

# AIHE PEPENE

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**WAIKATO**  
*Te Whare Wānanga o Waikato*

## AIHE PEPENE

**Abstract:** *Sharing the same illustrious whakapapa as his brother Reha Aperahama, Aihe Pepene was prominent when living in the Thames district before settling at Te Aroha in 1878. When speculators tried to acquire the Thames foreshore from Pepene and others in 1870, he became involved in the subsequent legal actions over unpaid promissory notes. Later he would acquire interests in many blocks of land, and received a steady income by leasing or selling these plus his share in the goldfields revenue. When the Aroha Block was considered by the land court for the last time, in 1878, he conducted the case for Ngati Rahiri.*

*He invested in four Hauraki goldfields, and was briefly an owner and skipper of two small river steamers, an unsuccessful endeavour that resulted in his being forced to sell more land to meet his debts. Once his 1880 and 1881 financial difficulties were resolved, no more such problems recurred.*

*A leading rangatira in Hauraki generally as well as at Te Aroha, he would be elected to a Maori Committee that was soon revealed to have no significance. Closely involved with Pakeha, he assisted settlement, and his loyalty to the Crown was illustrated by his becoming an officer in the Thames Native Volunteer Corps. A member of the Church of England for many years, like many Maori he became a Mormon, a faith perhaps more appropriate to his private life, for he had more than one wife, notoriously eloping with the wife of a more senior rangatira despite already being married.*

## EARLY LIFE

According to what the Mormon Church recorded, Aihe Pepene was born in Hauraki, a very vague location, in 1850, which would make him, incorrectly, the same age as his brother Reha Aperahama.<sup>1</sup> In the 1870s he gave two birthplaces, Te Awakahawai and Turua, ‘after the return of the tribes inland’.<sup>2</sup> Details of his hapu, whakapapa, and parents are given in the paper on Reha<sup>3</sup>. He was commonly referred to as Pepene.

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<sup>1</sup> Church of Latter Day Saints, Kirikiri Baptisms and Confirmations, no. 18, LDS Archives, Hamilton.

<sup>2</sup> Maori Land Court, Hauraki Minute Books no. 9, p. 167; no. 11, p. 112.

<sup>3</sup> See paper on Reha Aperahama.

In his 1878 evidence on the five-acre Kareremokai Block,<sup>4</sup> part of Kaitawa and close to Totara Point, a short distance south of Thames,<sup>5</sup> Pepene gave details of his claim through ancestry and occupation:

When I was quite a child before I can remember I was taken to this land and [was] living there from the time I can remember. N'Rahiri having no land about this District my mother took them on this land to cultivate she being a N'Rahiri. When N'Rahiri returned to the Aroha to live my brother & I continued to reside on this piece.<sup>6</sup>

When Kaitawa No. 5 was before the court in 1889, he gave evidence that he had lived on his 'piece of land' adjoining it to the south 'till I was grown up'. Ngati Rahiri had settled there 'on account of my father' before the Taranaki War, and cultivated Nos. 2, 4 and 5 with the approval of two rangatira, Eru and Pahau. They were never disturbed in their occupation before they left to settle at Te Aroha. 'I went on this land' from nearby Waiotahi at 'the same time N. Rahiri went on it – I was living with them – this was before Taranaki War – I was very young – but I could plough'. 'I understanding ploughing went there for that purpose'. His mother's younger brothers were with them, and 'our house was close to line marking southern boundary'.<sup>7</sup> When giving additional evidence about his occupation of this land later in the year, Pepene said he 'lived there for a long time – I lived there before Taranaki War'. When his parents were alive he lived with Ngati Rahiri. 'N. Tau lived with my father – he was the one who possessed land at Hauraki – he married a woman of N. Rahiri that is how they resided with him – when the land was crowded with N. Rahiri they went to ask land from Hirini – Eru and Pahau'.<sup>8</sup> In 1871 the land court had been told that when war started in Taranaki, two 'youths', 'Te Pepene' and Keepa Te Wharau,<sup>9</sup> had travelled from Matamata to Thames by way of Manawaru,<sup>10</sup> upstream from Te Aroha.

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<sup>4</sup> Not on current maps, nor in David Alexander, *The Hauraki Tribal Lands* (Paeroa, 1997), vol. 8, part 2.

<sup>5</sup> Maori Land Court, Hauraki Minute Book no. 11, pp. 113, 116; Native Land Court, *Thames Advertiser*, 7 August 1878, p. 2.

<sup>6</sup> Maori Land Court, Hauraki Minute Book no. 11, p. 112.

<sup>7</sup> Maori Land Court, Hauraki Minute Book no. 20, pp. 186-190.

<sup>8</sup> Maori Land Court, Hauraki Minute Book no. 22, pp. 135-136.

<sup>9</sup> See paper on his life.

When seeking to be made an owner of a swamp known as Reparahi, Pepene stated, 'We used to cut flax there. I did so when a child'.<sup>11</sup> In 1891, he said that when he first arrived at Thames he went 'by way of Te Aroha'.<sup>12</sup> He remembered going to the Bay of Islands 'on the death of my sister which occurred after' Thames 'was built. My father Aperahama [Te Reiroa] also went there.... We saw two people descendents of Ngatimaru at Bay of Islands. I knew that one of them had been taken a prisoner',<sup>13</sup> by Ngapuhi in the 1820s.

As was usual, he lived in several places at various times. In the late 1860s and early 1870s he was living at Kaitawa.<sup>14</sup> In 1873, owning land and a dwelling entitled him to be on the electoral roll.<sup>15</sup> In 1878, after Ngati Rahiri was granted the Aroha Block, he lived at Te Aroha.<sup>16</sup> An 1879 map of the Te Aroha district showed 'Pepene's house' at Waihou, to the west of the river.<sup>17</sup> Having retained his house at Kaitawa, sometimes he lived there as well.<sup>18</sup>

### THE SALE OF THE THAMES FORESHORE

During the first boom in Thames mining, there was conflict over the beach area. The boundary of the goldfield was the high tide mark, but speculators, imagining that gold would be found on the mudflats, attempted to purchase these, paying large sums to the owners as rent in advance, as a Thames newspaper later explained:

To make themselves safe, however, against the possibility of the ground not coming into their possession, the speculators took

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<sup>10</sup> Maori Land Court, Auckland Minute Book no. 2, pp. 219, 222.

<sup>11</sup> Maori Land Court, Hauraki Minute Book no. 17, p. 330.

<sup>12</sup> Maori Land Court, Hauraki Minute Book no. 27, p. 175.

<sup>13</sup> Maori Land Court, Hauraki Minute Book no. 27, p. 178.

<sup>14</sup> Maori Land Court, Hauraki Minute Books, no. 2, p. 31; no. 8, p. 73; Coromandel Minute Book no. 2, p. 79.

<sup>15</sup> Thames Electoral Roll, 1873, Auckland Provincial Government Papers, ACFM 8183, 3015/73, ANZ-A.

<sup>16</sup> Maori Land Court, Hauraki Minute Book no. 11, p. 111.

<sup>17</sup> Field Book 353, issued to F.H. Edgecumbe, 9 September 1879, Land Information New Zealand, Hamilton.

<sup>18</sup> For instance, Maori Land Court, Hauraki Minute Book no. 22, p. 118.

promissary notes from the natives, payable on demand. Whether the natives quite understood the matter we cannot say, but of course they took the money, and what is more they soon spent it.

As the government prevented the owners from giving title to those who had made arrangements to lease, the speculators sought to recover their money through the courts. However, ‘rents are not coming in; miners’ rights are comparatively few’, and owners ‘could not if they would repay the money’. Writs were served, and ignored. When a bailiff went to serve one on ‘old Riwai’, he was driven off with a kauri gum spear. In late August, a solicitor acting for speculators ‘gathered together a posse of bailiffs, boatmen, and others, and went up to arrest Aperahama [Te Reiroa]’, who evaded them, and he like others refused to pay.<sup>19</sup>

As Hanson Turton, then a commissioner investigating native title,<sup>20</sup> later explained, a client had given him four promissory notes signed by Pepene, his father, and two other rangatira, Matiu Pono<sup>21</sup> and Tanumeha Te Moananui.<sup>22</sup> The total owing was £350, inclusive of costs, and the creditor was willing to take £100 and allow time for the balance to be paid. Turton was asked to issue writs to recover the amounts, which he did, and the Supreme Court gave judgment for ‘recovery’. Before this was enforced, Turton saw the Native Commissioner, Edward Walter Puckey, and said his client would allow three weeks before seeking his money. Puckey ‘had several interviews with the defendants and the leading chiefs’, explaining that the government would ‘make certain payments to them if they handed over absolutely the foreshore of Grahamstown to the Government, which the natives agreed to do, but ultimately refused, thus playing fast and loose with Mr Puckey’. Accordingly, Turton’s client decided not to wait any

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<sup>19</sup> *Thames Advertiser*, 29 August 1870, p. 3.

<sup>20</sup> *A Dictionary of New Zealand Biography*, ed. G.H. Scholefield (Wellington, 1940), vol. 2, p. 409.

<sup>21</sup> See Maori Land Court, Auckland Minute Book no. 2, pp. 294-295; Hauraki Minute Books, no. 6, pp. 392-395, 400, 403-404, 408; no. 8, pp. 368-370; no. 13, p. 337; no. 21, pp. 199, 202-204, 213-214; no. 22, pp. 125-126, 132, 142, 145; no. 56, pp. 336-337, 342, 346.

<sup>22</sup> See J.L. Hutton, ‘“Troublesome Specimens”: A study of the relationship between the Crown and the Tangata Whenua of Hauraki 1863-1869 (Auckland University, MA thesis in Anthropology, 1995), p. 171.

longer, and ‘issued execution against them’.<sup>23</sup> A journalist was critical of the method used:

On Friday night, a bailiff, backed by a number of men, proceeded to execute judgment. They went to Te Moananui’s settlement, and we believe were threatened with violence if they persisted. Going in a mob in the night to execute judgment at a native settlement is an exceedingly rash and bungling method of giving effect to the law.... Going in a body to a native settlement to execute a warrant is exactly the way to provoke resistance from the whole tribe. The men are looked upon as a taua, or war party, and treated accordingly.<sup>24</sup>

The consequence was that Aperahama Te Reiroa and others fled, and a Pakeha feared that Turton’s action would assist Hauhau and prevent the land court considering the Ohinemuri block.<sup>25</sup> Pepene did not flee, and, in Turton’s words, ‘on being arrested, paid his debt’. Matiu Poono was ‘in the hills’, and Te Moananui was told that execution would not be enforced on him. Turton blamed Pepene’s father for causing the consequent difficulty, for ‘he could have paid the money, had he chosen’, but instead raised a ‘civil army’ when threatened with arrest. Turton described the rangatira as ‘vacillating and cunning’, wanting the government ‘to pay their debts while they kept the property which was the subject matter of the promissory notes’.<sup>26</sup> After the rangatira fled to Kerepehi, a Hauhau settlement, two speculators paid their debts.<sup>27</sup> Despite the promissory notes being satisfied thereby, they were unwilling to return for fear of arrest.<sup>28</sup> Accordingly, a large number of Maori went in late September to ‘bring back in triumph the ill-used Chiefs Te Moananui and Aperahama’.<sup>29</sup>

The subsequent meeting at Kerepehi was reported under the headline ‘Two Nights Among the Hauhaus’. A journalist described leaving Thames ‘with the whole of Ngati Maru and ‘a great number of Ngati Tamatera ‘to

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<sup>23</sup> Letter from Hanson Turton, *Thames Advertiser*, 9 September 1870, p. 3, reprinted in *Auckland Weekly News*, 1 October 1870, p. 13.

<sup>24</sup> *Daily Southern Cross*, 29 August 1870, p. 2.

<sup>25</sup> Letter from ‘Festina Lente’, *Daily Southern Cross*, 31 August 1870, p. 3.

<sup>26</sup> Letter from Hanson Turton, *Thames Advertiser*, 9 September 1870, p. 3, reprinted in *Auckland Weekly News*, 1 October 1870, p. 13.

<sup>27</sup> *Thames Advertiser*, 19 September 1870, p. 2, 26 September 1870, p. 2.

<sup>28</sup> *Thames Advertiser*, 26 September 1870, p. 2.

<sup>29</sup> *Thames Advertiser*, 22 September 1870, p. 2.

visit Te Moananui and the other chiefs who had fled to the Hauhaus when the Supreme Court Bailiff lately attempted to apprehend them'. At the meeting, one speculator, Robert Graham,<sup>30</sup> spoke first:

When I leased the land at Waiotahi from Aperahama it was a swamp. I drained it, made roads, built houses, and a wharf.... I have heard that Aperahama is offended because I hold some money of his children's; but it was arranged between us that they should receive it as they grow up. I have been told that Aperahama wrote to me when he got into trouble. I never got his letter, or I would have come at once.

Aperahama Te Reiroa responded:

The time when Pepene got into trouble was when our trouble began. I wrote a letter to Mr Graham, through Mr Lascelles, asking Mr Lascelles to put it right; but that European gave no heed to my letter; hence all our trouble.... I think we shall never do with your laws. We are not going to be put into jail to be made slaves. We were going to pay this money, but you Europeans are in too great a hurry.

John Lundon,<sup>31</sup> Graham's rival in trying to obtain Maori land, had offered him money, but 'it was too long coming, and we had to flee. I am a man in trouble, and I will take the first money'. Pepene said that he had spoken to Lundon, who had told him, 'If you get £400 from Graham, I will sue Graham for the £400'. Lundon explained that Aperahama and others had offered to sell him the mudflat. 'I told them I could not, because I had heard that other Europeans had got it'. He 'saw Pepene in charge of the police. He said it was through the mudflats and the promissory notes. I asked the bailiff not to take him to jail, but leave it to me'. When Lundon offered £20 to clear the debt and was told £28 was required, he offered to pay part if 'Aperahama's people' paid the rest, and warned Aperahama to stay away from Shortland because a warrant was out for him. Pepene interjected, 'I want to answer now', but Lundon told him to wait until he had finished. Asked to go to Aperahama's house, Lundon was told that

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<sup>30</sup> For some of his land dealings, and those of fellow investor James de Hirsch, see paper on the New Zealand Exploration Company and Aroha Gold Mines.

<sup>31</sup> See *A Dictionary of New Zealand Biography*, ed. Scholefield, vol. 1, p. 508.

Graham would not provide the money.<sup>32</sup> When he did speak, Pepene said he paid his own money to pay his debts. ‘Lundon did not give a farthing towards it. All he said was, “flee.” Had I done so, I would have been shot’.<sup>33</sup>

After more debate, a deputation that included Pepene’s brother Reha asked the ‘warrant men’ to return to Thames.<sup>34</sup> A meeting at Kaitawa early the following month was told that the ‘evil’ caused by the promissory notes was ‘at an end’, because Lundon and a solicitor and speculator in land, Frederick Alexander Whitaker,<sup>35</sup> had paid them.<sup>36</sup>

#### LAND (EXCLUDING THE AROHA BLOCK)

In 1868, with his father and three siblings, along with four other Maori, Pepene became an owner of Kauaeranga No. 14, part of the Thames foreshore, and with his father and one brother, Hori Aperahama, and seven others in Kauaeranga No. 16.<sup>37</sup> To obtain Kauaeranga E No. 5, he made the following statement to the court:

I derive my title from my ancestors – I have resided on and cultivated this land – I pointed out the boundaries to the pakeha – I have land elsewhere for occupation and cultivation. I agree to any necessary Roads being kept open – I do not wish any restriction to be on the Grant – the other owner of this land is Hori Aperahama.<sup>38</sup>

He and Hori also received Kauaeranga No. 17.<sup>39</sup> Pepene alone was granted Kauaeranga Nos. 19A and 21.<sup>40</sup> All his family (excluding his mother, who was not included in any of these blocks), with three others, shared ownership of Kauaeranga No. 20.<sup>41</sup>

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<sup>32</sup> Our Correspondent, ‘Two Nights Among the Hauhaus’, *Thames Advertiser*, 27 September 1870, p. 3.

<sup>33</sup> *Thames Advertiser*, 28 September 1870, p. 5.

<sup>34</sup> *Thames Advertiser*, 28 September 1870, p. 5, 3 October 1870, p. 2.

<sup>35</sup> See *Thames Advertiser*, 11 June 1887, p. 2; *Waikato Times*, 11 June 1887, p. 2.

<sup>36</sup> *Thames Advertiser*, 10 October 1870, p. 3.

<sup>37</sup> Maori Land Court, Hauraki Minute Book no. 2, pp. 19, 21.

<sup>38</sup> Maori Land Court, Hauraki Minute Book no. 2, p. 31.

<sup>39</sup> Maori Land Court, Hauraki Minute Book no. 2, p. 31.

<sup>40</sup> Maori Land Court, Hauraki Minute Book no. 2, pp. 38, 40.

<sup>41</sup> Maori Land Court, Hauraki Minute Book no. 2, p. 37.



The following year, he and Hirawa Te Moananui claimed Moanataiari No. 2, also on the Thames foreshore, Pepene stating it had belonged to his father. 'We have gathered pipi & caught fish and our ancestors before us'. Their claims to this and to Moanataiari No. 8A were granted.<sup>42</sup> At this time, with other Maori he was an owner of 22 allotments in Thames, at Karaka Creek.<sup>43</sup>

When the court was adjudicating on Te Wharau and Wairuaterangi in 1871, Pepene claimed an interest in part of the Te Wharau Block. Despite his not knowing the boundaries, Te Waka agreed that he should have an interest and gave up land to him.<sup>44</sup> Also in that year, with his father and brother he was granted Pukopukorua, with no restrictions on its sale.<sup>45</sup>

In August 1872 he became a successor to his deceased youngest brother, Hori, in Kauaeranga No. 23. 'I was present when he died and saw him buried'.<sup>46</sup> Also in that month he claimed sole ownership of Te Puke, on the south bank of Manaia River, in Coromandel. 'Wikiriwhi told me that I had a piece of land there – I have never been on to the land to live or cultivate'. Although he had been to Manaia, he had not seen this block; 'I do not know how I come to have a small separate piece of land at Manaia'.<sup>47</sup> According to his father, it was a gift to Ngati Maru.<sup>48</sup> His claim was rejected.<sup>49</sup>

In 1873, he was recognized as an owner of Waihekau No. 4, near Waitoa.<sup>50</sup> Two years later, he and his father gave their interests in Waiotahi No. 1B to Matiu Poono, despite its being an acre of goldfield land.<sup>51</sup> Pepene did not claim a share in Waihoange No. 2, even though 'we have occupied and cultivated' these 36 acres, instead giving it to his wife

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<sup>42</sup> Maori Land Court, Hauraki Minute Book no. 4, pp. 213, 216.

<sup>43</sup> Index of Deposited Documents, p. 2, Department of Lands and Deeds, Auckland, BCAT A1009, ANZ-A.

<sup>44</sup> Maori Land Court, Coromandel Minute Book no. 2, p. 79.

<sup>45</sup> Maori Land Court, Coromandel Minute Book no. 2, p. 80.

<sup>46</sup> Maori Land Court, Hauraki Minute Book no. 7, p. 35.

<sup>47</sup> Maori Land Court, Hauraki Minute Book no. 7, pp. 70-71.

<sup>48</sup> Maori Land Court, Hauraki Minute Book no. 7, pp. 75-76.

<sup>49</sup> Maori Land Court, Hauraki Minute Book no. 7, p. 106.

<sup>50</sup> Maori Land Court, Waikato Minute Book no. 3, p. 114; see Alexander, vol. 8, Part 4, pp. 338-339.

<sup>51</sup> Maori Land Court, Hauraki Minute Book no. 8, p. 356.

and another woman.<sup>52</sup> The following month, Matiu Poono confirmed his statement that Kaitawa No. 3, just over one acre, had been given to Pepene 'he utu wahine', and then Matiu was granted it; precisely what trouble there had been over a woman was not clarified.<sup>53</sup> He also sought an interest in Nihorahi, over 188 acres. 'My father used to live on this land that is on the part which we sold to the Missionaries. Aperahama and his relatives sold the adjoining land to the Mission – I and Reha Aperahama are the only owners that I know of. Hori Timo may be admitted, although he has no claim from ancestry'; he was, along with Pepene and his father.<sup>54</sup> He became an owner of Karioi No. 1,<sup>55</sup> but was challenged over his claim for Te Awakahawai, which he based on being born there. Unable to answer many questions about the owners, he denied having been 'primed' at a runanga held on the previous night. 'My father told me to appear in Court for him'.<sup>56</sup> He became an owner.<sup>57</sup>

In May 1877, he applied to succeed his younger brother Hape Aperahama, who had died the previous year, in Waiwhariki, a block belonging to his mother; it was then discovered that Hape was not an owner.<sup>58</sup> One year after his mother died in 1880, along with Reha he succeeded her in Waiwhariki.<sup>59</sup>

In July 1877, Pepene shared in a Crown Grant for Waiotahi A (over 94 acres).<sup>60</sup> In 1881 he told the court he wanted his father to succeed Hori Aperahama in this block. 'The land has been sold to a European but this share has not been signed for. We wish to withdraw our claims in favour of our father'.<sup>61</sup>

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<sup>52</sup> Maori Land Court, Hauraki Minute Book no. 8, p. 357.

<sup>53</sup> Maori Land Court, Hauraki Minute Book no. 8, p. 445.

<sup>54</sup> Maori Land Court, Hauraki Minute Book no. 8, p. 446.

<sup>55</sup> Maori Land Court, Hauraki Minute Book no. 9, p. 156.

<sup>56</sup> Maori Land Court, Hauraki Minute Book no. 9, pp. 167-169.

<sup>57</sup> Maori Land Court, Hauraki Minute Book no. 9, p. 179.

<sup>58</sup> Maori Land Court, Hauraki Minute Book no. 9, pp. 393-394.

<sup>59</sup> Maori Land Court, Hauraki Minute Book no. 13, p. 335; see Alexander, vol. 8, Part 2, pp. 324-325.

<sup>60</sup> *New Zealand Gazette*, 26 July 1877, p. 772.

<sup>61</sup> Maori Land Court, Hauraki Minute Book no. 13, p. 343.

In 1878, he and Reha succeeded their brother Hori in Horete No. 1.<sup>62</sup> This 1,240 acres was in the Thames district.<sup>63</sup> Also in 1878, he along with others became an owner of the Kareremokai Block, five acres at Kaitawa,<sup>64</sup> and Aratiatia, beyond the southern boundary of the Aroha Block.<sup>65</sup> His application for Kareremokai was based on ancestry and in particular because he and Reha had lived on and cultivated it continuously since childhood. ‘We have a house just outside of this piece. We planted potatoes on this land last year and the road was taken by the County Council right through our potatoes. My brother and I applied for compensation and received £80’. Under cross-examination, he clarified that this money was partly for the right-of-way for the main road to the south and ‘for their future assistance in obtaining roadways in other parts of the County’. He frankly admitted that ‘before we received compensation on several occasions we tore down the fence the Council erected on each side of the road’. He had long opposed the survey of this road ‘because it would make us liable to be taxed’. They had ‘a six roomed boarded house and a stable just outside of the boundary of this piece and a “Pataka” standing inside of it’. He had ‘heard that Taraia had given this piece of land called Puhetaweriweri to my mother – it had originally belonged to my father and was cultivated upon by Taraia and given by him to my mother’ about eight years previously. The block had recently been leased to a Pakeha, who was ‘to look after my house that it do not get injured’.<sup>66</sup> After his father claimed the land, it was granted to him, Pepene, and Mehe Te Moananui.<sup>67</sup> At the end of the same month, with his brother and Hori Timo he became an owner of Horete No. 3, of over 33 acres.<sup>68</sup>

In 1879, as a member of Ngati Hinerangi, he became part owner of Okauia,<sup>69</sup> near Matamata. In 1883, with his brother he succeeded his father in Okauia No. 4.<sup>70</sup>

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<sup>62</sup> Maori Land Court, Hauraki Minute Book no. 10, p. 232; see Alexander, vol. 8, Part 2, pp. 172-175.

<sup>63</sup> Register of Payments to Individuals for the Purchase of Land 1873-1880, p. 18, Maori Affairs Department, MA-MLP 7/7, ANZ-W.

<sup>64</sup> Native Land Court, *Thames Advertiser*, 7 August 1878, p. 2.

<sup>65</sup> Maori Land Court, Hauraki Minute Book no. 10, p. 319.

<sup>66</sup> Maori Land Court, Hauraki Minute Book no. 11, pp. 112-114.

<sup>67</sup> Maori Land Court, Hauraki Minute Book no. 11, pp. 114-116, 118.

<sup>68</sup> Maori Land Court, Hauraki Minute Book no. 11, p. 289.

<sup>69</sup> Maori Land Court, Waikato Minute Book no. 4, p. 182.

In 1880 he was recorded, with his brother, as amongst the owners of the Waipatukahu reserve, of 1,000 acres, and of Waiomo No. 2.<sup>71</sup> In 1882, Pepene and Ngati Maru proved their right to own the Tahanui No. 2 Block, near the Turua sawmill.<sup>72</sup>

In 1884 he was recorded as one of the owners of Ohinemuri No. 20B, of 10,500 acres.<sup>73</sup> When Ohinemuri No. 20, the largest Ohinemuri block,<sup>74</sup> was before the court five years later, he received a one-seventy-second interest.<sup>75</sup>

In 1885 he and Reha succeeded his father in Karioi No. 1 and Te Houte.<sup>76</sup> They, with others, were granted Makakarahi, 135 acres of swamp containing flax and pigs.<sup>77</sup> Four years later his and Reha's interest was subdivided from the other five owners; all owners had equal shares.<sup>78</sup> When made an owner in 1885 of Kaitawa No. 4, of 11 acres 5 roods and 14 perches, because his family had occupied it for five generations and he had a house on it, he included his three children in the title.<sup>79</sup> Another 41 acres of swamp known as Reparahi was granted to him and his brother because they used to cut flax there as children.<sup>80</sup> After his only son Reha Pepene died in 1886, he succeeded him in Kaitawa No. 4.<sup>81</sup>

Pouarua, over 28 acres belonging to himself and his brother, was at his suggestion allotted to his brother Reha alone in 1889.<sup>82</sup> Also in that year, he claimed Kaitawa No. 5 through ancestry, occupation, and cultivation.<sup>83</sup> After Akuhata Mokena<sup>84</sup> clarified that Pepene's house was on his land, to

<sup>70</sup> Maori Land Court, Waikato Minute Book no. 12, p. 3.

<sup>71</sup> Ohinemuri Goldfields, Maori Affairs Department, MA 1, 13/54a, ANZ-W.

<sup>72</sup> Maori Land Court, Hauraki Minute Book no. 14, pp. 126-127; *Thames Advertiser*, 17 January 1882, p. 3.

<sup>73</sup> Maori Land Court, Hauraki Minute Book no. 16, p. 404.

<sup>74</sup> See Alexander, vol. 8, Part 3, pp. 112-138.

<sup>75</sup> Maori Land Court, Hauraki Minute Book no. 23, p. 59.

<sup>76</sup> Maori Land Court, Hauraki Minute Book no. 17, pp. 5, 6.

<sup>77</sup> Maori Land Court, Hauraki Minute Book no. 17, p. 275.

<sup>78</sup> Maori Land Court, Hauraki Minute Book no. 20, p. 75.

<sup>79</sup> Maori Land Court, Hauraki Minute Book no. 17, pp. 299-300.

<sup>80</sup> Maori Land Court, Hauraki Minute Book no. 17, pp. 330-331.

<sup>81</sup> Maori Land Court, Hauraki Minute Book no. 19, p. 22.

<sup>82</sup> Maori Land Court, Hauraki Minute Book no. 20, p. 115; see Alexander, vol. 8, Part 4, pp. 282-291.

<sup>83</sup> Maori Land Court, Hauraki Minute Book no. 20, pp. 186-190.

<sup>84</sup> See paper on his life.

the south of Kaitawa No. 4, rival claimants received the land.<sup>85</sup> Pepene applied, unsuccessfully, for Motutete, at Kaitawa, on which he had lived with Ngati Rahiri.<sup>86</sup>

In 1892, Pepene was one of the successors to his father in the Waipatakahu No. 5 Block, part of the Waikawau block in Coromandel.<sup>87</sup> Also in that year he applied for Kaeaea, prompting much argument about an area of only three acres three roods and 36 perches. Pepene had never lived on it, but claimed his father was made an owner because he was the chief of Ngati Te Uringahu. Another witness said Ereatara Taraia had arranged for Aperahama to have the land so he could sell it to pay for the tangi for Hori Aperahama, 'who was called a brother of Taraia'. Yet another witness denied the story of the gift, and said Pepene's land was nearby, on the other side of Otohi Creek. Pepene lost his case.<sup>88</sup>

Two years later he became an owner of Awaiti No. 1, swamp land near Netherton.<sup>89</sup> As subdividing increased, he received just over 20 acres in Ohinemuri Block XIII Section 3A and Block XIV Section 1A.<sup>90</sup> In 1901 he was the only person living on Pouarua No. 1, of 67 acres, which he was granted, subsequently making his two children owners also.<sup>91</sup>

#### OBTAINING INCOME FROM HIS LAND

Between 1 July 1867 and 31 January 1869, 'Aperahama and others' received £130 in revenue from miners' rights, and 'Pepene and others' received £1,600.<sup>92</sup> In December 1869, Pepene, his father, his brother Hori and sister Riria, along with Tanumeha Moananui and Hirawa Te Moananui, sold Kauaeranga No. 14, of ten acres, to Robert Graham, for

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<sup>85</sup> Maori Land Court, Hauraki Minute Book no. 20, pp. 210, 218.

<sup>86</sup> Maori Land Court, Hauraki Minute Book no. 22, pp. 118, 124, 134-136, 140, 156.

<sup>87</sup> Thames Warden's Court, Native Officer's Letterbook 1883-1893, p. 575, BACL 14458/2a, ANZ-A; see Alexander, vol. 8, Part 1, pp. 353-379.

<sup>88</sup> Maori Land Court, Hauraki Minute Book no. 28A, pp. 133-134, 136-138, 144, 146-149, 154, 158, 164.

<sup>89</sup> Maori Land Court, Hauraki Minute Book no. 36A, p. 30; for the Te Awaiti block, see Alexander, vol. 8, Part 4, pp. 3-4.

<sup>90</sup> Maori Land Court, Hauraki Minute Book no. 45, p. 179.

<sup>91</sup> Maori Land Court, Hauraki Minute Book no. 50, p. 292.

<sup>92</sup> 'Return of Revenue Received from Miners' Rights at the Thames Gold Fields', *AJHR*, 1869, B-15.

£740.<sup>93</sup> Two weeks later, the same owners plus Hopa Hape sold Kauaeranga No. 20, over an acre, to Graham for £400.<sup>94</sup>

In 1873, Hirani Te Moananui and Pepene, owners of Moanataiari No. 2A, over six acres on the Thames foreshore, both received £19 for selling it to the Crown, and £8 each for Moanataiari No. 8A, over two acres of the foreshore. They received £8 15s, of which Pepene received £5, as part of the general claim for Moanataiari No. 4A.<sup>95</sup> In 1874 the Crown paid him £5 for his interest in Te Horete No. 1.<sup>96</sup> In the following year, he sold Kaitawa No. 3, just over an acre, to a Pakeha for £20.<sup>97</sup> Kareremokai, over five acres at Kaitawa, was leased to another Pakeha in 1878.<sup>98</sup> Also in that year, the government paid £15 for his interest in Waiharakeke East and £2 for his third interest in Horete No. 4, of over 33 acres.<sup>99</sup> With 46 others, he sold Waihekau No. 4, of 564 acres, for £264.<sup>100</sup> The following year, he received £20 for his interest in Waiharakeke West.<sup>101</sup>

In 1880, along with his father and brother he sold Waiotahi A to the Crown for £750.<sup>102</sup> Also in that year, the Crown paid £42 2s 6d as a final payment for his interest in Ohinemuri generally, plus £14 15s as final payment for Ohinemuri No. 18, otherwise Waitawheta,<sup>103</sup> of 2,700 acres.<sup>104</sup>

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<sup>93</sup> Agreement dated 13 December 1869, Hesketh and Richmond Papers, box 9, 1397D, MS 440, Auckland Public Library.

<sup>94</sup> Agreement dated 30 December 1869, Hesketh and Richmond Papers, box 10, D651, MS 440, Auckland Public Library.

<sup>95</sup> Auckland Provincial Government Papers, box 26, Session 29, MS 595, Auckland Public Library; Auckland Provincial Government Papers, ACFM 8181, 3379/74, ANZ-A.

<sup>96</sup> Register of Payments to Individuals for Purchase of Land 1873-1880, p. 18, Maori Affairs Department, MA-MLP 7/7, ANZ-W.

<sup>97</sup> Maori Land Court, Hauraki Minute Book no. 9, p. 224.

<sup>98</sup> Maori Land Court, Hauraki Minute Book no. 11, p. 114.

<sup>99</sup> Register of Payments to Individuals for Purchase of Land 1873-1880, pp. 43, 66, Maori Affairs Department, MA-MLP 7/7, ANZ-W.

<sup>100</sup> Agreement dated 28 August 1878, Maori Affairs Department, Hamilton, BACS A806, box 3, no. 142, ANZ-A.

<sup>101</sup> Register of Payments to Individuals for Purchase of Land 1873-1880, p. 74, Maori Affairs Department, MA-MLP 7/7, ANZ-W.

<sup>102</sup> G.T. Wilkinson, diaries, entry for 21 June 1881, University of Waikato Library; *Thames Advertiser*, 9 September 1880, p. 2.

<sup>103</sup> See Alexander, vol. 8, Part 3, pp. 105-109.

Confusingly, it was recorded that he had been granted an interest in 227 1/2 acres at Ohinemuri, for which he was paid £50 17s 6d.<sup>105</sup> In 1885, three of his children sold their interests in Kaitawa No. 4 for £45 each.<sup>106</sup>

In 1886, with his brother he sold Reparahi, 41 acres near Puriri, for £26 to Robert Turbitt Douglas,<sup>107</sup> a Thames storekeeper turned farmer.<sup>108</sup> Also in that year, he received £30 for Kaitawa No. 4,<sup>109</sup> and the following year, after his son Reha died, Pepene inherited his £45.<sup>110</sup> Also in 1887, he received £9 12s 10s and his daughters Puti and Hera £17 17s for land at Kaitawa taken for the railway line.<sup>111</sup> In 1889, the girls were paid £10 each for Kaitawa No. 4.<sup>112</sup> In 1892 he offered to sell land near Kaeaea to a Pakeha farmer even though it had not been through the court. The farmer responded that ‘when your piece you offered to sell me had passed the Court would be the proper time to pay money not before’.<sup>113</sup>

In 1894 he sold his interest in Toetoeokino Nos. 1 and 2 for £5 5s. To obtain permission to sell he declared that he still owned 110 acres at Te Aroha and 690 at Te Horete No. 2; he should have declared that he only had

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<sup>104</sup> ‘Statement of the Facts and Circumstances Affecting the Ohinemuri Block’, Appendix H, Lands and Survey Department, LS 36/25a; Register of Payments to Individuals for Purchase of Land 1873-1880, p. 223, Maori Affairs Department, MA-MLP 7/7, ANZ-W.

<sup>105</sup> ‘Statement of the Facts and Circumstances Affecting the Ohinemuri Block’, Appendix I, Lands and Survey Department, LS 36/25a, ANZ-W.

<sup>106</sup> Joseph Blades to Agent for Public Trustee, Auckland, 2 December 1885, Maori Affairs Department, MA-MT 1, 1894/2119, ANZ-W.

<sup>107</sup> Maori Affairs Department, Auckland, BABG MLC-A, box 14, 86/52; Maori Affairs Department, Hamilton, BACS A806, box 3, no. 107, ANZ-A.

<sup>108</sup> See *Thames Advertiser*, 6 April 1880, p. 2, 3 October 1885, p. 3, 21 June 1890, p. 2, 14 March 1891, p. 2, 1 August 1893, p. 3.

<sup>109</sup> J.A. Miller to Public Trustee, 20 March 1886, Maori Affairs Department, MA-MT 1, 1894/2119, ANZ-W.

<sup>110</sup> J.A. Miller to Public Trustee, 23 April 1887, Maori Affairs Department, MA-MT 1, 1894/2119, ANZ-W.

<sup>111</sup> Rulings of W.G. Mair, Maori Land Court, 9 March 1887, 19 April 1887, Maori Affairs Department, MA-MT 1, 1892/724, ANZ-W.

<sup>112</sup> J.A. Miller to Public Trustee, 13 November 1889, Maori Affairs Department, MA-MT 1, 1894/2119, ANZ-W.

<sup>113</sup> Maori Land Court, Hauraki Minute Book no. 28A, p. 158.

a share in the ownership of these blocks.<sup>114</sup> Also in 1894, the land court awarded him £15 'towards the maintenance of' Puti, who had sold her interest in Kaitawa No. 4.<sup>115</sup> In the same year, with his brother he sold Makakarahi No. 1, over 38 acres, to Douglas, and wanted the restrictions removed because he had 'sufficient' land elsewhere.<sup>116</sup> After an adjournment to check the files, he asked that the transfer to another man be confirmed. Pepene had partitioned the land, but 'before that Reha and I signed away our interest to Douglas, then we ascertained that the land was under restriction'. Once these were removed, the land was transferred to the new owner, 'each receiving £2'. They were 'quite satisfied with the transaction', which was confirmed.<sup>117</sup> In September he received £43 10s 2d as payment in full for Ohinemuri No. 20E.<sup>118</sup>

In 1897, Pepene and other owners sold Kareremokai, just over five acres, to a Pakeha for £80.<sup>119</sup> Other Pakeha bought Pouarua and Pouarua No. 1 in 1899 and 1901.<sup>120</sup> At that time he was still receiving rents from some blocks. For instance, in August and December 1900 and November 1901 he received a total of £4 5s 8d for Te Houte No. 2B.<sup>121</sup> From Te Houte Nos. 2 and 3 he received £1 8s in August 1900 and £17 4s 6d the following May.<sup>122</sup>

## THE AROHA BLOCK

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<sup>114</sup> Thames Warden's Court, Inwards Correspondence 1879-1896, 94/83, BACL 13388/1a, ANZ-A; for his only having a part interest in the former, see 94/74, BACL 13388/1a, ANZ-A.

<sup>115</sup> Judgment of W.G. Mair, Maori Land Court, 19 November 1894, Maori Affairs Department, MA-MT 1, 1894/2119, ANZ-W.

<sup>116</sup> Maori Land Court, Hauraki Minute Book no. 36, p. 41.

<sup>117</sup> Maori Land Court, Hauraki Minute Book no. 36, pp. 285-286.

<sup>118</sup> 'Statement of the Facts and Circumstances Affecting the Ohinemuri Block', Appendix H, Lands and Survey Department, LS 36/25a, ANZ-W.

<sup>119</sup> Maori Land Court, Hauraki Minute Book no. 44, p. 291.

<sup>120</sup> Maori Land Court, Hauraki Minute Books, no. 50, p. 345; no. 52, p. 223.

<sup>121</sup> Waihi Warden's Court, Te Aroha Receiver of Gold Revenue Letterbook 1900-1903, BAFV 13699/1a, ANZ-A.

<sup>122</sup> Waihi Warden's Court, Te Aroha Receiver of Gold Revenue Letterbook 1900-1903, BAFV 13699/1a, ANZ-A.



On the plan of the Aroha Block drawn up in 1873, 'Pepene' was noted one of the applicants for it.<sup>123</sup> In February 1878 he was one of the main speakers at a debate at Omahu about whether to permit the construction of a road through the block.<sup>124</sup> The following month, he was one of three 'influential natives' chosen to decide, in association with the magistrate, the value of land taken for roads.<sup>125</sup> Later in March he conveyed the Native Minister, John Sheehan, and party from Paeroa to Te Aroha on his river steamer (charging them £12).<sup>126</sup> At Omahu, there was an 'exciting korero' between Pepene and James Mackay,

other chiefs putting in their say occasionally. The quarrel looked very serious at one time, as each party expressed himself in very uncomplimentary terms towards the other. Peace was afterwards restored by some judicious remarks by the Hon. Mr Sheehan; but it appeared that Mr Mackay had the best of the argument, and silenced Mr Pepene.<sup>127</sup>

Later that year, when the block was investigated for the third and last time, Pepene conducted the case for Ngati Rahiri and Ngati Kapirimano.<sup>128</sup> In the subsequent allocation of land, Pepene received 140 acres of the 616-acre Manawaru Block, 300 at Wairakau, and 260 at Omahu.<sup>129</sup> In late October, the Piako Highway Board chose Te Kawana as the most suitable landing for river traffic for Waihou settlers, 'providing that the natives offered no objection'. Pepene, whom the local correspondent mistakenly believed was the 'chief owner', assured it 'that far from obstructing he would afford every facility in power, and give a road through his land and a site for a store as well if required'.<sup>130</sup> Reha was the sole owner, but Pepene also

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<sup>123</sup> Plan of Aroha Block, 1873, ML 3062, Land Information New Zealand, Hamilton.

<sup>124</sup> *Thames Advertiser*, 22 February 1878, p. 3.

<sup>125</sup> *Thames Advertiser*, 8 March 1878, p. 3.

<sup>126</sup> Register of Payments to Individuals for Purchase of Land 1873-1880, Te Aroha, entry for 16 March 1878, Maori Affairs Department, MA-MLP 7/7, ANZ-A.

<sup>127</sup> *Thames Advertiser*, 18 March 1878, p. 3.

<sup>128</sup> Maori Land Court, Hauraki Minute Book no. 10, p. 376; *Thames Advertiser*, 18 July 1878, p. 3.

<sup>129</sup> Te Aroha Block, 1878 allocation of land, Maori Affairs Department, MA 1, 13/86, ANZ-W; Plan of Wairakau Native Reserve, 1879, ML 1968, Land Information New Zealand, Hamilton.

<sup>130</sup> Te Aroha Correspondent, *Thames Advertiser*, 30 August 1879, p. 3.

signed his letter denying being obstructive and claiming to have encouraged Pakeha settlement.<sup>131</sup> In 1880 Pepene and other Ngati Rahiri wrote to the council asking it 'to fence the road at Omahu' their request was simply 'received'.<sup>132</sup>

With Reha, in 1883 he succeeded his mother as an owner of Aroha Block XII Section 43 and Block IX Section 27.<sup>133</sup> He later placed his wife in the latter block with an equal interest to himself.<sup>134</sup> In 1886, with four others he was designated the successor to Hemi Kare in Wairakau, but transferred his interest to his children.<sup>135</sup> He and Reha had looked after Hemi and 'constantly lived with him'.<sup>136</sup> Three years later, with Reha he succeeded Te Paki Wharemaihi in the same block.<sup>137</sup> In 1894, when Ohinemuri Block XIII Section 3 and Block XIV Section 1<sup>138</sup> plus Aroha Block 111 Section 1A and Block VII Section 1 were partitioned, Pepene received just over 20 acres.<sup>139</sup>

#### OBTAINING INCOME FROM THE TE AROHA BLOCK

For his interests in the Aroha Block, he was paid £64 17s in 1873, £100 in 1874, £20 in 1876, £100 in 1877, and £10 in 1878.<sup>140</sup> As one of four owners of Manawaru, of 616 acres, he was paid £227 5s 6d in 1879.<sup>141</sup> He still retained some interests, but the incomplete records indicate that these brought in little rent. He received only one payment for 'Aihe Pepene's

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<sup>131</sup> Letter from Aihe Pepene and Reha Aperahama, *Thames Advertiser*, 15 October 1879, p. 3.

<sup>132</sup> Thames County Council, *Thames Advertiser*, 2 September 1880, p. 2.

<sup>133</sup> Maori Land Court, Hauraki Minute Book no. 14, p. 358.

<sup>134</sup> Maori Land Court, Hauraki Minute Book no. 28A, p. 80.

<sup>135</sup> Maori Land Court, Hauraki Minute Book no. 19, p. 49.

<sup>136</sup> Maori Land Court, Hauraki Minute Book no. 28A, p. 79.

<sup>137</sup> Maori Land Court, Hauraki Minute Book no. 20, p. 15.

<sup>138</sup> For these two blocks, see Alexander, part 3, pp. 84-86.

<sup>139</sup> Maori Land Court, Hauraki Minute Book no. 36A, p. 13.

<sup>140</sup> Register of Payments to Individuals for Purchase of Land 1873-1880, Te Aroha, entries for 26 November 1873, 27 August 1874, 3 November 1874, 6 December 1875, 13 August 1877, 16 March 1878, Maori Affairs Department, MA-MLP 7/7, ANZ-W.

<sup>141</sup> Register of Payments to Individuals for Purchase of Land 1873-1880, p. 164, Maori Affairs Department, MA-MLP 7/7, ANZ-W.

Block', £2 10s in 1881.<sup>142</sup> Between February 1889 and May 1893 he received £30 1s 6d.<sup>143</sup>

In October 1892, Pepene, his wife and daughters, and his brother owned Aroha Block XII Section 43, of 300 acres. Restrictions imposed on its disposal were removed after the court was told he was one of 19 owners of the 1,000-acre Waipatukahu Block and was one of 22 owners of Waionui, of 245 acres: 'no person occupies this land it is leased to Europeans'. His wife was one of the less than 100 owners of Tunapahore, of over 5,000 acres, and was one of the two owners of Waihohanga, of 20 acres: 'this last piece is a rich cultivation'.<sup>144</sup> Two years later, they mortgaged the latter to a Thames lawyer for £200.<sup>145</sup> In 1897, he and his wife sold their interest for £107 17s.<sup>146</sup>

Also in 1892, he got restrictions removed from Aroha Block IX Section 27A, of 150 acres, of which he was the sole owner and which he had leased to Richard Dovell, a miner.<sup>147</sup> In December it was sold to Dovell.<sup>148</sup> The following year they leased 43 acres of the 110-acre Aroha Block IX Section 27B to a Te Aroha publican, Samuel Tozer Smardon,<sup>149</sup> for £53 15s, at 5s per acre.<sup>150</sup> With two other owners he leased another 30 acres, Aroha Block IX Section 25, to Smardon for £20.<sup>151</sup> In December 1899, Pepene and his wife sought the removal of restrictions on Aroha Block IX Section 27B, three months later explaining why:

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<sup>142</sup> Waihi Warden's Court, Te Aroha Gold Field Native Land Blocks 1880-1895, p. 170, BAFV 13781/1a, ANZ-A.

<sup>143</sup> Waihi Warden's Court, Te Aroha Native Imprest Account Cash Book, pp. 129, 181, 183, 219, 237, BAFV 13716/1a, ANZ-A.

<sup>144</sup> Maori Land Court, Hauraki Minute Book no. 28A, p. 22.

<sup>145</sup> Thames Warden's Court, Correspondence to Judge H. Eyre Kenny 1894-1896, 94/74, BACL 14468/1a, ANZ-A.

<sup>146</sup> Maori Land Court, Hauraki Minute Books, no. 44, p. 291; no. 45, p. 221; Aroha Block XII Section 43, Block Files, H988, Maori Land Court, Hamilton.

<sup>147</sup> See paper on his life.

<sup>148</sup> Maori Land Court, Hauraki Minute Book no. 28A, p. 23; Aroha Block IX Section 27A, Block Files, H981, Maori Land Court, Hamilton; *New Zealand Gazette*, 30 March 1893, p. 420.

<sup>149</sup> See section on publicans in paper on drink.

<sup>150</sup> Aroha Block IX Section 27, Block Files, H981, Maori Land Court, Hamilton.

<sup>151</sup> Aroha Block IX Section 25, Block Files, H1984, Maori Land Court, Hamilton.

The purchaser is arranged for, his name is Hemi Reniho Kotentu the price per acre is £2 – the reason for me wishing to sell and having restrictions taken off is because of my indebtedness to the Pakeha we owe money to Hemi – and that is why we two ask you to take the restrictions off so that we may be relieved of the hands of that Pakeha, if our appeal is granted we will then be relieved of the hands of that Pakeha, these then are my explanatory words to you, and are thoroughly reliable all that I say in this letter are correct.<sup>152</sup>

James Renshaw, a Thames ironmonger,<sup>153</sup> whose name Pepene had transliterated, wanted only 67 acres of this predominantly hilly land, which the court had recommended in 1892 should have the restrictions removed.<sup>154</sup> No improvements had been made on this land, which was valued at £221 in 1897; when the restrictions were removed, Renshaw bought it for £200.<sup>155</sup>

From the leasing in 1902 to a Pakeha farmer of 53 acres of the 60-acre Aroha Block XII Section 40, Pepene, being only one of the owners, received a mere £1 7s each year.<sup>156</sup> The adjoining Section 39, of 150 acres, was leased to the same farmer in that year for £7 10s.<sup>157</sup>

#### OWNER OF A RIVER STEAMER

In February 1878 the *Thames Advertiser* noted that the screw steamer ‘Riroriro’, plying between Paeroa and Te Aroha, was ‘owned and navigated by the chief Pepene’.<sup>158</sup> The following month ‘the Maori steamer “Riroriro,” owned and commanded by’ him, conveyed a ministerial party to Te Aroha.<sup>159</sup> In May, a correspondent travelled there in this ‘little steamer’,

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<sup>152</sup> Aihe Pepene to Under-Secretary, Native Affairs Department, 14 March 1900, Maori Land Blocks, Justice Department, J 1, 1904/250, ANZ-W.

<sup>153</sup> See *Cyclopedia of New Zealand*, vol. 2, pp. 180, 863.

<sup>154</sup> Miller and Son to Native Minister, 23 February 1904, Maori Land Blocks, Justice Department, J 1, 1904/250, ANZ-W.

<sup>155</sup> Maori Land Blocks, Justice Department, J 1, 1904/250, ANZ-W.

<sup>156</sup> Aroha Block XII Section 40, Block Files, H1071, Maori Land Court, Hamilton.

<sup>157</sup> Aroha Block XII Section 39, Maori Affairs Department, Hamilton, BACS A102/3687, ANZ-A.

<sup>158</sup> *Thames Advertiser*, 22 February 1878, p. 3.

<sup>159</sup> *Thames Advertiser*, 18 March 1878, p. 3.

which he understood belonged to a land agent, Gerald Richard Disney O'Halloran.<sup>160</sup> 'The proprietors of the steamer have erected a store-house for the reception of goods and produce'.<sup>161</sup> Later that year, a Thames speculator travelled there on what he described as a 'smart little steamer', under the command of Pepene, 'a very respectable and intelligent native of the Aroha district'. His 'attention to his duties and the wants of the passengers under his charge would vie with many of our more professed intelligent white sea captains'.<sup>162</sup>

In May the following year, the boat was sold by O'Halloran to a farmer for £350.<sup>163</sup> A month later, a Te Aroha correspondent, O'Halloran's brother, complained that 'unfortunately owing to the native element' it was 'not a very regular trader'.<sup>164</sup> Some of the complications implied in this comment were explained in December, when Thomas Spencer,<sup>165</sup> owner of the steamship 'Memsahib', sued Pepene for £71. In March, when his own boat was 'knocked up in consequence of her boiler having been burnt', Pepene had hired Spencer's boat for 15 days at the rate of £1 per day plus 10s a day for Spencer's son George, who was to be in charge.<sup>166</sup> Pepene, who understood English 'very well', did not mention 'any other person's name as being in the transaction', and did not pay any of the money due.

The two boats were to snag the river and carry freight. The snagging operations were stopped by the natives. Whilst the Memsahib was running, the Riroriro did not run. When he asked for some money Pepene agreed to allow him to collect freight for goods he had taken up during the period the arrangement existed; but Pepene collected most of the money himself. The charges were very reasonable.

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<sup>160</sup> See *Thames Advertiser*, 3 August 1870, p. 3, advertisement, 27 January 1873, p. 2, 11 February 1873, p. 3, 13 June 1874, p. 2, 28 June 1875, p. 3, 15 October 1875, p. 3, Auckland District Court, 29 August 1878, p. 2.

<sup>161</sup> A Correspondent, 'A Visit to the Waitoa', *Auckland Weekly News*, 4 May 1878, p. 16.

<sup>162</sup> S[amuel] S[tephenson], 'A Trip to Te Aroha Hot Springs', *Thames Advertiser*, 4 December 1878, p. 3.

<sup>163</sup> *Thames Advertiser*, 14 May 1879, p. 2.

<sup>164</sup> Te Aroha Correspondent, *Thames Advertiser*, 10 June 1879, p. 3.

<sup>165</sup> See paper on Reha Aperahama.

<sup>166</sup> See *Thames Advertiser*, 27 September 1877, p. 3, 23 April 1878, p. 3, 22 September 1879, p. 3, 16 March 1881, p. 3, 3 September 1881, p. 2.

Pepene had been asked 'several times' for the money. He understood that O'Halloran was Pepene's agent, but when the arrangement was made Pepene did not mention him. 'At the time he had believed the Riroriro was owned by Pepene and a number of the members of his tribe. He did not know in whose name the vessel stood', and denied knowing the names of other owners. O'Halloran had sold the boat to them. 'He recollected saying to Pepene that he was glad he could assist him by leasing him his boat'. Although Spencer did not know whether O'Halloran ever collected any freight, he knew that Pepene had, and that the latter had collected £16 which should have been given to him. Pepene paid James Garrett,<sup>167</sup> the engineer. Recently he had gone through the accounts with Pepene, who 'admitted that the bill of particulars now filed was correct'.

An interpreter deposed that he had assisted to negotiate the hire of the Memsahib. 'Plaintiff said to defendant that they would be chums, and that if one boat broke down the owner of the remaining vessel would assist the other'. O'Halloran declared that he had 'never instructed Pepene to hire a steamer on his own or anyone else's account'. At Pepene's request he had paid £10 to Spencer, Pepene saying that he could not pay more. 'Why he came to be interested in the matter was because he was one of the owners of the Riroriro'.

The defence opened with evidence from Richard Onyon, a shipping agent,<sup>168</sup> that Spencer had been introduced to him 'as the owner of the Riroriro. Pepene's name was not mentioned'. He declined to act as agent because he 'did not like the terms', and had not paid Pepene any money. Pepene then gave evidence:

He did not recollect having seen the account produced before. He recollected hiring the Memsahib on the 13th March. He hired her for himself. O'Halloran told him to lease her. If O'Halloran had not told him to do so, he would not have hired the boat. He told Spencer that O'Halloran told him to lease her. Immediately afterwards Spencer said, "We had better be partners." He also said that the two steamers should work together, snagging; that he, witness, and O'Halloran should be partners, and that if one steamer broke down the other was to take its place. The £10 he

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<sup>167</sup> See *Thames Advertiser*, 29 November 1880, p. 3; *Thames Electoral Roll, 1893*, p. 20; Probate, BBAE 1569/11198, ANZ-A.

<sup>168</sup> See *Thames Advertiser*, 14 September 1874, p. 3, 5 April 1875, p. 2, 8 June 1875, p. 3, District Court, 9 June 1875, p. 3, 12 February 1879, p. 3, 22 November 1880, p. 2.

paid to Spencer was for some natives taken to Te Aroha. He had paid £5 into court.

Under cross-examination by Spencer's counsel, Pepene said he had brought the Memsahib back on 29 March. 'It was not his place to pay for her hire, but O'Halloran's. He only acted as captain. He was also master of the Riroriro. O'Halloran paid him'. What was paid to Spencer 'was O'Halloran's business, and not his'. When running the steamer he had not got coal from Spencer. After a short deliberation, the jury gave a verdict against Pepene for £15 19s 6d in addition to the money paid into court, plus costs.<sup>169</sup>

The following month, William Souter, a coal and timber merchant,<sup>170</sup> charged Pepene, Karauna Hou,<sup>171</sup> Keepa Te Wharau,<sup>172</sup> and O'Halloran for coal supplied, £30 1s 7d, which they confessed, indicating that they were all owners of the boat.<sup>173</sup> In early April 1880 it was announced that 'the steamer Memsahib will make the first trip in charge of her new owner, Captain A Pipeni, of Omahu, to-morrow morning, and will in future make the trip once a week to Omahu direct' from Thames.<sup>174</sup> It was not recorded when he ceased to own this boat.

## MINING

Another way of earning income was by investing in goldmining. In September 1869 'Pepene (Native)' took out a miner's right for Karaka at Thames,<sup>175</sup> but there was no record of his investing in any claims there. At Te Aroha, he took out a miner's right on opening day, and was an owner of two claims and held scrip shares in one company.<sup>176</sup> His next and last

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<sup>169</sup> District Court, *Thames Advertiser*, 19 December 1879, p. 3.

<sup>170</sup> See *Cyclopedia of New Zealand*, vol. 2, p. 775.

<sup>171</sup> See paper on his life.

<sup>172</sup> See paper on his life.

<sup>173</sup> Magistrate's Court, *Thames Advertiser*, 10 January 1880, p. 3.

<sup>174</sup> *Thames Advertiser*, 6 April 1880, p. 3.

<sup>175</sup> Thames Warden's Court, Register of Miners' Rights 1868-1869, no. 6384, BACL 14358/3a, ANZ-A.

<sup>176</sup> Te Aroha Warden's Court, Miner's Right no. 912, issued 25 November 1881, Miners' Rights Butt Book 1880, BBAV 11533/1b; Plaintiff Book 1880-1898, 2/1880, BBAV 11547/1a; Register of Te Aroha Claims 1880-1888, folio 212, BBAV 11567/1a, ANZ-A; *New Zealand Gazette*, 20 January 1881, p. 111.

involvement was at Puriri, where he obtained a miner's right in December 1887.<sup>177</sup> One month later he was one of the seven owners, all Maori, of the Rata.<sup>178</sup> In August 1888 he was granted two month's protection for it;<sup>179</sup> nothing more was heard about this claim in a minor field. Nor was nearby Omahu any more successful, where in March 1888 he was one of ten owners, again all Maori, of the Hore Hore.<sup>180</sup>

### FINANCIAL DIFFICULTIES

Despite his income from land, Pepene had some financial crises, mainly in 1880 and 1881 through his involvement in the river trade. The first time he was sued was in 1876, when two Thames shopkeepers sued over a promissory note for £22 and for goods worth £3 6s, which he was ordered to pay.<sup>181</sup> A Thames publican sued over a promissory note for £4 10s, and settled out of court.<sup>182</sup> He was next sued in 1878, when another publican, James Might Coote,<sup>183</sup> sought £18 11s on account, was not paid, and accordingly took out a judgment summons for £25 5s but settled out of court.<sup>184</sup> At the first hearing, the plaintiff said they had reached an agreement whereby Pepene gave him an IOU, which was produced. 'Defendant stated that his brother had got the goods (liquor), and witness took them to Te Aroha in his steamer, the "Riro Riro." He was only indebted to Coote for a few weeks' board, and a little liquor'. John William Richard

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<sup>177</sup> Thames Warden's Court, Index of Ohinemuri Miners' Rights 1876-1892, 301/1887, BACL 14441/2a, ANZ-A.

<sup>178</sup> Thames Warden's Court, Claims Register 1886-1888, no. 1653, BACL 14397/17a, ANZ-A.

<sup>179</sup> Warden's Court, *Thames Advertiser*, 24 August 1888, p. 3.

<sup>180</sup> Thames Warden's Court, Claims Register 1886-1888, no. 1680, BACL 14397/17a, ANZ-A.

<sup>181</sup> Thames Magistrate's Court, Plaintiff Book 1875-1880, 354, 457/1876, BACL 13737/15b, ANZ-A.

<sup>182</sup> Thames Magistrate's Court, Plaintiff Book 1875-1880, 447/1876, BACL 13737/15b, ANZ-A.

<sup>183</sup> See *Thames Electoral Roll, 1879*, p. 16; *Ohinemuri Gazette*, advertisement, 3 September 1892, p. 1, 2 May 1906, p. 2, 6 April 1914, p. 2; Death Certificate of James Might Coote, 1914/2768, BDM.

<sup>184</sup> Thames Magistrate's Court, Plaintiff Book 1875-1880, 258, 306/1878, BACL 13737/15b, ANZ-A.



Guilding,<sup>185</sup> an interpreter, ‘deposed that he saw defendant sign the IOU, and was aware that he had procured liquor in cases from the plaintiff’.<sup>186</sup> As Pepene was never referred to as being drunk, unlike his brother, it was very likely that Reha incurred this debt. Also in that year a storekeeper sued for £17 1s 2d before settling out of court, and another suit, by James McGimpsey Robson,<sup>187</sup> of Paeroa, for £6 10s, was settled in this way.<sup>188</sup> In 1879, as noted, Thomas Spencer sought £71 11s, balance of account, but was only awarded £20 19s 9d and costs, and Pepene and the other owners of the Riroriro were required to pay William Souter £30 1s 7d for coal.<sup>189</sup> In addition, Robson sought £8 9s 2d; in the absence of Pepene, judgment was given for this amount ‘by default’.<sup>190</sup>

In March 1880, Pepene had to appear in the Supreme Court when O’Halloran sued for the recovery of £121 17s 1d he had advanced. No doubt on his lawyer’s advice, Pepene argued ‘that the payments were made upon an illegal contract affecting native lands at Te Aroha’ in which ‘he was interested before it became “vested in freehold tenure” in the Native Lands Court’. The response was that he had not denied the payments ‘and did not show, even though the contracts were illegal, that the money was paid for any unlawful or immoral purpose’. After legal argument, the judge declared that O’Halloran’s counsel had proved his case.<sup>191</sup> In July, the case was heard by a jury, who were told that the money had been given to Pepene ‘on account of the purchase of a piece of land’ at Te Aroha, as well as other amounts given ‘from time to time’. O’Halloran stated that he had known Pepene for six years, ‘advanced him money at various times’ which he later recorded, and ‘also paid away considerable sums of money’ to meet his debts to others. Guilding stated that when in Rotorua recently he showed Pepene the accounts. Pepene ‘admitted the various items’ and told him to go to

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<sup>185</sup> See paper on his life.

<sup>186</sup> Magistrate’s Court, *Thames Advertiser*, 29 June 1878, p. 3.

<sup>187</sup> See *Cyclopedia of New Zealand*, vol. 2, p. 856.

<sup>188</sup> Thames Magistrate’s Court, *Plaint Book 1875-1880*, 318, 321/1878, BACL 13737/15b, ANZ-A.

<sup>189</sup> Grahamstown District Court, *Minute Book 1870-1884*, hearing of 18 December 1879, BACL 13818/1a; Thames Magistrate’s Court, *Plaint Book 1875-1880*, 499/1879, BACL 13737/15b, ANZ-A.

<sup>190</sup> Thames Magistrate’s Court, *Plaint Book 1875-1880*, 349/1879, BACL 13737/15b, ANZ-A.

<sup>191</sup> Supreme Court, *Thames Advertiser*, 26 March 1880, p. 3; Supreme Court, *Auckland Weekly News*, 27 March 1880, p. 19.

George Thomas Wilkinson,<sup>192</sup> who was purchasing land on behalf of the Crown, for 'if he got his father's consent Mr Wilkinson had promised to give £800 for a piece of land on the Waiotahi Goldfield'. Guilding understood him 'to say that he would get that money and would pay the plaintiff the money due to him'.<sup>193</sup> This report contradicted another one:

The defendant was neither present nor represented by Counsel. His plea, however, stated that in or about the year 1878 Mr James Mackay sold his (defendant's) land at Te Aroha, and acting as agent for the plaintiff deducted from the proceedings all money owing to the plaintiff, handing over the balance to the defendant. He therefore claimed to have discharged the debt.<sup>194</sup>

Without leaving their box, the jury found for the full amount.<sup>195</sup> In December, when O'Halloran sought a judgment summons against him, once again Pepene did not appear but sent a letter to the registrar:

Salutations.- I have received the writ. My heart is very dark about it. I throw myself on the mercy of the Court to give me time to pay the debt. I hope the Judge will be merciful to me. I own a piece of land, part of the Waiotahi, for which I received £140 a quarter from the Government. I have sold that land for £1000. When I receive the money I will pay the debt.

Mr Justice Gillies noted that Pepene admitted the debt and promised to pay, and did not think this was 'a case upon which an application could be made to imprison the defendant', and adjourned the case until the next sitting.<sup>196</sup>

In April that year, a lawyer had sought £13 14s for his services, had not been paid, and had obtained a judgment summons for £14 9s and then another for £19 10s.<sup>197</sup> At the hearing for the first of these, Pepene said he would pay from the miners' rights revenue he would receive at the end of

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<sup>192</sup> See paper on Merea Wikiriwhi and George Thomas Wilkinson.

<sup>193</sup> Supreme Court, *New Zealand Herald*, 15 July 1880, p. 6.

<sup>194</sup> *Thames Advertiser*, 15 July 1880, p. 2.

<sup>195</sup> Supreme Court, *New Zealand Herald*, 15 July 1880, p. 6.

<sup>196</sup> Supreme Court, *Auckland Weekly News*, 18 December 1880, p. 9.

<sup>197</sup> Thames Magistrate's Court, *Plaint Book 1880-1881*, 140, 308/1880, Judgment Summons no. JS 19, BA CL 13737/11b, ANZ-A.

the month.<sup>198</sup> Shopkeeper William Wilson<sup>199</sup> sought £5 1s, was not paid, obtained a judgment summons, and settled out of court.<sup>200</sup> When Wilson sued for £14 9s in late July, after Pepene said he ‘would have £50 at the end of the month’, he was ordered to pay in two weeks time or be imprisoned for two weeks.<sup>201</sup> A Paeroa bootmaker successfully sued for £9 10s.<sup>202</sup>

In August, Souter applied for a judgment summons for £34 2s 7d, withdrew it, and then in October successfully reapplied.<sup>203</sup> Pepene did not appear, was ordered to pay £25 within one week and the balance within another week, or be imprisoned for one month.<sup>204</sup> In March the following year, he was arrested on the judgment summons, but on the same day Reha sold the ‘Memsahib’ to James Verrall, a Thames publican,<sup>205</sup> for £86 plus Verrall paying the debt.<sup>206</sup>

When storekeeper George Stewart O’Halloran,<sup>207</sup> in September, sought £13 7s under a distress warrant, Pepene confessed owing this amount.<sup>208</sup> In November, O’Halloran applied for and then withdrew an application for a judgment summons to obtain £10.<sup>209</sup> The case was adjourned for two months in the hope that Pepene could sell land and so pay the debt.<sup>210</sup> The

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<sup>198</sup> Magistrate’s Court, *Thames Star*, 23 July 1880, p. 2.

<sup>199</sup> See *Thames Advertiser*, 1 August 1870, p. 3, 30 September 1873, p. 3, 20 October 1874, p. 2, 25 March 1878, p. 3, 26 March 1878, p. 3, 3 October 1881, p. 2.

<sup>200</sup> Thames Magistrate’s Court, *Plaint Book 1880-1881*, 249/1880, Judgment Summons JS 27, BACL 13737/11b, ANZ-A; Magistrate’s Court, *Thames Star*, 9 July 1880, p. 2.

<sup>201</sup> Magistrate’s Court, *Thames Advertiser*, 24 July 1880, p. 3.

<sup>202</sup> Paeroa Magistrate’s Court, *Thames Star*, 23 September 1880, p. 2.

<sup>203</sup> Thames Magistrate’s Court, *Plaint Book 1880-1881*, Judgment Summons JS 28, hearing of 15 October 1880, BACL 13737/11b, ANZ-A.

<sup>204</sup> Magistrate’s Court, *Thames Star*, 29 October 1880, p. 2; Magistrate’s Court, *Thames Advertiser*, 30 October 1880, p. 3.

<sup>205</sup> See *Thames Electoral Roll, 1880*, p. 21; *Thames Star*, 15 March 1875, p. 3, advertisement, 4 June 1875, p. 2, Licensing Meeting, 14 June 1880, p. 3, advertisement, 10 September 1885, p. 2.

<sup>206</sup> *Thames Advertiser*, 26 March 1881, p. 3.

<sup>207</sup> See paper on his life.

<sup>208</sup> Thames Magistrate’s Court, *Plaint Book 1880-1881*, 328/1880, BACL 13737/11b, ANZ-A.

<sup>209</sup> Thames Magistrate’s Court, *Plaint Book 1880-1881*, 37/1880, BACL 13737/11b, ANZ-A.

<sup>210</sup> Magistrate’s Court, *Thames Advertiser*, 4 December 1880, p. 3.

following April, O'Halloran again sued for this amount, but withdrew the suit,<sup>211</sup> presumably upon payment.

In January 1881, Meyer Goldwater, a Thames draper,<sup>212</sup> successfully sued for £16 6s 6d, owed for both goods and a dishonoured promissory note.<sup>213</sup> As payment was not made, in July Goldwater sought a judgment summons. Pepene explained that since January he had received £285 from a prominent miner, Robert Comer,<sup>214</sup> out of which he had paid £206 to Gerald O'Halloran and paid all he owed the lawyer.

Wilson, draper, got £7, Wilkinson £5, and Verrall (publican) £6. He had paid Wanna, his wife, the sum of £14, he having borrowed that amount to go to Cambridge. None of the persons mentioned had judgments against him, but when he received the money they all came after him, and he had to pay them. Mr Goldwater was not amongst the number. His gun was worth £4 or £5. All his horses were at Te Aroha. He did not possess a watch. Himself and relatives had land at Te Aroha and Parawai. Witness had also received his share of £50 some little time ago; he had spent it.... His father had promised to pay the debt.

The magistrate stressed that 'according to the law he was required to pay judgment debts before any others'.<sup>215</sup> According to the court record, 'on proof of ability to pay order made' this debt had to be paid within 14 days, otherwise he would be imprisoned for one week in Mount Eden.<sup>216</sup> According to the newspaper account, he was to pay 'in two monthly instalments' or be imprisoned.<sup>217</sup> He paid.

Also in January, a Paeroa storekeeper successfully sued for £5.<sup>218</sup> In September, James Collins,<sup>219</sup> of Paeroa, sued for £20.<sup>220</sup> Pepene told the

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<sup>211</sup> Thames Magistrate's Court, Civil Record Book 1881-1883, 37/1881, BACL 13735/1b, ANZ-A.

<sup>212</sup> See Borough Council, *Thames Advertiser*, 12 July 1889, p. 2.

<sup>213</sup> Thames Magistrate's Court, Complaint Book 1880-1881, 16/1881, BACL 13737/11b, ANZ-A.

<sup>214</sup> See *Thames Electoral Roll, 1880*, p. 5; *Thames Star*, 22 July 1889, p. 2, 28 November 1898, p. 2, 20 September 1904, p. 3.

<sup>215</sup> Magistrate's Court, *Thames Advertiser*, 30 July 1881, p. 3.

<sup>216</sup> Thames Magistrate's Court, Civil Record Book 1881-1883, Judgment Summons no. 15, BACL 13735/1b, ANZ-A.

<sup>217</sup> Magistrate's Court, *Thames Advertiser*, 30 July 1881, p. 3.

<sup>218</sup> Thames Magistrate's Court, Complaint Book 1880-1881, 21/1881, BACL 13737/11b, ANZ-A; Magistrate's Court, *Thames Star*, 28 January 1881, p. 2, 25 February 1881, p. 2.

magistrate that he had agreed in January to pay the amount and ‘gave an order on Mr Puckey’, the land purchase agent, ‘which was returned dishonoured’. He then paid £4 in cash ‘and tendered an order on Mr Moon for £13, and did not hear that it was dishonoured’. At a meeting in a Paeroa hotel early in September he did not admit to the police sergeant that he owed £20

but on the contrary said he had paid a portion of it. Did not offer to give the complainant a post-dated cheque for the amount. Collins did, however, bring him a cheque, but he refused to sign it as he had no money in the bank.... He was coming through Paeroa on his way to the Thames to defend the case, as he knew there must be something wrong when he was sued for £20. Witness was quite sober during the interview.

William Fraser,<sup>221</sup> the former magistrate, recollected a meeting near the courthouse in Paeroa, when ‘Pepene, speaking in English, offered to give Collins an order for the £16 on the Bank of New Zealand in connection with some money coming from’ Comer. Fraser did not remember Pepene being at a meeting in the hotel, and, when recalled, Pepene did not remember the meeting near the courthouse. Collins then gave evidence that none of the £20 had been paid. At the hotel, Pepene offered to give him ‘a cheque at three months, which witness inferred to mean a post-dated cheque, if proceedings were stayed’. When the cheque was presented to him, Pepene refused to sign it, ‘as the money in the bank belonged to his father’. When Pepene gave an order on the native agent, he owed Collins ‘about £47 10s and the order was given on account and not a cent had been paid since’. Collins had subsequently received £2 from Pepene for a suit of oilskins. An order for Moon to pay £13 was made before this claim for £20, and he considered Pepene owed him another £3 10s. ‘He did not consider the order payment in full for the amounts owing’, which caused his counsel to take a non-suit, costs going against Collins.<sup>222</sup> Later that day, Collins sued over a

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<sup>219</sup> See *Thames Electoral Roll, 1879*, p. 15; *Thames Star*, Paeroa Correspondent, 17 February 1879, p. 2, advertisement, 24 January 1881, p. 3.

<sup>220</sup> Thames Magistrate’s Court, Civil Record Book 1881-1883, 283/1881, BACL 13735/1b, ANZ-A.

<sup>221</sup> See paper on Harry Kenrick.

<sup>222</sup> Magistrate’s Court, *Thames Advertiser*, 24 September 1881, p. 3.

dishonoured order for £22.<sup>223</sup> In November the district court accepted legal argument that the summons was irregular because it gave Pepene five less days notice than required, and the case was adjourned.<sup>224</sup> It was considered again in the following January and March, when Collins was non-suited.<sup>225</sup> At the latter hearing, now for £20, Pepene offered £10 in cash and £10 in three months' time, and the non-suit was ordered to enable a new action to be started.<sup>226</sup> That one was not started indicated that the debt was finally paid.

In January 1882, Robson, who had not received payment of £10 13s 2d on a judgment summons made in September 1879, sued for this amount; the hearing was adjourned for two months.<sup>227</sup> As no more was heard, Robson must have received his money. In October William Wilson successfully sued for £3 8s 6d.<sup>228</sup> He was not paid, and the following April sought a judgment summons, which was adjourned for four weeks to enable Pepene 'to receive his rents', then another month at Wilson's request. In June, Pepene was given 14 days to enable him 'to receive Miners Right monies' and ordered to pay in weekly instalments of 10s from that date or be imprisoned for 14 days.<sup>229</sup> Two weeks later the case was withdrawn,<sup>230</sup> indicating that he had paid the full amount.

Pepene was sued only four more times. In February 1884, when a Te Aroha upholsterer sued for £8 13s 7d, he confessed to owing £9 4s 7d.<sup>231</sup> The

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<sup>223</sup> Thames Magistrate's Court, Plaintiff Book 1870-1884, 15/1881, BACL 13818/1a, ANZ-A.

<sup>224</sup> District Court, *Thames Advertiser*, 2 November 1881, p. 3.

<sup>225</sup> Grahamstown District Court, Minute Book 1870-1884, hearing on 10 January 1882, BACL 13818/1a; Thames Magistrate's Court, Plaintiff Book 1870-1884, 15/1881, BACL 13818/1a, ANZ-A.

<sup>226</sup> District Court, *Thames Advertiser*, 8 March 1882, p. 2.

<sup>227</sup> Paeroa Magistrate's Court, Plaintiff Book 1881-1896, hearing of 24 January 1882, BACL 13745/1a, ANZ-A.

<sup>228</sup> Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 51/1882, BCDG 11221/1a, ANZ-A.

<sup>229</sup> Te Aroha Magistrate's Court, Civil Record Book 1881-1884, Judgment Summons hearings on 10 April 1883, 8 May 1883, 5 June 1883, BCDG 11221/1a, ANZ-A; Magistrate's Court, *Te Aroha News*, 9 June 1883, p. 3.

<sup>230</sup> Te Aroha Magistrate's Court, Civil Record Book 1881-1884, Judgment Summons hearing on 19 June 1883, BCDG 11221/1a, ANZ-A.

<sup>231</sup> Te Aroha Magistrate's Court, Civil Record Book 1881-1884, 39/1884, BCDG 11221/1a, ANZ-A.

following year, when Wilson obtained a distress warrant to obtain £4 6s, the bailiff reported that Pepene had no assets worth seizing.<sup>232</sup> In 1886, a Thames ironmonger, James Renshaw,<sup>233</sup> sued for £19 1s 6d on a dishonoured promissory note, but Pepene was ordered to pay only £18 11s.<sup>234</sup> Although Pepene continued to have financial difficulties, as illustrated by his desire to sell land in 1899 to meet another debt to Renshaw,<sup>235</sup> already noted, that year was the only other time he was taken to court, for £12.<sup>236</sup>

### AN IMPORTANT RANGATIRA

In 1869, Pepene was one of the 73 principal Maori of Hauraki who signed the successful petition for the rehearing of the Aroha case.<sup>237</sup> Six years later, dissatisfaction with the inspector of miner's rights<sup>238</sup> prompted an advertisement in the press:

Notice: On the 1st day of October, 1875, Aihipepene and Hone Nahae were authorized to be Inspectors of Miners' Rights, and on the last day of September, 1875, McIlhone finished his work as Inspector.

Signed by the Ngatimaru Tribe.<sup>239</sup>

Hoani Nahe (correct spelling) was a leading rangatira of Ngati Maru, a member of parliament who later became Pepene's brother-in-law.<sup>240</sup> The following year, Pepene assisted Ngati Rahiri to drive Henry Alley's cattle off

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<sup>232</sup> Te Aroha Magistrate's Court, Home Warrant Book 1883-1928, 13/1885, BBAV 11498/1a, ANZ-A.

<sup>233</sup> See advertisements, *Thames Advertiser*, 13 June 1891, p. 4, 29 January 1897, p. 1; *Observer*, 15 April 1905, p. 17, 4 December 1915, pp. 4, 5.

<sup>234</sup> Thames Magistrate's Court, Civil Record Book 1885-1887, 466/1886, BACL 13735/2b, ANZ-A.

<sup>235</sup> Aroha Block IX Section 27B, Maori Land Blocks, Justice Department, J 1, 1904/250, ANZ-W.

<sup>236</sup> Te Aroha Magistrate's Court, Civil Record Book 1896-1907, 10/1899, BCDG 11221/2a, ANZ-A.

<sup>237</sup> Petition of April 1869, Legislative Department, LE 1, 1869/133, ANZ-W.

<sup>238</sup> See paper on Maori and goldfields revenue.

<sup>239</sup> Advertisement, *Thames Advertiser*, 7 October 1875, p. 2.

<sup>240</sup> Maori Land Court, Hauraki Minute Books no. 28A, p. 133; no. 47, pp. 186, 188-189.

Waiharakeke in a dispute over land.<sup>241</sup> When Daldy McWilliams was shot during a dispute over land near Paeroa in 1879, Pepene was on the Maori committee that considered this issue.<sup>242</sup>

In 1883, the government established Maori Committees, cynically intending them to be powerless and therefore to fail, which they promptly did.<sup>243</sup> Hauraki Maori wanted their committee, the first to convene, enthusiastically, to succeed.<sup>244</sup> In March 1884, six rangatira out of the 31 nominated were elected to a 'very satisfactory committee', in the opinion of a Thames newspaper.<sup>245</sup> Pepene received the fifth largest vote, 13; the highest score was 25, for Hoani Nahe.<sup>246</sup> The members agreed to meet four times a year.<sup>247</sup>

Being unable to achieve anything, it duly achieved nothing.<sup>248</sup> At their third meeting, members agreed to ask the Native Department about 'the nature of their duties, seeing that they have now met three times and have had nothing to do'. They sought power to summon disputants before the committee to resolve conflicts.<sup>249</sup> In 1885, the chairman asked the Minister to provide printed forms for summonses; 'We have issued manuscript summonses, which were not attended to'.<sup>250</sup> In January 1890, Pepene was a signatory to a letter to the Minister complaining about two members and asking that the committee be dissolved.<sup>251</sup> These two members, one of them the chairman, were guilty of 'habitual intemperance', and the native agent

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<sup>241</sup> Maori Land Court, Hauraki Minute Book no. 10, p. 251.

<sup>242</sup> Maori Land Court, Hauraki Minute book no. 28B, p. 157.

<sup>243</sup> Vincent O'Malley, *Agents of Autonomy: Maori Committees in the nineteenth century* (Wellington, 1998), pp. 154-155, 163-164.

<sup>244</sup> O'Malley, pp. 166, 173.

<sup>245</sup> *Thames Advertiser*, 8 March 1884, p. 2.

<sup>246</sup> G.T. Wilkinson to Under-Secretary, Native Department, 8 March 1884, Maori Affairs Department, MA 1, 23/13b, ANZ-W.

<sup>247</sup> Chairman, Hauraki Committee, to G.T. Wilkinson, 27 May 1884, Maori Affairs Department, MA 1, 23/13b, ANZ-W.

<sup>248</sup> O'Malley, pp. 173-174, 178-179.

<sup>249</sup> Hauraki Committee, Minutes of Meeting of 31 October 1884, Maori Affairs Department, MA 1, 23/13b, ANZ-W.

<sup>250</sup> Chairman, Hauraki Committee, to Native Minister, 25 August 1885, Maori Affairs Department, MA 1, 23/13b, ANZ-W.

<sup>251</sup> Aihe Pepene and Matiu Poono to Native Minister, 15 January 1890, Maori Affairs Department, MA 1, 23/13b, ANZ-W.



recommended that, because the committee was not working harmoniously, it be dissolved and an election held.<sup>252</sup> In this, second, election, now for 12 members, Pepene was re-elected, and joined by his brother Reha Aperahama.<sup>253</sup> They both attended what appears to have been the final meeting, in July that year.<sup>254</sup>

In 1885, at a meeting with the Native Minister, Pepene complained that Maori were being charged for bathing in the Te Aroha hot pools.<sup>255</sup> In 1891, he was defeated by one vote by Wirope Hoterene Taipari<sup>256</sup> in an election to be an assessor for the Kirikiri Native Licensing District.<sup>257</sup> He regularly conducted his cases in the land court.<sup>258</sup> When Okauia was subdivided, he was the only Ngati Rahiri consulted by Ngati Hinerangi, and was on the Ngati Rahiri committee that decided which members should be granted interests in it.<sup>259</sup> In 1893 he was appointed an assessor for the land court.<sup>260</sup>

#### RELATIONS WITH PAKEHA

Pepene was closely associated with Pakeha, and assisted settlement, which provided personal benefit through obtaining title to land that could then be sold. In 1869 he attended the levee in Auckland for the Duke of Edinburgh, Queen Victoria's son.<sup>261</sup> He took up horse racing, although his participation in races was only recorded once, in 1873. At the Tararu Sports, his horse Rimona, competing in the Maori Race, 'although gamely

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<sup>252</sup> G.T. Wilkinson to Under-Secretary, Native Department, 13 March 1890, Maori Affairs Department, MA 1, 23/13b, ANZ-W.

<sup>253</sup> G.T. Wilkinson to Native Minister, 5 June 1890, Maori Affairs Department, MA 1, 23/13b, ANZ-W.

<sup>254</sup> Hoani Nahe, Report on Meeting of Committee for Hauraki, 12 July 1890, Maori Affairs Department, MA 1, 23/13b, ANZ-W.

<sup>255</sup> *Thames Advertiser*, 13 February 1885, p. 3; *Te Aroha News*, 14 February 1885, p. 2.

<sup>256</sup> See paper on Maori and goldfields revenue.

<sup>257</sup> *Thames Star*, 3 March 1891, p. 2.

<sup>258</sup> For example, Maori Land Court, Hauraki Minute Books, no. 10, p. 376; no. 26, p. 185; no. 47, p. 186.

<sup>259</sup> Maori Land Court, Hauraki Minute Book no. 28A, pp. 67, 70.

<sup>260</sup> *New Zealand Gazette*, 16 March 1893, p. 346.

<sup>261</sup> *Auckland Weekly News*, 15 May 1869, p. 19.

ridden, was soon out of the race', coming in third and last. It later won the pony race, earning him a £7 prize.<sup>262</sup>

In 1875, when elected First Lieutenant of the newly formed Native Volunteer Corps at Thames, he gave a 'neat and appropriate' speech of thanks.<sup>263</sup> Three years later, when many Pakeha were going via Te Aroha to Hamilton to see the Volunteers' Easter Review, a newspaper was told that Pepene, 'the chief of Omahu, promises there will be no scarcity of horses'.<sup>264</sup>

In 1877, when a Maori stole money from Henry Dunbar Johnson's Paeroa store,<sup>265</sup> Pepene and his wife Matahera were sleeping on a tent on the other side of the river. When the drunken thief was found by Johnson and the police, he claimed that a stolen box of matches belonged to Pepene, who retorted, 'It does not belong to us. Don't bring stolen property here, and say they are ours'. They had allowed him to sleep outside their tent, and while he slept had found stolen money in his pocket, which they gave to the police.<sup>266</sup> (Pepene's only other known involvement with crime was when his horse was stolen in 1875; after he saw it in Tauranga in May 1877, a Maori was convicted of receiving stolen property.)<sup>267</sup>

After the 1879 shooting of Daldy McWilliams,<sup>268</sup> Pepene, 'an influential native', along with another Maori, 'both well-known friends of the pakehas', offered to guide a party of the latter to attack Ngati Hako. However, when the other Maori vanished at midnight, just before the party was about to leave Paeroa, 'Pepene then refused to officiate as pilot'. His excuse was that, if he did 'and was shot, the Aroha natives would take speedy measures to avenge his death, and great complications would arise in consequence'.<sup>269</sup> He had been engaged because he was familiar with the snags in the river.<sup>270</sup>

## RELIGION

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<sup>262</sup> *Thames Advertiser*, 21 March 1873, p. 2.

<sup>263</sup> *Thames Advertiser*, 13 January 1875, p. 2.

<sup>264</sup> *Thames Advertiser*, 12 April 1879, p. 2.

<sup>265</sup> See paper on Lavinia and Henry Dunbar Johnson.

<sup>266</sup> Police Court, *Thames Advertiser*, 25 July 1877, p. 3.

<sup>267</sup> Supreme Court, *Auckland Weekly News*, 7 July 1877, p. 16.

<sup>268</sup> See paper on the Daldy McWilliams 'outrage'.

<sup>269</sup> *Thames Advertiser*, 2 September 1879, p. 3.

<sup>270</sup> *Thames Star*, 2 September 1879, p. 2.

Pepene's first three children were baptized into the Church of England in 1877 and 1881.<sup>271</sup> In 1886 his first wife was baptized at Te Aroha as a member of the Mormon faith.<sup>272</sup> His daughter Puti Pepene was blest on the same day and baptized the following year,<sup>273</sup> and his other children later also entered the faith.<sup>274</sup> Pepene himself did not enter the church until 1897, when in June he was ordained at Kirikiri as a teacher and a month later was baptized,<sup>275</sup> a curious sequence. He was living at Kirikiri by 1889 and was still there in 1891 and 1892,<sup>276</sup> and lived there at least intermittently for the rest of his life. This Maori village had many Mormon converts,<sup>277</sup> which must have influenced his decision.

### PRIVATE LIFE

In February 1881, a Te Aroha correspondent reported a scandal:

Morality is not at a very high stage amongst the natives about here. Some months ago a chief of this district courted and won the affections of the favourite wife of a Thames chief, who was absent at the time. The rangatira from the Mountain of Love induced the fair one to fly with him to his native fortresses. She flew, and great was the wrath of the liege lord on his return. The great

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<sup>271</sup> Baptisms of Paha Hope, 18 November 1877; Puti Pepene, 18 September 1881; Hera Kapiti, 18 September 1881, Register of Coromandel Maori Baptisms 1874-1904, Register 1090, Anglican Archives, Auckland.

<sup>272</sup> Church of Latter Day Saints, Record of Members, Early to 1919, Te Aroha Branch, no. 6F, LDS Archives, Hamilton.

<sup>273</sup> Church of Latter Day Saints, Record of Children Blest in the Te Aroha Branch of the New Zealand Mission, no. 22F; Record of Members, Early to 1919, Te Aroha Branch, no. 5F, LDS Archives, Hamilton.

<sup>274</sup> Church of Latter Day Saints, Record of Members, Early to 1919, Te Aroha Branch, nos. 16F, 52F, 103F; Record of Children Blest in the Te Aroha Branch of the New Zealand Mission, nos. 17F, 27F, LDS Archives, Hamilton.

<sup>275</sup> Church of Latter Day Saints, Record of Ordinations to the Priesthood in the Kirikiri Branch, no. 14; Kirikiri Baptisms and Confirmations, no. 18, LDS Archives, Hamilton.

<sup>276</sup> Maori Land Court, Hauraki Minute Books, no. 20, p. 186; no. 27, p. 175; no. 28, pp. 58, 355.

<sup>277</sup> See Church of Latter Day Saints, Kirikiri Baptisms and Confirmations, LDS Archives, Hamilton.

council of Hauraki compelled the Te Arohan to return his inamorata, and in addition fined him £100 in cash besides land and bullocks, which were given to the wronged husband as a solatium. The last thing I heard was that the two Rangatiras were excellent friends, the Te Arohan having settled the matter by purchasing the woman he loved for £50 net cash. They now live happily together, though the other wahine of the rangatira occasionally mars the harmony of the domestic circle by an attack on the new and favourite inmate of the harem.<sup>278</sup>

No names were given, but nobody in Hauraki would have needed any. In its summary of the events of the previous year, the *Thames Directory for 1881* recorded for 4 September, ‘Elopement of one of Taipari’s wives with Aihe Pepene, the well-known Aroha chief’.<sup>279</sup> At the time, this caused much excitement, for the elopement, one day earlier, could hardly have been more public:

The residents in the vicinity of Shortland Wharf were startled out of their slumbers yesterday morning, about five o’clock, by the continued shrill whistling of the steamer, and several dressed themselves no doubt to investigate the cause of the alarm. On arriving at the Wharf it was found that the steamer Vivid had started off for Te Aroha, with nearly fifty armed natives on board, and that the Memsahib was about to follow her. It appears that one of Taipari’s wives named Wanna – a good-looking woman of about 35 years – had a difference with her liege lord some time ago, and the result was that they agreed to separate forever. She took us with Aihe Pepene, a well-known Aroha chief, and at the beginning of the week was taken to Omahu by her new lord and master who is a married man with several children. Taipari’s tribe disapproved of her conduct and yesterday morning left for Te Aroha to bring her back. Pepene considered that as Taipari had relinquished his claim to her she should be allowed to do as she liked; and, not to be outdone by the Shortland tribe, he got up steam in his vessel early yesterday morning, and started off after the Vivid. As the latter vessel is much faster than the Memsahib, and as she had about half an hour’s start, Pepene intended to go as far as the junction, and from thence to Omahu, which place he expected to reach at at least a couple of hours before the rescuers. He intends to do all he can to resist the rescue, and it is probable

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<sup>278</sup> ‘Te Aroha Arrows (From Our Special on the Spot)’, *Observer*, 19 February 1881, p. 236; reprinted in *Thames Star*, 21 February 1881, p. 2, with ‘here’ in the first sentence replaced by ‘at Te Aroha’.

<sup>279</sup> *Thames Directory for 1881* (Thames, 1881), p. 95.

that he will succeed. The Shortland natives are, however, determined to obtain possession of the woman, and it is likely there will be a disturbance, if they carry their threats into execution with the determination they expressed when leaving on their errand.<sup>280</sup>

Two days later, a Monday, the next instalment was published. The 'Vivid', having left on Friday morning, returned 'on Saturday afternoon, but without having in their possession the object of their search'. After both steamers arrived at the Junction of the Ohinemuri and Waihou Rivers 'together',

Pepene obtained a horse and rode off to Omahu as hard as he could, arriving there only about half an hour before the rescuing party in the Vivid. A meeting of the natives took place at the settlement, and the matter was amicably arranged, Pepene's tribe, offering to give a block of land above the Hauraki Mill, seven horses and an equal number of cows for the woman, and the Shortland people agreeing to accept this as utu. The woman strongly objected to return to town and it is thought that, had been forced to rescue her, blood would have been shed, as the majority of the Aroha natives were determined not to give her up.<sup>281</sup>

If Waana (sometimes recorded as Wana) was 'about 35',<sup>282</sup> she was older than Pepene. Her hapu was Ngati Te Aute, of Ngati Maru.<sup>283</sup> Her mother, Kohu, first married Patara, by whom she had Hoani Nahe and Tahimana Nahe, and then Matene Te Nga, by whom she had Waana and other children.<sup>284</sup> Waana, whose full name was Waana Te Moengahau, Pepene remained with Pepene. In 1892, Pepene claimed the miniscule Kaitawa No. 6 block (1 rood 21 perches) for her 'through ancestry and occupation down to my own times also conquest'. As Reha agreed to her being granted it, the court confirmed the arrangement.<sup>285</sup> In 1897 he built a house for her at Te Rei, part of the Pukehue Block.<sup>286</sup> The following year

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<sup>280</sup> *Thames Advertiser*, 4 September 1880, p. 3.

<sup>281</sup> *Thames Advertiser*, 6 September 1880, p. 3.

<sup>282</sup> *Thames Advertiser*, 4 September 1880, p. 3.

<sup>283</sup> Maori Land Court, Hauraki Minute Book no. 47, p. 288.

<sup>284</sup> Maori Land Court, Hauraki Minute Book no. 47, pp. 188-189, 288.

<sup>285</sup> Maori Land Court, Hauraki Minute Book no. 28, p. 355.

<sup>286</sup> Maori Land Court, Hauraki Minute Book no. 47, p. 218.

she was living at Kirikiri; 'I have always lived there', she told the court,<sup>287</sup> omitting to mention that for at least part of the time she had lived with Pepene at Te Aroha, and perhaps still did. From the fact that Pepene was living at Kirikiri in 1892 while his young daughters were living at Te Aroha,<sup>288</sup> it seems that his first wife remained at the former place with their children. After his daughter Hera died at Te Aroha in June 1891, he told the court that he did not know

the amount of money deceased left, it is in the hands of the Public Trustee, it was her interest in a block of land and sent to the Public Trustee because she was an infant – I was appointed Trustee by the Court and I asked the mother and Mr [Charles John] Dearle<sup>289</sup> to act which they did – and they have drawn on the Public Trustee for the maintenance of this child.

He wished to remain a trustee along with his first wife and Dearle,<sup>290</sup> but his evidence suggested that he had been living elsewhere and his wife was bringing up their children. He remained involved in their upbringing, being appointed the trustee of his two surviving daughters in June 1892.<sup>291</sup> They went to the Te Aroha school, Puti having Meke Ngakuru as her guardian when she enrolled in October 1890,<sup>292</sup> another indication that her father was not living with his family at that time. Papu was living at the pa when enrolled in 1892 and re-enrolled the following year.<sup>293</sup>

It is not known when Pepene married his first wife, but Matahera, as her name was given then, was his wife in 1877.<sup>294</sup> Always known as Mata or Maata, her second name was variously Paekau and Pokaiti.<sup>295</sup> Being born in 1854, she was a few years younger than Pepene. Her parents were Hatiti

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<sup>287</sup> Maori Land Court, Hauraki Minute Book no. 47, p. 288.

<sup>288</sup> Maori Land Court, Hauraki Minute Book no. 27, p. 58.

<sup>289</sup> See paper on Alice Grey Dearle.

<sup>290</sup> Maori Land Court, Hauraki Minute Book no. 28, pp. 58-59.

<sup>291</sup> Maori Land Court, Hauraki Minute Book no. 28, p. 85.

<sup>292</sup> Te Aroha School, Admissions Register no. 2 (1889-1897), no. 672, Primary School Archives, Te Aroha.

<sup>293</sup> Te Aroha School, Admissions Register no. 2 (1889-1897), nos. 761, 827, Primary School Archives, Te Aroha.

<sup>294</sup> Police Court, *Thames Advertiser*, 25 July 1877, p. 3.

<sup>295</sup> Declaration of J.W.R. Guilding, 11 June 1913, Aroha Block VI Part Section 29 West, Maori Affairs, Hamilton, BACS A102/6977, ANZ-A.

and Irehapiti, and her place of birth was 'Hauraki'.<sup>296</sup> Her hapu was Whakatohea.<sup>297</sup> She was granted land at Te Kaha, Motu, Waihoru, Waihaanga (at Thames), and Opotiki.<sup>298</sup> It was highly likely that the *Observer's* local correspondent was correct about her jealousy of Waana, but not only did she not leave him, she had several more children by him, whereas Waana had none. In 1892 Pepene put her into Aroha Block IX Section 27, with an equal interest to his own,<sup>299</sup> an indication of their continued good relations.

Pepene fathered several children after acquiring a second wife:

Their son Mororekai or Morere Kai Pepene was aged ten in January 1882, but died before March 1884.<sup>300</sup> In April 1883 the press reported a tangi at Omahu Pa over 'a son of Pepene, who died last week of fever. A number of visitors are expected from Hauraki to assist, and large quantities of food are being cooked'.<sup>301</sup>

Another son, Reha Pepene, was recorded, confusingly, as aged eight in January 1882, 11 in March 1884, and 14 in July 1885.<sup>302</sup> He died in February 1886, being the last of his sons to die.<sup>303</sup> His estate, either £50 or £45, was inherited by his father.<sup>304</sup>

Paha Hopi, was baptized (as an Anglican) in November 1877, but had died by March 1884.<sup>305</sup> Was he the same child as Morere Kai?

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<sup>296</sup> Church of Latter Day Saints, Record of Members, Early to 1919, Te Aroha Branch, no. 16F, LDS Archives, Hamilton.

<sup>297</sup> Death Certificate of Puti Pepene, 28 February 1936, 1936/26959, BDM.

<sup>298</sup> Declaration of Maata Paekau, 14 July 1902, Aroha Block IX Section 24, Maori Land Blocks, H1064; Declaration of Maata Paekau, 1902, Aroha Block XII Section 39, Maori Land Blocks, H1070, Maori Land Court, Hamilton.

<sup>299</sup> Maori Land Court, Hauraki Minute Book no. 28A, p. 80.

<sup>300</sup> Maori Land Court, Hauraki Minute Books, no. 14, p. 150; no. 15, pp. 152-153; *New Zealand Gazette*, 20 April 1882, p. 602.

<sup>301</sup> Te Aroha Correspondent, *Waikato Times*, 24 April 1883, p. 2.

<sup>302</sup> Maori Land Court, Hauraki Minute Books, no. 14, p. 150; no. 15, pp. 152-153; no. 17, p. 300; *New Zealand Gazette*, 20 April 1882, p. 602.

<sup>303</sup> Maori Land Court, Hauraki Minute Book no. 19, p. 22.

<sup>304</sup> Probates, BBAE 1569/43; Testamentary Register, folio 20, no. 56, BBCB 4208/16, ANZ-A.

<sup>305</sup> Baptism of Paha Hopi, 18 November 1877, Register of Coromandel Maori Baptisms 1874-1904, Register 1090, Anglican Archives, Auckland; Maori Land Court, Hauraki Minute Book no. 14, pp. 152-153.

A daughter, Puti Pepene, was born at 'Hauraki' in February 1879 and baptized as an Anglican in September 1881 and as a Mormon in 1887.<sup>306</sup> She lived until 1936.<sup>307</sup> The land court was told in 1884 that she was aged nine,<sup>308</sup> but this was the only time she was given the birth date of 1875. In July 1885, she was said to be eight.<sup>309</sup>

Another daughter, Hera Kapiti, later Hera Pepene, was born in December 1880 in Te Aroha, and baptized as an Anglican in September 1881 and a Mormon in 1889. She died in June 1891.<sup>310</sup> The court was told in March 1884 that she was aged six,<sup>311</sup> which made her birth date 1878, the only time such an early date was recorded. She was stated to be six in July 1885.<sup>312</sup> She died in June 1891, either at Te Aroha or Kirikiri.<sup>313</sup>

Another daughter, Aorangi Te Ngahuru, possibly born in 1885, was baptized as a Mormon in 1909;<sup>314</sup> no other sources mention her, for unlike her putative siblings she was never included as a successor to deceased family members in any blocks of land. The church must have muddled her with another child.

Their last child, another daughter, Papu Pepene, was born in February 1886, and blest by the Mormon Church in 1889.<sup>315</sup>

## DEATH

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<sup>306</sup> Baptism of Puti Pepene, 18 September 1881, Register of Coromandel Maori Baptisms 1874-1904, Register 1090, Anglican Archives, Auckland; Church of Latter Day Saints, Record of Members, Early to 1919, Te Aroha Branch, no. 5F, LDS Archives, Hamilton; Death Certificate of Puti Pepene, 28 February 1936, 1936/26959, BDM.

<sup>307</sup> Death Certificate of Puti Pepene, 28 February 1936, 1936/26959, BDM.

<sup>308</sup> Maori Land Court, Hauraki Minute Book no. 15, pp. 152-153.

<sup>309</sup> Maori Land Court, Hauraki Minute Book no. 17, p. 300.

<sup>310</sup> Baptism of Hera Kapiti, 18 September 1881, Register of Coromandel Maori Baptisms 1874-1904, Register 1090, Anglican Archives, Auckland; Church of Latter Day Saints, Record of Members, Early to 1919, Te Aroha Branch, no. 52F, LDS Archives, Hamilton.

<sup>311</sup> Maori Land Court, Hauraki Minute Book no. 14, pp. 141-152.

<sup>312</sup> Maori Land Court, Hauraki Minute Book no. 17, p. 300.

<sup>313</sup> Maori Land Court, Hauraki Minute Books, no. 28, p. 58; no. 28A, p. 20.

<sup>314</sup> Church of Latter Day Saints, Record of Members, Early to 1919, Te Aroha Branch, no. 103F, LDS Archives, Hamilton.

<sup>315</sup> Church of Latter Days Saints, Record of Children Blest in the Te Aroha Branch of the New Zealand Mission, no. 27F, LDS Archives, Hamilton; Maori Land Court, Hauraki Minute Book no. 28, pp. 58, 85.



Pepene died on 21 June 1903 according to one land court hearing and on 21 June 1904 according to another;<sup>316</sup> his age was unreported. As the *Te Aroha News* has been lost for those years, and the Thames newspapers did not record his death, certainty is impossible. Mata Paekau died at Tui Pa in August 1911.<sup>317</sup> It is not known when Waana Te Moengahau died.

Two daughters survived him and leased and then sold the land they inherited from him.<sup>318</sup> Papu, reputedly frivolous, married a reportedly lazy 'quarter-caste' who would neither work his seven acres nor clothe his children adequately.<sup>319</sup>

## CONCLUSION

Aihe Pepene was a prominent rangatira in Hauraki generally and at Te Aroha in particular. Like other rangatira, he was active in obtaining as many interests in blocks of land as he could, and likewise lived off the money received from leasing or selling these and from goldfields revenue. An injudicious involvement in owning and operating river steamers forced him to sell more land. He was a supporter of Pakeha settlement, even becoming a Volunteer officer, but wanted to help his community by joining the Maori Committee in Thames. His private life was notable for his having more than one wife, including one already married to a senior rangatira: their elopement created a sensation. Unlike his brother Reha Aperahama, he was not known as a drunk, and therefore must have been the more respected of the two.

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<sup>316</sup> Maori Land Court, Hauraki Minute Books, no. 54, p. 174; no. 56, p. 136.

<sup>317</sup> Church of Latter Day Saints, Record of Members, Early to 1919, Te Aroha Branch, no. 6F, LDS Archives, Hamilton; Declaration of J.W.R. Guilding, 11 June 1913, Aroha Block IX Part Section 29 West, Maori Affairs Department, Hamilton, BACS A102/6977, ANZ-A.

<sup>318</sup> Aroha Block IX Section 24, Maori Land Blocks, H1064; Aroha Block XII Section 39, H1070, Maori Land Court, Hamilton; Aroha Block IX Part Section 29 West, Maori Affairs Department, Hamilton, BACS A102/6977; Aroha Block XII Section 39, Maori Affairs Department, Hamilton, BACS A102/3687, ANZ-A.

<sup>319</sup> Maori Land Court, Hauraki Minute Book no. 56, pp. 282, 284.