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## Patuone and Commerce

One of the particularly interesting affects of *pākehā* settlement and the associations of missions, as discussed earlier, related to the availability of goods seen as desirable to have and use. Domestic animals and especially horses became significant, superior property and this was one activity which took the imagination of Patuone, who was to be involved in a number of interesting transactions involving horses. Apart from the fact that his racehorse, *New Zealander 1*, enjoyed success at the Auckland races, Patuone was also involved in the breeding and sale of horses to the military and others. Specific details of these transactions survive, one example being a memorandum forwarded to the Defence Office from one T.H. Smith indicating an agreement between him and Patuone for the sale of horses on 27 February 1861 [2](#).

Together with Nene, he also acceded to a request from Te Arawa and provided a piebald horse called *Taika* (Tiger), the first ever to be owned by Te Arawa. Given the supreme value and *mana* attached to horses, this was also in part, *utu* for previous Ngāpuhi assaults on Te Arawa. Te Kohika of Tuhourangi also requested a horse from Patuone and this—an iron-grey mare—was provided.

For Patuone and Nene, there is an especially interesting connection with the famous *waka*, Te-Toki-a-Tapiri in the Auckland Institute and War Memorial Museum. The canoe was initially created for Te Wāka Tarakau of Ngāti Kahungunu around 1836 and was then exchanged for a cloak with Te Wāka Perohuka, a famed *tohunga whakairo* of Rongowhakaata at Turanga. Perohuka, with the expertise also of another famed Rongowhakaata carver, Raharuhi Rukupo, completed it. The canoe was then presented by Perohuka to Patuone and Nene in 1853 to mark the ceasing of hostilities between Ngāpuhi and the *iwi* of Tai Rawhiti who had suffered greatly under Ngāpuhi onslaughts. It was then sold to Kaihau and Te Katipa of Ngāti Te Ata and ended up being unjustly confiscated by the government following the Waikato wars.

In 1869, the canoe figured prominently in the regatta arranged in honour of Alfred, Duke of Edinburgh, during his visit to Auckland at which Patuone was the principal Māori speaker and was presented to what was to become the Auckland Institute and War Memorial Museum in 1885 by the then government.

Apart from the connection with Patuone and Nene, Te-Toki-a-Tapiri is an important *taonga*, representing as it does the making of peace as well as being a collective personification of the immense *mana* of all who created it and whose names will be forever associated with it. The fact of its location is also significant: the Museum looks out over the city, its *taonga* of great *mana* protecting all before it as well as looking out across the horizon and back to distant and ancient Hawaiki.

In addition to mention made of Patuone's commercial activities already [3](#), the sensitivities inherent from the earliest days are also evident in surviving documentation. A letter from Ranulph Dacre, master of the barque *Molina* at the Mahurangi, dated 3rd October 1834 mentions Gordon D. Browne taking spars refused by Captain Sadler of *H.M.S. Buffalo*. The letter suggests that the then wars at Thames were caused by the conduct of Patuone and Sadler. Whatever the precise truth and circumstances might be, the letter certainly hints at commercial rivalry and jealousy [4](#).

Other communications hint that Patuone and others were providing military intelligence to the Governor. A memorandum from T.H. Smith, forwarded to the Defence Office on 19th February 1862 summarises a communication from Patuone in the presence of the Hauraki chief Taraia that 2400 warriors were about to proceed to Taranaki under Wiremu Tamihana Tarapipi [5](#).

Even following Patuone's death, the commercial transactions were to continue. On or about the 21st January 1874, an application from Patuone's *whāngai* son Timoti Patuone (1821-1896) seeks a quantity of timber from the Whangaparaoa Reserve [6](#). Timoti was the son of Matetakahia, a close relative of the Tapua family who had been killed by Nene at Ohuki, Tauranga under unfortunate circumstances. One of Nene's faults was his injudicious haste to rush to judgment without first checking the facts of a particular situation and clarifying precise responsibility for actions he found not to his liking. Such was the issue here. For some unexplained reason, Nene had thought that Matetakahia was responsible for the death of an English trader called by his Māori name, Wharangi. However, Wharangi had been killed at Whakatane as it turned out by another chief called Te Ngarara. The circumstances which led to the killing of Matetakahia are not clear. It was, however, up to the chief Te Haua to put matters right and Te Ngarara was shot dead during a trading mission, thus avenging the death of Matetakahia at the hands of Nene as well as completing the original *take* related to Wharangi.

## The *Sir George Murray* and the Flag of the Independent Tribes of New Zealand

On the commercial front, it is known that Patuone made at least two visits to Sydney, the first with Captain J. R. Kent in 1826. He arrived on the *Elizabeth* with his son Toa as part of a trade promotion mission, landing on 29 December. Patuone offered to leave Toa in Sydney as a guarantee for the safety of traders traveling to the Hokianga to engage with Māori there. While this was not deemed necessary, Toa himself was probably not anxious to be so far from home in a totally foreign place. Trade emanating from Hokianga centred upon *Kauri* spars and sawn timber but included goods such as potatoes, flax and wheat [7](#). Patuone was also in Sydney on a trading mission in November, 1830 aboard the *Sir George Murray*, the first ship built in New Zealand, at the Hokianga and part-owned by Patuone and Taonui, who provided the timber. The *Sir George Murray* had been built at Horeke in partnership with the Sydney merchants, Gordon Brown and Thomas Raine. Upon arrival in Sydney on 18th November, the maiden voyage, the ship and cargo were impounded by customs officials, due to a breach of the British maritime navigation laws operating in New South Wales at the time. These laws required all ships engaged in trade to have a flag of nationality and a register, detailing construction and

ownership. The ship and Patuone, who was accompanied by two sons and his relative, Taonui, had sailed into an unpredicted dilemma and controversy: New Zealand was neither British, nor did it have a flag to comply with official requirements. There was, however, an official recognition of the problem by the New South Wales authorities, aware of the substantial and important trade both ways which was increasing steadily and taking on a major importance to the overall New South Wales economy. This interest and concern was timely in view of the alarm engendered, particularly among northern Māori. Not only was the trade of major significance, other Māori had also signed on as ships' crew and the authorities realised with foresight that giving offence to major chiefs like Patuone and Taonui risked much in the longer term. Memories of the *Boyd* massacre of 1809 at the Whangaroa, were also still pertinent and fresh. Since Gordon Brown and Thomas Raine both suffered major financial loss as a result of the incident, the *Sir George Murray* was sold at auction in Sydney to Captain Thomas MacDonnell on 20 January, 1831 for the sum of £1300. On 13 March, following structural work, the *Sir George Murray* returned to the Hokianga. As it transpired, a temporary licence was finally granted in August 1831 and the *Sir George Murray* continued its trading activities while a full solution was sought. Both Patuone and Taonui made their positions clear and set their personal *mana* behind the matter, declaring in June 1831, in case there were any remaining doubts—:

To all whom the Presents shall come.

We the principal Chiefs of Hokianga in the Island of New Zealand PATUONE and TAONUUI send greeting to say that Thomas MacDonnell, A Resident and Land holder in our country is the sole owner of the Barque or Vessel called the "Sir George Murray", wherof the said Thomas MacDonnell now is Master, that the said Barque or Vessel called the "Sir George Murray" was built in OUR TERRITORIES of our Timber.

Be it known to all Men that the aforesaid Barque or Vessel is three hundred and ninety two 64/94 Tons English measurement, has two decks and three masts, is built at Hokianga in OUR TERRITORIES, that her length from the fore part of the main stern to the after part of the stern post aloft is one hundred and nine English feet.

Her breadth at the broadest part above the main wales is twenty eight feet eight inches, that she is built by Andrew Sommerhill, an Englishman, is Barque rigged with a standing Bowsprit, is square sterned, Carvel built, has no galleries and a scroll figure head, was launched on the second day of September, one thousand eight hundred and thirty as the two Principal Chiefs PATUONE and TAONUUI do hereby certify that the several particulars set forth in the above description and Measurement are true and correct, and we further certify that the aforesaid Thomas MacDonnell is entitled to all the privileges and immunities of a Chief at Hokianga in the Island of New Zealand.

Hokianga New Zealand 2nd June 1831

The statement was signed and sealed by Patuone and Taonui as chiefs and witnessed by Robert Williamson and W.H. Russell as Residents. Apart from the historical significance of the detail of this matter, pertinent as it is to the developing commercial relationship between New South Wales and New Zealand, the patronage of Patuone and Taonui as two principal chiefs of Hokianga is also a clear statement of their status. Further, it accords a clear ranking upon MacDonnell as one possessing all the advantages and status of a chief of the Hokianga. Patuone and Taonui were taking no chances whatever <sup>8</sup>.

MacDonnell was later to pursue a long and bitter battle over his claim for 50,000 acres of the Motukaraka block in the Hokianga. After years of legal argument and acrimony, he finally gave up the struggle but not before he had offended many, alienated more and even physically attacked others disputing his claims. At one point, Nene, in his commitment to support MacDonnell, threatened to evict those on what he believed to be MacDonnell's land, "bought" within the confines of the law of the time, however, it was fortunate that such measures were not used. The disputes related to MacDonnell's claims arose primarily from the disputed rights that Taonui had to "sell" the lands to MacDonnell in question in the first place.

Earlier, Patuone had another connection with shipbuilding, being instrumental, in a very interesting way, in the establishment of Thomas Maxwell's shipbuilding business at Waiheke. Thomas Maxwell came to the Bay of Islands in 1820. A boatbuilder from Maxwell near Aberdeen, he arrived in New Zealand waters aboard a sailing ship of his own design and construction. Shortly after his arrival, a Ngāpuhi *taua* to Tamaki-makau-rau, returned to the Bay of Islands with a very high-born captive, Ngeungeu, beautiful daughter of the *rangatira*, Otara Te Irirangi. Because of Ngeungeu's high status, any mistreatment of her would have given rise to serious repercussions and accordingly, Patuone advised Otara Te Irirangi that he would guarantee her safety and ensure her good and respectful treatment. In the interim, Thomas Maxwell was highly impressed with Ngeungeu upon seeing her and it was clear that the attraction was mutual. In another intriguing twist, Patuone consented to their marriage and Ngeungeu returned to her father together with Thomas Maxwell, to the great delight of Otara Te Irirangi. With the support of his father-in-law, Maxwell then established his business at Waiheke, creating boats designed for local conditions and building up a very lucrative operation. The consent of Patuone to the marriage indicates yet another interesting and highly complex aspect of chiefly authority. A high-born captive could be termed a *mokai*, a category of slave, distinct from a common slave or *taurekareka*. The relationship with the capturing *rangatira* could be used for great advantage from both sides and in some cases, even lead to marriage. Such events would therefore seal an alliance between former enemies.

In the meantime, the activities of many whaling, sealing and other visitors to Aotearoa and especially the Bay of Islands, which became known as the Hellhole of the Pacific, began increasingly to concern Patuone and twelve other *rangatira* <sup>9</sup>. Accordingly, at a council of chiefs at Waimate, it was decided to write to King William IV, expressing concerns and seeking the protection of their sovereignty. The letter was dated 16th November 1831 and accompanied by a translation. It was sent on behalf of the chiefs by William Yate via *H.M.S. Zebra*:

"We have heard that the tribe of Marian (Marion du Fresne) is at hand coming to take away our land, therefore we pray thee to become our friend and the guardian of these islands, lest the teasing of other tribes should come near to us, and lest strangers should come and take away our land. "And if any of thy people should be troublesome or vicious towards us--for some persons are living here who have run away from ships-- we pray thee to be angry with them that they may be obedient, lest the anger of the people of this land fall upon them. "This letter is from us, from the chiefs of the natives of New Zealand.

A reply was sent the following year by Lord Viscount Goderich, one of the Principal Secretaries of State to His Majesty the King of Great Britain, addressed to the "Chiefs of New Zealand": <sup>10</sup>

"Friends,

"I am commanded by the King to acknowledge the receipt of the letter, which you addressed to His Majesty, and which you entrusted to Mr. William Yate to forward to England.

"The King is much gratified to find that the cause for alarm, which appears to have existed at the time when your letter was written, has entirely passed away, and he trusts that no circumstances may occur in future to interrupt the internal tranquility of New Zealand, which is so necessary

to the maintenance of a close commercial intercourse between its inhabitants and those of Great Britain.

"The King is sorry for the injuries, which you inform him, that the people of New Zealand have suffered from some of his subjects; but he will do all in his power to prevent the recurrence of such outrages, and to punish the perpetrators of them according to the laws of their country, whenever they can be apprehended and brought to trial, and the King hopes that mutual goodwill and confidence will exist between the people of both countries.

"In order to afford better protection to all classes, both natives of the Island of New Zealand and British subjects who may proceed or may be already established there for purposes of trade, the King has sent the bearer of this letter, James Busby, Esq., to reside amongst you, as His Majesty's Resident, whose duties will be to investigate all complaints which may be made to him. It will also be his endeavour to prevent the arrival amongst you of men who have been guilty of crimes in their own country, and who may effect their escape from the place to which they may have been banished, as likewise to apprehend such persons of this description as may be found at present at large.

"In return for the anxious desire which will be manifested by the British Resident to afford his protection to the inhabitants of New Zealand against any acts of outrage which may be attempted against them by British subjects, it is confidently expected by His Majesty that on your part, you will render to the Resident that assistance and support which are calculated to promote the object of his appointment and to extend to your country all the benefits which it is capable of receiving from its friendship and alliance with Great Britain.

"I have, etc.,

"GODERICH."

"Colonial Office,

"June 14th, 1832."

With the arrival of James Busby in the Bay of Islands in 1833 as British Resident, the flag became an issue of major importance. Busby saw it as a means of encouraging Māori to work co-operatively and in this sense, it is an important sovereignty forerunner and adjunct to the Declaration of Independence. Following rejection of the original design produced by the authorities in New South Wales, Henry Williams—revealing yet another 'talent'—drew up three alternative designs which were sent to Governor Sir Richard Burke in New South Wales and made up into prototypes. The final designs in made-up form, returned to the Bay of Islands on the H.M.S. *Alligator*. On 24 March 1834, a group of some twenty-four chiefs, various other interested missionaries and settlers as well as the captains of ten British and three American ships, assembled to make their choices. The final design was then hoisted on the H.M.S. *Alligator* to a twenty-one gun salute and returned to New South Wales from where it was sent to King William IV for final approval. This approval was given and the King indicated to the Admiralty that it would be regarded as the official flag of New Zealand, the flag of the United Tribes of New Zealand.

Even in later years when his operational base was his Waiwharariki estate in Takapuna, commercial interests in timber and flax especially, prevailed in Patuone's activities as did the breeding of horses. It also meant that much of his attention was upon matters concerning the interests of Ngāti Paoa, now even closer allies through marriage. Following earlier co-operative ventures with Ngāti Paoa, based on kinship with Te Haupa, Patuone with Nene, again supported them in their fights with Te Waharoa of Ngāti Haua. Although he still made visits for important events north, he was happy to leave Nene to oversee Ngāti Hao interests and the wider political matters there involving Ngāpuhi. This Nene did from his base *pā* near the north eastern end of Lake Omapere. Meanwhile, as well as Ngāti Paoa *pā* such as Whakatiwai near Maraetai, Patuone also spent time at his *pā*, Putiki on Waiheke. Later, his more permanent base was to become his estate at Takapuna. Governments of the day valued his presence, seeing his immense personal *mana* as a buffer against the perceived military threats from Heke in the north and a general influence for the common good and general progress of the colony.

### Justice Changes in the Face of Commerce, *Pākehā* and the Book

In spite of his occasional forays into fights, Patuone's skills in sorting out major crises remained in demand. Back in the Hokianga in 1833, Kaitoke, of Te Hikutu and a follower of the Nakahi cult of Papahurihia, killed two missionary converts, Matiu and Rihimoana near Mangamuka during one of the nightly meetings at which Papahurihia claimed to commune with the spirits of the departed. The offensive weapon which had caused the deaths was a gun inscribed with what Davis described as 'hieroglyphics' (p.27), the meaning of which was supposed to be made clear to the bearer. Such an act perpetrated upon those preaching the word of the book who were also kin, required *utu* so Patuone, Nene and other chiefs gathered together a *taua* and after one of their number was killed and another wounded by shots from Kaitoke's *pā*, the *taua* breached the perimeter. The missionaries who had accompanied the *taua* in the hope of restraining the parties from violence, thus found themselves in the midst of the fight. In the event, some twelve of Kaitoke's people were killed and Kaitoke himself, wounded. Having decided that this was sufficient and *utu* had now been satisfied, Patuone then ceased all hostilities. The offenders were told to leave the area immediately. It was yet another example of Patuone's decisive and firm diplomacy and authority where no more than was required to satisfy *utu*, was extracted from those responsible for creating the *take* in the first place.

Another interesting twist on *utu* involved a force of *pākehā* settlers who had been 'ill-treated' by Tohukakahi of the Ihutai people at Mangamuka. The precise nature of the ill-treatment remains unclear. In the company and with the approval of Patuone, a *taua* of over forty *pākehā* determined to extract recompense, and proceeded to the Ihutai *pā* by boat fully-armed. In the meantime, in an attempt to avert bloodshed and any further tragedy, the missionary Rev. W. White had warned the Ihutai and suggested that they vacate the *pā* and hide in the forest. The *taua* therefore arrived to find the *pā* deserted. In accordance with the laws of *muru*, they seized all goods of worth in the *pā* and slaughtered all the Ihutai pigs which were all then loaded in the boats and carried off. It is probable that the settlers had sought Patuone's advice about the best course of action to take and that the warning of Ihutai was all part of a staged process to avoid a major conflict and allow an acceptable solution with honour. This was, after all, a matter of *utu pākehā* not *utu Māori*.

As a final example of how justice was meted out under the principles of *utu*, a settler named Henry Biddell was allegedly drowned in the course of a canoe journey to Whirinaki on the Hokianga. It was determined that the two Māori who had manned the canoe, one of whom was very young, were responsible for Biddell's 'violent' death by drowning although the precise circumstances were not known and remained unclear from an investigation. Patuone and Nene together with James Busby and settlers formed a tribunal to determine guilt. The older Māori was determined to be guilty of the death and at the side of a grave dug for the occasion of summary justice, was 'dispatched' by the chief Pangari—another close relative of Patuone and Nene—and the matter concluded.

Both examples cited are particularly significant in that they represent the finding of common and co-operative ground for dealing with 'legal' matters before there were more formal, legislated processes in place. These solutions used a combination of Māori and *pākehā* methods. The law was in transition and taking on a consultative face.

1. This horse had been a gift to Patuone from Sir George Grey. ([back](#))
2. MS in Archives New Zealand: Department of Māori Affairs Group, Wellington. ([back](#))
3. See Petrie, op.cit. and discussion earlier about Patuone's visits to Sydney. ([back](#))
4. MS in Archives New Zealand: Micro 6908. British Resident Group, Wellington. ([back](#))
5. MS in Archives New Zealand: Department of Māori Affairs Group, Wellington. ([back](#))
6. MS in Archives New Zealand: Auckland Provincial Government Group, Wellington. ([back](#))
7. Much of the *Kauri* timber exported to Sydney ended up in as flooring and paneling in houses of the day which still survive. The author's own house in Sydney is predominantly of *Kauri* from the Hokianga. ([back](#))
8. Manuscript, Mitchell Library, Sydney. ([back](#))
9. The thirteen chiefs who sanctioned the letter were Patuone, Nene, Te Wharerahi, Rewa, Kekeua, Titore, Te Morenga, Ripe, Hara, Atuaahaere, Moetara, Matangi and Taonui. ([back](#))
10. See Elder, pp.505-506 in references. ([back](#))

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