success of the shore whaling industry relied on Ngāi Tahu, who recognised its potential as a source of wealth, both personal and collective. ~~Stations were often located near Ngāi Tahu communities, but they also attracted those from a distance in order to access new goods, generated often by in exchange for~~ working on the station or by trade in potatoes, flax, pigs and other items. Over a twenty-year period, numerous stations were established along the coast of southern New Zealand, and these contributed to the formation of long-standing, cross-cultural settlements because interracial marriage was a particularly important component of the shore-whaling world. Marriage was mutually beneficial: it stitched whalers into Ngāi Tahu kin networks, and placed them under the protection of a local leader from whom station owners gained a 'right to use the small areas on which they dwelt' (Anderson, 1990, p. 28). Moreover, marriage and the access to land that it provided was an important factor rooting these men to the southern region once the industry came to an end in the 1850s. Many whalers stayed on in the region, lived with their Ngāi Tahu kin and re-orientated their focus to other maritime activities, or engaged in agricultural enterprise (Stevens 2008; Wanhalla 2009).

It has been estimated that 140 foreign men entered into relationships with Ngāi Tahu women during the shore whaling era, and that they fathered around 500 children (Anderson, 1990, p. 3). By the latter half of the century, however, colonial expansion fundamentally reshaped the experiences of such individuals. While historical research has revealed much about the economic and emotional dimensions of interracial marriage in southern New Zealand, much less is known about the fate of the first generation of mixed race children born into the shore

whaling world. In this article, we examine the intersection of increased government and legal intervention, particularly over land and identity, with the lives of these families and communities.

Our key source materials for exploring the pathways of interracial families are land claim applications made by ~~white~~ men and their mixed race children. In the first decades of formal colonisation of New Zealand after the signing of the Treaty of Waitangi in 1840, traders and whalers~~white men~~ corresponded with colonial officials about their land rights, and presented their claims before a series of investigations into pre-1840 land purchases. Many of these cases involved land made over to a woman as a marriage gift. Such gifts functioned to sanction and formalize the relationship, but to also to bind the man and any future children to the Māori community. We focus on the correspondence and applications of fathers and their children because Māori women rarely petitioned about gaining title to land gifted by marriage because land released in this manner was, according to customary practice, understood to be vested in them and their children.<sup>2</sup> ~~Many of these cases involved land that was made over to a woman as a marriage gift. Such gifts functioned to sanction and formalize the relationship, but to also to bind the man and any future children to the Māori community.~~ From the 1850s through to the 1880s, southern families sent petitions and appeals to colonial officials requesting that their rights to land be investigated. The article begins by outlining the political and intellectual context that shaped the fortunes of interracial families in mid-nineteenth century New Zealand and sets out the various land claims processes, which were developed in response to local circumstances and pressure from families in need.

Scholars of interracial relationships in colonial societies rarely have access to sources that detail how interracial relationships were understood from the perspectives of those

involved. Correspondence and testimonies in support of land grants are an important body of evidence that testify to the grounds upon which interracial couples entered relationships, offer insight into their private dimensions, and provide a crucial lens onto how Indigenous marriage practices were deployed in cross-cultural contexts. They are also a rich repository of evidence that provide vital clues to the fate of cross-cultural relationships and mixed race children in mid-nineteenth century New Zealand, long after the resource economies had disappeared. We make use of this body of correspondence to investigate the social and cultural world of interracial families during a period when racialised language framed public and official knowledge about mixed race children. These official narratives variously that characterised interracial families as a force for racial amalgamation, or as a 'class of no political weight'. While interracial families co-opted this language in framing their claims for land, this does not equate with how they viewed themselves, nor reflected their lived experience. Mid nineteenth public and political discourse regularly characterised mixed race families as 'a class of no weight', especially as demographic and economic shifts away from marine resources to settler colonialism and pastoralism took place. As a category of people, 'half-castes' thus materialised as a distinct and identifiable group as a result of government debates about their future place in colonial society. In particular historical moments, especially when racial tensions were high, people of mixed ancestry were racialised as a potential threat to the safety of the colony, unless their cultural loyalty could be cultivated through assimilative regimes. Otherwise, they were of little concern or visibility. While interracial families co-opted this language in framing their claims for land, this does not equate with how they viewed themselves, nor reflected their lived experience. Rather, shared knowledge of how to engage with the colonial state speaks to the enduring importance of kin and community connections for these families.

### **Intermarriage, mixed-race children and racial amalgamation**

Even if personal identities were far more complex than the racial categories used to describe them, interracial families were the subject of government policy that sought to manage the population and assimilate them into colonial society by drawing on implicit or explicit racial thinking. Interracial marriage was not prohibited by law in New Zealand. This approach was developed in the context of racial amalgamation philosophy prominent in official circles in mid-nineteenth century London and New Zealand. Amalgamationists sought to encourage political, economic and social mixing between the 'races' by encouraging Māori engagement with British law, commerce, education and Christianity, with the ultimate goal of social and cultural assimilation (Ward, 1974; Salesa, 2011). Amalgamation also encompassed interracial marriage as a means to promote these goals to Māori. Officials, though, supported certain kinds of relationships: they had to be marriages conducted according to Christian rites, not Indigenous custom. As Salesa argues of this period (2011, p. 26), 'it was common to maintain that properly managed and administered racial crossings could be beneficial and helpful to race relations and colonial rule.'

Promising to investigate and settle land claims was one strategy that New Zealand's colonial officials used to encourage couples to make their union 'regular'. By 1840, an estimated population of just 2000 non-Māori resided in the colony. Among this number were hundreds of men married by custom to Māori women whose 'legal intermarriage', wrote New Zealand's Colonial Secretary Willoughby Shortland in 1842, 'is highly worthy of every just encouragement'. He recommended 'some provision be made suitable to the circumstances of those persons who may have formed connexions of that nature and for their children'.<sup>3</sup> A similar practice was established in South Australia, when in 1848 the colony began a system of granting sections from out of Aboriginal reserve land to interracial couples. These



marriage grants had a 'civilising' function, argue Mandy Paul and Robert Foster (2003, p. 49), because they encouraged settlement, fostered the cultivation of the land, and were used to encourage couples to legally marry in order to obtain title to property. In order to prevent the misuse of the land by the husband – which was widely feared – the title was granted to the woman, and there were restrictions placed on its sale, so that any children of the relationship could inherit (Paul & Foster, 2003, p. 54).

Marriage grants operated in New Zealand too, because they broadly fit with racial amalgamation philosophy that aimed to bring Māori into the ambit of British traditions, including settled cultivation upon a small plot of land held under individual title. As with South Australia, the grants came with restrictions on the mortgage, sale or lease of the property to protect the wife and family in case of desertion. Trusteeship was established as the principle by which land was granted to newcomer ~~white~~ men married to Māori women, and this continued to be the practice in all land granting forums where claims were presented for investigation.<sup>4</sup>

In the 1840s, these men could put their case before the Old Land Claims Commissioners, who investigated and ruled on the validity of pre-Treaty land purchases. In this forum, husbands ~~white men~~ claimed land often derived from 'marriage gifts' made over to their wife by her family. Gifts of land were normally granted if the relationship was sanctioned and followed the forms and rituals of a customary marriage. Such gifts functioned to bring a newcomer, whether Māori or European, into the ambit of the community, encumber him with responsibilities to his new relatives, and to retain any future children within the tribe. Importantly, the land remained under the control of a man's wife and her relatives, for a marriage gift gave the right to occupy the land, not the rights of ownership. Charles Marshall,

who set up as a trader in the Waikato region during the 1830s, explained that ‘if a European married, or cohabited with a Native woman, [it was the custom] that he lived on sufferance on the land, and any family that might accrue would claim merely through the rights of the Mother’.<sup>5</sup> Edward Shortland (1851, p. 97), the Sub-protector of Aborigines, recognised that in Māori marriage ‘a husband had only a recognized right over his wife’s land during her life, if she had no children; and that, on death, without issue, it reverted to her brothers.’ After 1840 ~~white~~ men married to Māori women sought ratification of these gifts in the form of individual title to land, a practice encouraged and supported by officials and public commentators (Terry, 1842, p. 117; Dieffenbach, 1843, p. 152).

Transforming marriage gifts into individual title had serious implications for Māori women and communities. Under this system, Māori communities not only lost land, but Māori women’s property rights and their power to control the future of their land interests were also eroded. Settler colonialism did not recognise the validity of collective land holding patterns nor Māori customary inheritance practices in which Māori women had power and authority in their communities. Under colonial law, within legal marriage Māori women’s land and property transferred to her husband under the principle of coverture, while her kin lost the collective power to direct the future use of that land made over to her for the benefit of any children. As Bettina Bradbury (1995, p. 45) has pointed out, interracial marriage was ‘on occasions used by the colonial administration as a subtle way of enlarging the holdings of Crown land’. In gaining a crown grant, marriage gifts were legally divorced from the tribal lands, and ~~white~~newcomer men, who had been reliant on their Māori relatives for survival during the halcyon trading decades of the early nineteenth century, obtained economic independence from their kin (Wanhalla, 2013).

Māori engaged in land claims forums where they testified to the purpose of marriage gifts. In September 1844, trader John Marmon gave evidence before Commissioner Fitzgerald about his rights to Kapakapa, a 300 acre block located at Hokianga in northern New Zealand.

Marmon claimed: 'I paid for it to Raumati, who is the father of my wife, one pair of blankets. No other person could have got it from Raumati for that amount, he gave it to me because his daughter is my married wife.'<sup>6</sup> Raumati agreed that he had signed the deed and sold the land to Marmon for a pair of blankets, but contested Marmon's assertion of ownership. 'I was perfectly satisfied with that payment as intending to prevent my selling the land to any Europeans, but, I did not understand at the time of sale that I was to part with the land: the land is now my own, I consider it as such.'<sup>7</sup> Similarly, members of the Ngāti Upoto tribe ~~of Hokianga~~ supported the claim of the Gundry family concerning the purpose of the land they gifted, which was to Makareta (Gundry's widow) 'for her son Wiremu and his younger brothers. The name of the land is Parawanui.'<sup>8</sup> Māori had a reason to be worried because some men, such as Marmon, used the system to get title to land they claimed was acquired through 'purchase' when the exchange of gifts following marriage only confirmed the relationship was accepted, and gave them occupation rights.

Successful applications tended to have the consent and support of Māori relatives, but those who could demonstrate their commitment to a wife and family, who had cultivated the ground upon which they lived, and were legally married were looked upon positively by officials. Demonstrating respectability, moral standing, and long residence were important components of the application process. When William Coldicutt applied for a crown grant in 1859 in his wife's name and for the children 'for whose sole benefit the land has been given over by the Natives'<sup>9</sup> he submitted a deed signed by Māori as evidence that the land was gifted 'as a place for them to live on, and for their children after them.'<sup>10</sup> He also submitted

his marriage certificate in support of his application. Nathaniel Barrett drew explicitly on the language of racial amalgamation when asserting his claim to his wife's land. He had married Caroline Newha in 1849, and was 'striving to bring [her] more into the practice of European customs and manners.' Once he secured title, he explained that he planned to raise their children within 'the comforts of a civilized life' and to 'bring them up in virtuous ways'.<sup>11</sup>

Coldicutt and Barrett were contesting a widely-held view that was shared across the British Empire: that interracial relationships were entered into by ~~white~~ men purely for strategic and economic reasons. Many New Zealand officials and colonists shared this view, believing that many men who had entered into relationships with Māori women before 1840 did so in order to gain access to property and subsequently abandoned their families. In 1848, Auckland's *Daily Southern Cross* (8 July 1848, p. 2) newspaper estimated there were 500 mixed race children in that city, the large majority 'deserted from penury, death, or indifference, by their European parent'. Some ended up in orphanages established by religious bodies established schools and orphanages to cater for these children in the mid-nineteenth century, but in reality, many of these children, whether their fathers stayed in the country or not, were cared for by their mothers and Māori kin.<sup>12</sup> This was the established pattern in southern New Zealand as Ngāi Tahu politician H.K. Taiaroa pointed out in 1876: many mixed race children were, he stated, 'living with, and had been brought up by, their Native mothers' (Anderson, 1990; Stevens and Wanhalla, 2017).<sup>13</sup> Nevertheless, public debate about 'half-caste' children centred on claims that marriages of an 'irregular' nature were fragile, and children of these couples were at greater risk of being 'abandoned'.

Church leaders, journalists and politicians debated the future prospects of 'half-caste' children, focusing on those considered to have been left in destitute circumstances by fathers

who were, in the words of Governor Grey, 'refusing to support them'.<sup>14</sup> Racial amalgamationists were particularly interested in securing the economic future of mixed race children within the settler colony: in 1856 the Land Claims Commission was established and empowered to resolve any claims not settled, including 'for the half-caste children themselves, or on Trust for their benefit'.<sup>15</sup> Around this time, a change in inheritance law was urged. In order to promote amalgamation by encouraging legal marriage, it was argued that 'the English laws regarding inheritance to native land should be altered, for, as the law now stands, concubinage is indirectly encouraged, and legal unions between European males and native females are discouraged' (Thomson, 1859, p. 306). Politicians listened: in 1860 the Half-Caste Disability Removal Act was passed into law. It legitimized any children born to interracial couples who had legally married prior to that year, and protected the property rights of Māori women after ~~intermarriage to a European~~, so that the inheritance rights of mixed race children could be secured. The legislation thus served to reduce the potential economic burden and political threat seemingly posed by impoverished mixed descent children.

By the mid-1850s, the first generation of mixed race children in New Zealand had grown into adulthood and had families of their own.<sup>16</sup> A growing population, they were characterised by political and religious leaders in 1856 as a 'very important class of settler', but one who required careful management.<sup>17</sup> As a Board of Enquiry into Native Affairs reported in 1856, individuals of mixed parentage 'occupying as they do an intermediate station between the Europeans and natives, have neither the advantages of the one, or, the other, and whose future destiny, may, by proper management, be directed in the well being of the Colony, or by neglect, be turned in a contrary course.'<sup>18</sup> Sensitive to the political threat of 'disaffected' and

'uneducated' 'half-castes' if they were not under 'proper management', authorities tried to inculcate cultural loyalty and affiliation with the Crown through land grant schemes.

### **Ngāi Tahu communities, dispossession, and land claims**

These national debates about the economic and political futures of 'half-caste' children played out with particular significance in southern New Zealand, where interracial marriage had been extensive during the 1820s and 1830s. Although a small number of Ngāi Tahu leaders had signed the Treaty of Waitangi, formal settlement of their tribal territory was facilitated by a series of Crown land purchases between 1844 and 1864. These ten purchases brought over 34 million acres under the control of the colonial government, leaving only a small proportion under customary title (Waitangi Tribunal, 1997, p. xiv). Walter Mantell was sent to the region by Governor Grey to complete Kemp's purchase in 1848. He was instructed to set aside and survey native reserves and charged with extinguishing native title. In 1851 he was appointed Commissioner of Crown Lands for the Southern District, and in that role he effected the purchase of the Murihiku Block (1853), encompassing the modern-day province of Southland.

In the course of his work, Mantell encountered numerous ~~whalers hite men~~ living among Ngāi Tahu and married to local women to whom he promised land. These promises, he explained, arose out a fear these men 'might, unless reassured to their prospects after the cession of land to the government, throw obstacles in the way of its acquisition'.<sup>19</sup>

Reinforcing the view that 'half-castes' and their families needed special management, as they might be a risk to both the government and the Māori community, Mantell recommended that the grants for 'half-caste' families be separate from those lands reserved for Ngāi Tahu to

avoid 'subject[ing] the Natives therein to undue domination on the part of the Whites and half-castes of their families.'<sup>20</sup>

While consideration of the needs of interracial families had been made verbally in Mantell's purchases, the purchase of Rakiura (Stewart Island) from Ngāi Tahu by the Crown in 1864 marked a departure. The island was purchased for £6000 by Commissioner Henry Tacy Clarke on behalf of the Crown on 29 June 1864. Following negotiations at the settlements of Aparima and Awarua, Ngāi Tahu requested specific provision be made for 'half-castes' within the Deed of Purchase. Under the purchase terms, 935 acres of reserved land was set aside for Ngāi Tahu, and 'all that portion of land situated at the Neck (which has not been previously sold to Europeans) [was] to be reserved for the half-castes residing [there]', a population that Clarke tentatively estimated to number 28 (Mackay, 1872, p. 17). This would prove a vast underestimation.

The decision to make this unique provision for the 'half-castes' of Rakiura was influenced in part by concerns about the political allegiances of mixed race individuals at a time of interracial conflict in the North Island (Riddell, 1996, pp. 75-84). More generally, colonial officials felt that providing guarantees of land to interracial families, and especially the fathers, might facilitate the further extinguishment of native title, as it was considered that they were more likely to desire and engage in the individualisation of land holdings.<sup>21</sup> The local situation on Rakiura also shaped the terms of the purchase. While Rakiura had remained a colonial frontier in the two decades subsequent to the signing of the Treaty, from the 1860s reports began to filter back to colonial officials about the 'irregular proceedings' and 'illegal occupation' occurring there (Mackay, 1872, p. 16; Howard, 1940, pp.141-42). The increase in European squatting had transformed Rakiura into 'a kind of Alsatia in which no law exists'

in the minds of government officials and there was some concern for the economic future of the mixed race families (Howard, 1940, p. 262). A few months prior to the 1864 purchase, the Chief Surveyor of Southland and Purchase Commissioner, Theophilus Heale, considered that the mixed race settlement at The Neck had suffered as a result of expanding colonisation:

The growth of the Colony in their vicinity has increased their disabilities without adding anything to their wealth and comfort. The original settlers are now aged men, but they are generally surrounded by half-caste families... Very few of these old residents have prosecuted claims to the land on which they reside, which they originally occupied by the consent of its Native Owners, and which they have always considered as their own. Though they cannot now assert any legal title, I trust that whenever the Native Title to the island at large is extinguished, steps will be taken to secure the inheritance of these spots for their families. It would indeed be unfortunate if the advent of the Government should have the effect of depriving of their homesteads these earliest colonists, and if these numerous half-caste children should be left landless in the land which their fathers were the first Europeans to explore, and of which their maternal ancestors were the sole possessors (Heale in Mackay, 1873, p. 56).

For Heale the lengthy and peaceful occupation, legitimised by Ngāi Tahu consent, along with their productive and settled lifestyle situated these men as colonists and pioneers, with the right to government protection. The men that Heale describes would utilise these ideas to assert their identity as original settlers and respectable fathers in appeals for land grants for their families.

By 1864 then, those 'half-castes' resident in southern New Zealand could claim legal entitlements to land under one or more of the distinct provisions or promises made to ~~white~~



men and their families during the various Crown land purchases. Moreover, some families who had occupied land prior to the signing of the Treaty of Waitangi applied for title through the Old Land Claims Commission procedure, and later, under the Land Claims Settlement Act 1856. In particular, men of high status (such as ship captains or station managers) who married Ngāi Tahu women of chiefly birth were more likely to confirm large land titles through these processes (Anderson 1990; Stevens 2013). While only a fraction of the mixed descent families in the area were able to secure land in this manner, many more were eligible under the promises made by Mantell and within the terms of the Rakiura Purchase.

Once the title to Ngāi Tahu territory had been obtained, though, the government felt little impetus to fulfil the commitments made to a population considered ‘a class of no political weight’.<sup>22</sup> This situation was to change in 1869 when Andrew Thompson submitted a petition to the Legislative Council on behalf of his wife, Mary Ann (nee Tandy):

To the Honorable Legislative Council of the Colony of New Zealand.

The humble petition of the undersigned resident in Hawksbury, Otago

Hereby sheweth

That the Colonial Government during the Honorable Mr. Mantell’s Commissionership with the Crown Lands of Otago granted the Half-Castes of Waikouaiti Five (5) acres of land to live on, with the exception of your Petitioner’s wife, a half-caste, who was born on the Otago Heads, and brought up a Waikouaiti where she lived with her father Thomas Tandy, who was unfortunate enough to lose his life travelling overland from the latter place to Dunedin; as he has not been heard

of since: an occurrence that took place about two (2) years previous to the Government giving the said land to the above mentioned half-castes.

An occurrence which caused your Petitioner's wife at the age of thirteen (13) years of age to go to Dunedin to seek service; consequently she was away from Waikouaiti at the time the said half-castes received their land.

The Reverend Mr Creed (a Wesleyan missionary) stationed at the kaik [village] applied to the Honorable Gentleman referred to for an allotment of land similar in extent to those given to (illeg.) for Mrs Thompson the Petitioner's wife, the then Mary Ann Tandy, which application the Honorable Mr Mantell could not entertain because the said Mary Ann Tandy happened not to be present herself.

Your Petitioner, on behalf of his wife, petitioned His Excellency the late Governor of the Colony, whilst on a visit to Otago, to recommend the Government to give her and her son Ten (10) acres of land.

Subsequently, Sir George Grey held a levee at Hawksbury when your Petitioner presented his wife and son to His Excellency, who remarks, "He had seen her before, on his first trip to Waikouaiti."

Your Petitioner has every reason to believe that effect would have been given to the said petition, had His Excellency remained in New Zealand.

Having heard nothing of the aforesaid petition; the Petitioner, on behalf of his wife has most respectfully to request your very Honorable Council to recommend that the Government to give her and her son Ten (10) acres of land in the neighbourhood of the kaik or other land belonging to half-castes of the District.<sup>23</sup>

Thompson's petition drew official attention to the promises made many years earlier that remained unfulfilled. The Legislative Council ordered an investigation. In July 1869 the

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Public Petitions Committee took evidence, including from Mantell, who explained that he was instructed by Governor Grey 'to persuade or compel those natives who had not joined in Kemp's deed to acknowledge that their land was sold to the Crown, and with the rest to permit the survey of Reserves within the Block; I was instructed (orally, I think, but this could be ascertained) to promise these people, that when the land belonged to the Crown, provision in land under Crown Title would be made for their wives and children.' In 1851, with the purchase of the Murihiku Block planned, Grey instructed Mantell 'to make similar assurances to such families in the Murihiku Block, he spoke of it as the practice of Government in the South.'<sup>24</sup>

Although he had received 'many applications' and had recommended grants be made in their favour,<sup>25</sup> by 1869, 'only one or two grants' had been effected.<sup>26</sup> In his evidence, Mantell emphasised the injustices and hardship caused by government inaction, noting that 'from the non-fulfilment of promises made to them, families of promising children have fallen to ruin.'<sup>27</sup> In their report, the committee found 'for reasons of policy as well as of justice and humanity, such promises were made on the part of the Crown by the Commissioner for the purchase of these lands, and that the honor of the Crown is concerned in its faithful and immediate discharge'. They recommended that the Native Reserves Commissioner for the Middle Island be 'instructed to ascertain and investigate all cases in which half-caste families' in the district were eligible for grants and to be empowered to make awards.<sup>28</sup> Alexander Mackay was sent to investigate.

Over several years, Mackay compiled lists of individuals eligible for land. In 1868, he found 94 people were eligible under the terms of Rakiura Deed of Purchase, significantly more than Clarke's original 1864 list.<sup>29</sup> But, as there was insufficient land on the island to cater to their

needs, the Stewart Island Land Grants Act 1873 was passed to give effect to the promises by setting aside land in the Southland province for ‘all half-castes born on the island’. The Act also confirmed the rights of three European residents who had been gifted land by Ngāi Tahu and who had resided on the island for at least 30 years.<sup>30</sup> Further investigations by Mackay in 1874 identified 153 claimants in Otago, but only 89 were eligible under the provisions of the Stewart Island Grant Act 1873. He noted that ‘the others are equally entitled to a similar concession, I presume the necessary steps will have to be taken to legalise the dedication of land to them in a like manner.’<sup>31</sup> A further list of 51 individuals resident in the Canterbury province and eligible under the provisions of the 1873 Act was submitted by Mackay.<sup>32</sup> For those who did not meet the eligibility criteria, the Land Claims Commissioner asked Mackay to compile a list of those ‘for whom you consider it is desirable that provision should be made – as in the case of the Stewart Island purchase – I shall endeavour to have an Act passed to authorize the issue of grants to them.’<sup>33</sup>

At the same time that Mackay was making these investigations, Ngāi Tahu leaders were calling for action. In 1876, H. K. Taiaroa, the Member of Parliament for the Southern Māori electorate, called on the government to take responsibility for children of mixed ancestry in the South Island ‘because their fathers had not taken notice of them, and had not provided for them. During all these years they had been living with, and had been brought up by, their Native mothers. Some of them had obtained land, but, on the contrary, others were simply squatting on what belonged to the Maoris.’<sup>34</sup> Taiaroa’s complaint was related to the impoverishment of Ngāi Tahu: poor quality land on small reserves that were inadequate for the size of the population had effectively imposed an economic strain on communities. This was compounded by the fact that, during the 1850s and 1860s, Otago and Southland provincial governments’ practice was to set aside land promised to ‘half-caste’ families out of

native reserves. In 1856 Commissioner in the Crown Land Office Otago Peter Proudfoot, with the agreement of the Superintendent of Otago, had advised the Colonial Secretary that 'I do not apprehend that the mother having married a European invalidates her right to or interest in what she would have been entitled to under other circumstances, that is, if she had remained with or had married one of her own Tribe. Consequently, unless the granting of land in the manner and for the purpose alluded to has been a stipulation by the Natives in the sale of the lands to the Government, or is in fulfillment of a promise made by the Government to the Natives or to the Half-castes, I can see no reason for making grants in this way.'<sup>35</sup> The Governor concurred and advised 'that, for the future, provision be made for these families out of Native Reserves', but on the condition that it be 'done subject to the consent of the Natives concerned, and in the absence of any specific promise to the contrary to the parties concerned.'<sup>36</sup> With resources stretched, and a growing population of mixed race families living on a small reserve base, or without land, Ngāi Tahu leaders called for action. Eventually the government responded by passing a sequence of five Half-Caste Crown Land Grants Acts between 1877 and 1888 that awarded crown grants of ten acres for men and eight acres for women in order to fulfil promises made decades earlier to provide 'half-castes' with land.

#### **Letters and Petitions: claiming land, claiming identity**

In response to the official inquiries and legislative action, [newcomerwhite menfathers](#) and their mixed race children sent letters and petitions to colonial officials requesting their land rights be investigated. Engagement with the land claims process was one fraught with ambivalence for families: while nineteenth century understandings of race revolved around 'blood' as a measure of both racial and cultural identity (and therefore social and political groupings), classifications such as 'half-caste' did not necessarily or simply reflect the

cultural affiliations of families (Salesa, 2000, pp. 99-100). In making claims, though, families were forced to use the language of colonial racial classification in their letters and petitions, often for strategic reasons. Despite the ambivalence with which engagement with government officials may have been regarded, the petitions and letters from mixed descent individuals represent one of the few sources in which these individuals' voices emerge in the historical archive, and reveal much about the experience of colonialism for these families.

In their correspondence, ~~white~~ fathers contested a popular perception that interracial marriages were entered into for solely economic reasons. There is substantial evidence to demonstrate the affection between men and women in early interracial marriages in southern New Zealand: the duration of the relationships, the establishment of domestic life and attempts to provide families with material comforts suggest that these marriages were meaningful at a personal level and underpinned by affective ties. Similarly the frequent emphasis on the significance of family life within these settlements made by early observers draws attention to the positive and permanent nature of these relationships (Anderson, 1990; Stevens, 2008).

Anxious about their land rights, ~~white~~ fathers sought to secure the economic and social future of themselves and their children. In aid of their claim, they 'wrote extensively about their worth as settlers and as family men', highlighting their aspirations for their children and their commitment to stable family life as evidence of their respectability (Wanhalla, 2009, p. 95). Henry Wixon, for instance, petitioned Mantell on multiple occasions about obtaining title to the land he had been promised for his family in 1852:

i have been up to look at it and i cannot take possession of it without the Deeds and  
Mr John Jones of Waikouaiti has two surveyors cuting timber on it to the amount of 1

hundred thousand feet and there was 1 good house built of timber cut on the land [*ill. words*] and they have taken it away and i do not know what to do without the Deeds i am only a poor man with a Family of 10 children and i am living in Waimate Bush at present on the Native Reserve and the natives are very kind to me and my children but i should like for the children to live on there own land if it is at all possible before all the timber is taken off [*sic*].<sup>37</sup>

As well as exemplifying the distress experienced by this family and the frustrations inherent in the prolonged grants process, Wixon's words also emphasise his commitment and desire to provide for his family, a sentiment that recurs in other petitions made by husbands and fathers on behalf of their families. The self-representations made by fathers in their land claims and appeals stressed long residence and economic productivity as evidence of their commitment to their families. James Spencer, William Anglem and John Lee all cited their long and undisputed occupation and the transformation of the land through buildings and cultivation in asserting the legitimacy of their claims.<sup>38</sup> Evidence of responsible and productive masculinity were frequently emphasised in letters expressing a desire to secure land for their children, highlighting both the ongoing importance of family within these communities and the expectation that the government should acknowledge their role as dependable husbands and fathers.

Nonetheless, officials questioned their intentions for the land. Alexander Mackay strongly recommended that restrictions be placed on the land grants to ensure that the property remained in the hands of the family. In 1875 he argued that 'the plan of granting land to the European fathers of Half-caste families instead of to the persons who it is intended to benefit is a disadvantageous one to the persons concerned especially if the Grant is silent respecting

the object for which the land is apportioned' and warned it may be the cause of an injustice. He cited one case where 'according to the terms of the Grant the father holds the land for his life, [and] the result of this is, that he can do what he pleases with it as far as occupancy is concerned.' Having remarried to a European woman, Mackay asserted the father 'turned away all the children of the former marriage, thereby preventing them from deriving any benefit from the land that was given in the first place as a maintenance for them.'<sup>39</sup> Despite ~~much~~ evidence to the contrary, ~~as this example demonstrates, in this particular instance,~~ such cases ~~did happen- and~~ reinforced the perception that ~~such~~ fathers were negligent or selfish (see Wanhalla, 2013; Binney, 2006).

Mixed descent children did not face the same preconceptions, and in adulthood, they also sought to establish or protect land rights. In the 1870s and 1880s, children of these early marriages 'citing poverty applied for land grants on the basis of the long residence of their fathers' (Wanhalla, 2009, p. 96). John Arnett enquired about a land grant in 1879, arguing that his 'father came to the country 45 years ago and was twenty years resident in this place'.<sup>40</sup> Applicants also asserted the legitimacy of their claim based on respectability, notably the longevity and legitimacy of their parents' marriage. In requesting that Andrew Moore's rights to 25 acres in Otago 'given to him for the sake of us' be investigated, the applicants, 'being half-castes', stressed that Moore 'was lawfully married to our mother Hinekoau, afterwards baptised as Sarah Moore.'<sup>41</sup>

However, the poverty experienced by mixed families was not necessarily alleviated once they managed to acquire title to land, due to the small size of the grants and the poor quality of the land, which was often in remote locations. Mary Ann Thompson protested the inadequacies of the grant of 12 acres she had received at Waitaki, claiming it was 'so very poor that no



person could make a living on it [and] very unsuitable for poor people to settle on.’<sup>42</sup> Cases dragged on as claims remained unresolved for decades. Tiaki Kona, for instance, implored the Native Minister in 1892 to look into ‘providing land for half-castes. There are twelve of us who were promised land about twenty-seven (27) years ago, and have not got it yet, which is keeping us very much impoverished’ and, if possible, ‘I would like to get equal shares for all of them.’<sup>43</sup> Both the limited grants and slow process caused families considerable distress, and collective requests like that of Tiaki Kona’s were often a strategy to deal with the challenges of the claims system.

Reflecting kinship ties and the fact that interracial families were a part of the Ngāi Tahu cultural and social world, the lands set aside tended to adjoin native reserves. The chance to secure land in close proximity to reserves, and thus near family, was generally looked upon favourably by those of mixed ancestry, many of whom remained largely embedded within the Ngāi Tahu world.<sup>44</sup> Group petitions to colonial officials were a common strategy through which a unified collective identity was asserted. In 1886, a petition requesting an investigation into their land rights was submitted by the ‘half-castes resident at Awarua (Bluff)’:

Friend, Sister; we, that are living in this part, are without lands. But in our opinion we have the right of title to certain Blocks on the side of our mothers. This is why we are asking that you would look into our grievance – Enough – From us, the half-castes in this District.<sup>45</sup>

Originally written in te reo Māori (the Māori language) and translated into English by government administrators, this petition demonstrates a strongly felt affiliation with Ngāi Tahu. This point was reinforced by the claim to land through the assertion of their mother’s

rights based on whakapapa (genealogy) and descent. Collective letters were also written by the 'half-castes' from the Ngāi Tahu settlements at Aparima, Rakiura and Ruapuke.<sup>46</sup>

Applicants emphasised the centrality of kinship and community for they sought to ensure that they received their land grants in the same localities. The desire for adjoining grants may also have enabled families to collectively use otherwise poor land more effectively. Letters from the Bates, Bragg, and Wybrow families, amongst others, requested contiguous sections for members of their extended families.<sup>47</sup> Elizabeth Parker took her claim at Stewart Island 'on account of my husband and sisters.'<sup>48</sup> In 1878, Thomas Gilroy wrote to Mackay on behalf of his parents advising that 'mother she refuses the section at the Mokamoko on account of it not joining her husband.'<sup>49</sup> David Pratt requested to exchange his grant of land at Scotts Gap (Southland) for land at Glory Cove, Stewart Island, so he could reside near kin.<sup>50</sup> Families applied collectively, such as the Dallas family at Orepuki and the Davis family at Fortrose.<sup>51</sup> Thomas Gilroy informed Mackay on behalf of eleven others of their selections at Stewart Island and that 'we all wish to have them in one bay', where they spent seven months a year oystering together.<sup>52</sup> Clearly those of mixed ancestry continued to maintain not only the kinship connections, but also the socio-economic networks that had been established during the earlier whaling era (Stevens and Wanhalla, 2017).

Engagement in the half-caste land claims process was one which both illustrated and reinforced the sense of community and identity that existed between mixed descent families and Ngāi Tahu in the southern regions. Families and communities worked together in asserting their rights, sharing information about the land grant processes. This knowledge was frequently used in support of their petitions to colonial officials, with petitioners frequently citing the land allocations made to other 'half-caste' families in support of their

own claims.<sup>53</sup> Knowledge of government policy, the status of local land claims, and the methods by which others had acquired their grants clearly circulated throughout the southern world in the 1860s and 1870s, reinforcing that this was indeed a community based on cultural and kin affiliations.

Government officials also recognised the social networks maintained between mixed descent families. In 1878 Alexander Mackay chose to communicate with the families at Riverton through George Howell, son of John Howell and Kohikohi, and grandson of the Foveaux Strait chief Horomona Patu. Mackay advised 'as I may not have time to write to all of the Half-Castes at Riverton and other places I enclose the particulars to you and will be obliged if you will make them known to all concerned.'<sup>54</sup> The 'particulars' requested George Howell not only to pass on Mackay's responses to the requests of ~~specific~~particular individuals but also to organise the selections of land within Block IV of the Aparima Hundred. Clearly Mackay was confident that Howell was in close contact ~~with~~and had mana (respect) with the wider community and suggests an appreciation of the fact that those embedded within the community had the ability to 'know' local needs much better than government officials. Within eleven days George Howell had 'gathered the half castes together to make their several selections' and forwarded the list compiled to Mackay.<sup>55</sup> ~~Mutual-Collective~~ decision-making ~~within the community~~was in keeping with tikanga (cultural practice), sped up the official process of land allocations and allowed local families to best co-ordinate the choice of sections between the interested individuals. Indeed, the ability to arrange the communal selections so quickly and to gain their co-operation indicates the frequent contact maintained between these families, and a desire to deal with issues over land allocation and use collectively.

## Conclusion

In southern New Zealand, interracial marriage was a characteristic feature of the shore whaling industry that existed from the 1820s to the 1840s. These marriages tended to follow local Indigenous custom, and while utilised for strategic reasons, often [also](#) developed into affective relationships of some duration. Indeed, many couples remained together well after the shore whaling industry came to an end, as evidenced by the letters and petitions from the children of these relationships. For Ngāi Tahu, interracial marriage brought new members into their communities and encumbered these men with responsibilities to their kin, which included the sharing of goods and wealth. Colonial officials nevertheless regarded these relationships with suspicion, something that applicants for land grants understood and sought to counter by stressing their commitment to marriage, family and settlement.

In their correspondence, ~~white~~ fathers and their children highlight how, unlike in some other settler colonies, the interracial families that emerged in southern New Zealand by the middle of the nineteenth century did not become a distinct cultural group (Wanhalla, 2009). [These families had initially existed within a Ngāi Tahu world, speaking te reo as lingua franca and respecting the importance of whakapapa and related rights and obligations. Even as the decline of whaling, increased land alienation and the arrival of colonial officials reshaped the economic and political landscape, m](#)Many families remained well-connected with their Ngāi Tahu relations (Stevens, 2008; Stevens and Wanhalla, 2017): they supported the applications of kin; argued that their fathers were respectable settlers; and in their selections of land demonstrated their participation in Ngāi Tahu communities. [Many Ngāi Tahu and mixed descent families felt similarly the negative effects of settler colonialism, and used their relationships and networks in their attempts to improve their economic circumstances.](#)

Nevertheless, 'half-castes' were the subject of ~~distinct-particular~~ colonial concern and attention during the second half of the nineteenth century. Their place between worlds meant such individuals were considered a 'very important class of settler' ~~during~~ certain moments of colonial anxiety. ~~Yet~~ the material reality of land purchases, increased colonial settlement around southern New Zealand, and economic transformation from resource extraction to agriculture meant that most families could simultaneously be viewed as a 'class of no political weight' by the mid-nineteenth-mid-19<sup>th</sup> century. -The promise of racial amalgamation and the peril of mixedness both drove distinct official policy toward 'half-castes', and particularly their access to land: in the minds of colonial officials, individual title to land was key to ensuring economic success and cultural integration. Yet action was slow, and land grants were frequently small in size and on marginal land~~poor in soils~~, indicating the challenges that petitioners themselves had in making their voice heard amongst official discourses of racial mixing.

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As the colonial government sought to individualise Māori land holdings, fathers of mixed descent families, and later children, nevertheless found various routes to assert their rights to land in the context of increasing dispossession. Some families gained land through the Old Land Claims commission, though most relied upon and petitioned for reserves or grants made subsequent to the Rakiura purchase. Alongside evidence of their limited economic circumstances, claims and related petitions thus highlight the relational networks of knowledge amongst these communities. Mixed descent writers appear well informed about the nature of the claim process and well versed in the colonial government's language of racial classification and amalgamationist philosophy. Through petitioning and letter writing, frequently collective, fathers and children contested what marriage and family meant, and sought to demonstrate kinship in sanctioned ways: as legitimate, respectable, and long-

standing. The colonial land claims process opened up new spaces of engagement with the government, in which 'half-castes' were able to strategically assert their identity individually and collective identity in attempts to improve their position and gain material benefit, as well as to contest the impact of dispossession and the ways in which colonial officials sought to define them. In doing so, these writers highlighted the enduring centrality of family and community during a period of transformation in southern New Zealand.

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### **Figure captions**

Figure 1: Map of the main shore whaling stations in southern New Zealand and their dates of operation.

Figure 2: Map of Ngāi Tahu tribal territory and Crown land purchases, 1844-1864.

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<sup>1</sup> We use the term newcomer (rather than white or European) to signal that these traders and whalers came from a variety of cultural and ethnic backgrounds. We recognise, though, that the term ‘newcomer’ does not fully encapsulate the fact that many of these men transitioned from traders to settlers and gained advantage from Crown policies and practices designed to advance settler colonialism.

~~<sup>2</sup> We focus on the correspondence and applications of white fathers and their children because Māori women did not tend to petition about gaining title to land gifted by marriage as land released in this manner was, according to customary practice, understood to be vested in them and their children.~~ See Paterson and Wanhalla, 2017, pp. 28-29.

<sup>3</sup> Willoughby Shortland to Frederick Whittaker, 6 May 1842, OLC1/71 OLC1363.

<sup>4</sup> Section 54 of the Land Claims Settlement Act 1856 explicitly empowered commissioners to inquire into land acquired by European men through marriage to Māori women.

<sup>5</sup> Charles Marshall to Native Minister, 29 March 1878, LE1/147 1878/145.

<sup>6</sup> John Marmon, evidence before Robert Fitzgerald, 13 September 1844, OLC1/317.

<sup>7</sup> Raumati, evidence before Robert Fitzgerald, 13 September 1844, OLC1/317.

<sup>8</sup> Te Uruti, Pata, Pero, Turoro, Te Retimana, Pairama Te Tihi, Te One, Pukerewa, Inu, and Te Raumahi, 17 March 1859 (original in Māori), OLC1/1370 [REPRO 1548]. Henry Snowden’s land was also claimed by Māori for his children: OLC1/1357. Māori relatives advised that William Christie’s children were gifted the land ‘forever’: OLC1/71 OLC1372.

<sup>9</sup> William Coldicutt to F. D. Bell, 21 May 1859, OLC1/71 OLC1365.

<sup>10</sup> Deed, 15 May 1859, OLC1/71 OLC1365.

<sup>11</sup> Petition of Nathaniel Barrett, 15 January 1850, G13/1 52.

<sup>12</sup> For a discussion of political debates about the care of ‘half-caste’ children and the legislative provision made for them, see Newman, 2007. The provision of institutional care

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by the state and religious bodies for Māori and mixed race children in the mid-nineteenth century has generated little scholarly attention and requires deeper investigation.

<sup>13</sup> NZPD, Vol. 20 (1876), p. 454.

<sup>14</sup> George Grey to Civil Secretary, 4 August 1853, CS2/1.

<sup>15</sup> Alfred Domett, Land Claims Commissioner to Agent for the General Government, 22 March 1871, AGG-HB 1/3.

<sup>16</sup> The first national census took place in 1871, but the 'half-caste' population was recorded inconsistently and often categorised on the basis of residence, dress, ability to speak English, and other cultural factors, alongside that of 'race'. Additionally, the Māori census was completed on a different day, and not all communities were enumerated, sometimes because they refused to supply the requested information. It is difficult, therefore, to precisely quantify the size of the 'half-caste' population in nineteenth-century New Zealand or the extent of interracial marriage.

<sup>17</sup> Evidence of Bishop Selwyn, LE1/1890 1856/66.

<sup>18</sup> 'Land for Half-Caste Children', LE1/1890 1856/66.

<sup>19</sup> Extract from the minutes of the Public Petitions Committee of the Legislative Council, 20 July 1869, MA13/20 13e, part 5.

<sup>20</sup> Extract from the minutes of the Public Petitions Committee of the Legislative Council, 20 July 1869.

<sup>21</sup> 'Pre-emptive Right of Old Settlers', LE1/1890 1856/66.

<sup>22</sup> Evidence of Walter Mantell, Public Petitions Committee, 20 July 1869.

<sup>23</sup> Petition of Andrew Thompson to the Legislative Council, MA13/20 12e, part 5. The request for 10 acres of land arose out of the promises made by Mantell when surveying the native reserves in completion of Kemp's Deed when he was instructed, on Governor Grey's

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approval, to offer no more than 10 acres per individual, or less if possible (Evison, 2006, p. 103).

<sup>24</sup> Evidence of Walter Mantell, Public Petitions Committee, 20 July 1869.

<sup>25</sup> Mantell to Colonial Secretary, 6 April 1854, LE 1/38 1863/116.

<sup>26</sup> J. T. Thomson to Secretary for Crown Lands, 8 April 1869, OLC 18a, 20a, 20b, [REPRO 1705].

<sup>27</sup> Evidence of Walter Mantell, Public Petitions Committee, 20 July 1869.

<sup>28</sup> W.D.H. Baillie, Chairman of Public Petitions Committee, Report of the committee upon the Petition of Andrew Thompson, AJHR, D-20, 1870, p. 1.

<sup>29</sup> See Mackay to the Under Secretary, Native Office, 5 September 1874, AJHR, G-9, 1876, p.1; List of Half-castes to be Provided with Land at or near the Neck, Stewart's Island, AJHR, D-20, 1870, p. 6.

<sup>30</sup> Stewart Island Land Grants Act 1873.

<sup>31</sup> Mackay to W.H. Pearson, Commissioner of Crown Lands, Southland, 15 April 1874, MA-MT6/15.

<sup>32</sup> Alexander Mackay to Under Secretary, Native Department, 19 September 1874, MA-MT6/15/15.

<sup>33</sup> H.A. Atkinson, Land Claims Commissioner to Mackay, 23 December 1874, MA-MT6/15.

<sup>34</sup> NZPD, Vol. 20 (1876), p. 454.

<sup>35</sup> P. Proudfoot, Commissioner, Crown Land Office, Otago, to Andrew Sinclair, Colonial Secretary, 29 January 1856, MA13/20 13a.

<sup>36</sup> Andrew Sinclair, Colonial Secretary, to the Superintendent of Otago, 18 March 1856, MA13/20 13a.

<sup>37</sup> Henry Wixon to Walter Mantell, 12 November 1862, OLC1/72 OLC 18A, 20A, 20B.

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<sup>38</sup> Report of the Commissioners appointed to Examine and Report upon Claims to Grants of Land in New Zealand, 4 February 1841, OLC1/18 OLC 426; Chief Commissioner of Land Claims to J.D. Bell, 22 May 1860, OLC1/7272 OLC 8A and 17A; Statement made by claimants (Anglem's children and partners), OLC1/72 OLC 19A.

<sup>39</sup> Mackay to H.A. Atkinson, 15 June 1875, MA-MT6/15.

<sup>40</sup> John Arnett to MHR, 6 December 1879, MA13/19 12b, part 2.

<sup>41</sup> Harriet Parker (nee Lloyd), James Lloyd, William Lloyd and James H. Parker to Minister of Native Affairs, 22 February 1886, MA13/21 13c.

<sup>42</sup> Mary Ann Thompson Tandy to Native Minister, 9 January 1893, LE 1 1893/153.

<sup>43</sup> John Conner (Tieke Kona) to A. J. Cadman, 30 December 1892, LE1/329 1893/153.

<sup>44</sup> Mackay to Under Secretary of Native Affairs, 28 November 1878, MA 13/19 12b, part 2.

<sup>45</sup> Letter from half-castes of the Bluff to Native Minister Ballance, 10 February 1886, MA13/21 13c.

<sup>46</sup> George Howell and others to T. Pratt, 13 June 1893; William Spencer and others to Native Minister, 10 June 1893, LE 1 1893/153.

<sup>47</sup> Letter from Nathaniel Bates, 25 April 1874, MA-MT 6/15; Application made by John Bragg Kaiporohu on behalf of his family, LE1 1893/153; James Wybrow, Toitotoi, to Mr. Maitland, 16 June 1882, MA 13/21 13d.

<sup>48</sup> Elizabeth Parker to Mackay, 25 November 1878, MA-MT 6/15.

<sup>49</sup> Thomas Gilroy, Bluff, to Mackay, 24 November 1878, MA-MT 6/15.

<sup>50</sup> David Pratt to Mckay, 4 December 1878, MA-MT6/15.

<sup>51</sup> Mary Davies to James Maitland, Commissioner of Crown Lands, 4 March 1879 and Henry [?] to Mackay, 26 April 1879, MA-MT6/15.

<sup>52</sup> Thomas Gilroy to Mackay, 25 November 1878; and Thomas Gilroy to Mackay, 14 January 1879, MA-MT 6/15.

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<sup>53</sup> John Arnett to J.A. Menzies, Chief Commissioner, Native Department, 6 [*month ill.*] 1879, MA 13/19 12b, part 2.

<sup>54</sup> Mackay to George Howell, 19 November 1878, MA-MT 6/15.

<sup>55</sup> Letter from George Howell, 30 November 1878, MA-MT 6/15.