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A silver slice of Māori history: the Te Pahi medal

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ABSTRACT: The sudden reappearance and subsequent sale by Sotheby's Australia of the Te Pahi medal in April 2014 was a significant numismatic event. The medal is a unique object in early Australasian colonial history. The circumstances of its presentation by the Governor of New South Wales, Philip Gidley King, to Te Pahi, a Ngāpuhi chief, provide insights into colonial and indigenous contacts and relationships in the early 1800s.

This paper considers the circumstances behind the commissioning of the medal in 1805–06 and its disappearance following colonist and whaler raids in 1810. When the medal reappeared, Ngāpuhi demanded its repatriation and attempted to have its sale postponed. Although this proved unsuccessful, the medal was repatriated thanks to a winning bid jointly made by the Museum of New Zealand Te Papa Tongarewa and the Auckland War Memorial Museum Tāmaki Paenga Hira. At the time of writing, the Te Pahi medal has just returned to New Zealand after an absence of more than 200 years.

KEYWORDS: Medal, numismatics, Māori, Ngāpuhi, Te Papa, Philip Gidley King, Te Pahi, whalers, James Finucane, Hugh Rihari, Sotheby's Australia, cultural heritage, Auckland War Memorial Museum, Bay of Islands, New Zealand.

Introduction

The dramatic reappearance and sale by Sotheby's Australia of the Te Pahi medal (Figs 1 and 2), largely hidden from view for more than 200 years, is surely the most notable Australasian numismatic event of 2014.[1] Made by transportees at the behest of a colonial governor for presentation to a Māori chief, the medal was aptly characterised in a *Sydney Morning Herald* headline as a slice of history.[2] While it is interesting enough in its own right as a very early and extremely scarce example of Australian silversmithing, the medal drew still greater attention in raising issues of historical and indigenous identity, as well as the contested politics and ethics of cultural property and its repatriation.

This writer must declare a personal interest in the matter. The Te Pahi medal was due to be auctioned just weeks after I had taken up the position as curator of historical and international art at the Museum of New Zealand Te Papa Tongarewa (Te Papa). I believed that every effort needed to be made to secure the medal for the national collection. Fortunately, through an unprecedented joint move with the Auckland War Memorial Museum Tāmaki Paenga Hira (Auckland Museum), this came to pass on a shared basis. Had the medal been withdrawn from sale – which at one stage appeared a real possibility – and had high-end private collectors been less adversely affected by the global financial crisis, the outcome could well have been very different: probably a bleaker one for Te Pahi's Ngāpuhi tribal descendants and numismatists alike. This article aims to fulfil Te Papa's mission statement in telling a story 'with authority and passion' about a taonga (treasure) that relates to the 'land and people' of Aotearoa New Zealand.[3] The 'passion' aspect is not hard to feel, as the story is one of triumph (1806), tragedy (1810) and triumph again (2014), with considerable mystery in between.

Fig. 1 (*above*) Te Pahi medal, obverse, *c.* 1805–06, silver, 45 mm diameter. Artists John Austin and Ferdinand Meurant [attributed] (Te Papa TMP021966).

Fig. 2 (*below*) Te Pahi medal, reverse.

The inscription and the makers

Although the Te Pahi medal could be credibly 'unpacked' in a post-colonial academic context as a signifier of boundary-crossing and cross-cultural travel, its inscription and message have a disarming straightforwardness. The story it tells is literally inscribed on its two sides. Its patron, Philip Gidley King, Governor of New South Wales (1758–1808) (Fig. 3), recorded the circumstances behind it thus:

> To give [Te Pahi] some proof of the estimation he was held in by me and the inhabitants of this place, I caused a medal to be made of silver with the following engraving: 'Presented by Governor King to Tip-a-he, a Chief of New Zealand, during his visit at Port Jackson, in January, 1806': and on the reverse: 'In the reign of George the Third, by the Grace of God King of the United Kingdom of Great Britain and Ireland'. This medal was suspended by a strong silver chain around his neck.[4]

There are small but significant discrepancies between King's recollection of the inscription, and how this was actually rendered. On the medal, 'TIPAHEE' is capitalised and not hyphenated, giving the chief greater force and equal billing with 'GEORGE THE THIRD' on the reverse. Significantly, what the governor had mistakenly rendered as 'Port Jackson' is in fact 'Sydney', which makes the message more understandable today to an audience unfamiliar with the former appellation. These variations furthermore serve to underline the genuineness of the medal; surely a forgery would have conscientiously copied King's rendition verbatim.

The inscription spells out the immense historic interest of the medal, as one of the very first official taonga associated with Māori and trans-Tasman relations. Described on page two of Leslie Carlisle's authoritative monograph, *Australian historical medals 1788–1988*, the Te Pahi medal post-dates the iconic *Charlotte* medal (1788; Australian National Maritime Museum) (Figs 4 and 5), widely regarded as Australia's first colonial work of art, by just 18 years.[5] Poignantly, Carlisle illustrated the Te Pahi medal with two schematic blank circles of tentative dimensions, as his study preceded its reappearance by several years. Up to that point, King's record of the inscription was presumed to have been accurate.

As the inscription visually dominates and defines the medal, this potentially lessens its appeal as a work of art. Yet technically, the copperplate lettering of the Te Pahi medal is considerably more refined and more conventionally beautiful than that of the more naive – if incredibly

Fig. 3 *Governor Philip Gidley King, c.* 1800, oil on canvas, 600 × 500 mm. Artist unknown. (ML 1257, Mitchell Library, State Library of New South Wales, Sydney).

compelling – *Charlotte* medal. Furthermore, as David Hansen stated in his admirable sale catalogue essay, the Te Pahi medal is in a class apart from most of the 'crude amateur' convict love tokens, which frequently utilised recycled late eighteenth-century 'cartwheel' pennies.[6]

Although the maker of the Te Pahi medal is unknown, the field of suspects is narrowed owing to the extreme paucity of skilled silversmiths in early nineteenth-century New South Wales, together with the documented knowledge of the timeframe in which it was made. Indeed, the medal's authorship may be fairly confidently attributed to the Irish seal engraver and silversmith John Austin (*c.* 1761–1835) and his close associate and one-time partner in banknote forgery, the French-born Ferdinand Meurant (1765–1844).[7] Both men were transportees from Dublin who arrived in Sydney in 1800; Austin had been a freeman of the Dublin Company of Goldsmiths. The capitalised lettering on the reverse of the medal describing George III as King 'of Great Britain/ AND/ IRELAND' could well be a reference to the artists' (particularly Austin's) backgrounds.

A few months after the medal was made, King's bitter enemy, the Irish political convict William Maum, complained that 'these men were never in the employ of

Fig. 4 (*left*) *Charlotte* medal, obverse, 1788, silver, 74 mm diameter. Artist Thomas Barrett [attributed] (Australian National Maritime Museum, Sydney).

Fig. 5 (*right*) *Charlotte* medal, reverse.

government since their arrival nor were they in any degree instrumental in contributing to the welfare of the colony and were solely employed in making jewellery and trinkets for Mrs King'.[8] A sauce ladle, one of the earliest-known pieces of Australian marked silver (*c.* 1810; private collection) has been attributed to Austin, while Austin and Meurant have been credited as makers of a gold-mounted turbo-shell snuff box (*c.* 1808; Powerhouse Museum, Sydney), whose engraving corresponds in its quality to that of the Te Pahi medal.[9]

The sourcing of the silver for the medal can likewise be identified reasonably confidently. With its diameter of 45 mm, the medal cannot have been a recycled Spanish eight-real coin or a British crown coin, as both have diameters of 38 mm. While either of these coins could have been hammered into a wider medal, such an object would be thin indeed, which the Te Pahi medal is not. The medal's edge (Fig. 6) instead suggests that it was made from two joined watch cases, a technical feat compatible with the documented skills of Austin and Meurant.[10] Although such a practice was rare, this was probably an instance of making a virtue out of necessity in what was then an economically primitive – even sterile – colony, where bullion was in short supply.

Fig. 6 Edge of Te Pahi medal (Auckland War Memorial Museum Tāmaki Paenga Hira, Auckland).

Fig. 7 *Tippahee [Te Pahi] A New Zealand Chief*, 1827, engraving, 106 × 78 mm. Artist William Archibald, after a drawing by George Prideaux Harris (A-092-007, Alexander Turnbull Library, Wellington).

Background to the commission

Te Pahi's place in history has been admirably incorporated into accounts of Māori and European contacts by Anne Salmond and Vincent O'Malley.[11] Te Pahi (*c.* 1760–1810) (Figs 7 and 8) came from a Ngāpuhi and Ngāti Awa tribal background, and was paramount chief of the Te Hikutu people of Rangihoua Bay and Te Puna in the Bay of Islands. The location of his island pā has been the subject of historical speculation. Traditionally, it was identified as Roimata (also known as Te Pahi or Turtle Island), but recent research by archaeologist Angela Middleton and Ngāpuhi architectural historian Deidre Brown has instead pointed rather more convincingly to the neighbouring Motuapo Island.[12]

Te Pahi extended protection to the British and American whalers whose activities were greatly expanding in the opening years of the nineteenth century; the locale provided excellent anchorage. Sir Joseph Banks, veteran of James Cook's first voyage to New Zealand in 1768–71 and a leading advocate of Australian colonisation, noted how 'the South Whalers … have been in the habit of visiting the Bay of Islands for Refreshments & have obtained besides wood

Fig. 8 *Tippahee [Te Pahi]*, 1808, watercolour and ink. Artist James Finucane (SV* / Mao / Port / 14, Mitchell Library, State Library of New South Wales, Sydney).

& water Potatoes both Sweet & the Common sort … & fish in abundance They have always been well Receivd there by the Chief [of] Ta-Poonah [Te Puna]'.[13] King received Te Pahi's son Matara (also known as Maa-Tara) at Government House, Port Jackson, in June 1805, referring to him as 'the son of a powerful chief at the Bay of Islands who had always been extremely hospitable to the whalers'. He gave Matara metal tools and other gifts, including 'two female and one male swine with two female and one male Goat', supplemented by 18 sows and two boars picked up at Norfolk Island 'as a present to Tip-pa-he'.[14] Te Pahi, accompanied by four of his sons, resolved to thank King in person, and went to Port Jackson via Norfolk Island, arriving there in November 1805.

Te Pahi's three-month sojourn at Government House is well documented. O'Malley observed that it was 'motivated not just by the need to reciprocate the gifts he had received from King, but also in the expectation of establishing an ongoing relationship with the Governor for the benefit of his people'.[15] Te Pahi was on what today would be termed a fact-finding mission, particularly on the agricultural, textile and construction fronts, which he evidently pursued with intelligence and enthusiasm: 'here was a man with which the British could do business', as David Hansen put it.[16] In turn, King appreciated New Zealand's growing economic significance as a source of whale oil, flax and spars for ship masts and yards.

The visit was, furthermore, a personal success. If Te Pahi corresponded to the Enlightenment construct of the 'noble savage', he was surely more noble than savage. 'To say that he was nearly civilised falls far short of his character', asserted King.[17] He likened Te Pahi's manners to those of 'a well bred Gentleman allowing a little for the Country he comes from'. King admired Te Pahi's 'high relish for civilisation' and intelligent curiosity, and how he never missed 'any opportunity of gaining the most particular information respecting the cause and use of everything that struck his notice'.[18] Te Pahi's 'ideas on the existence of God' also impressed King and his European companions. The Reverend Samuel Marsden of the Church Missionary Society praised Te Pahi's 'Clear,

Fig. 9 New Zealand Christmas stamp, 'First Christian service in New Zealand', 2½d, 1964. Designer Leonard Cornwall Mitchell (Te Papa PH.000538).

Strong and Comprehensive mind'. Marsden was influenced by his example (and still more so by Te Pahi's successor, Ruatara) to locate the first New Zealand Christian mission in Rangihoua Bay several years later in 1814 (Fig. 9).[19]

Central to the visit, and of particular relevance here, was the exchange of gifts, with King receiving a ceremonial patu (club) and several kākahu (cloaks), and Te Pahi carrying home fruit trees, iron tools and a prefabricated house, the first such to be constructed in New Zealand.[20] King concluded: 'Nor have I a doubt that the attention Shewn him by the Inhabitants in General And the Abundant presents he took from hence will procure the greatest Advantage to our South Sea Whalers.'[21] While this may read somewhat disingenuously today – there was no such thing as a governor's free board and lodging – O'Malley recognises that 'King had come the closest of any of the eighteenth-century Europeans who encountered Māori to finding the middle ground'.[22]

'Proof of the estimation in which he was held'

The medal almost certainly was not commissioned in anticipation of the success of Te Pahi's visit. Instead, it represented a prompt response on King's part to the personal qualities of Te Pahi that emerged during his sojourn. The medal inscription indicates that it was presented in January 1806; very likely it had been commissioned the previous month. It symbolised, as King stated, 'proof of the estimation' in which Te Pahi was held. 'With this and other presents he was pleased and gratified', and with his passion for 'real utility', this particularly applied to 'the numerous tools and other articles of iron given him from the public stores and by every class of individuals'.[23]

As King implies, the medal – which is pierced – would have been worn as a pendant, like a pounamu hei-tiki (greenstone pendant figure), and on Te Pahi's return home would have boosted his already considerable mana (prestige) still further. Had Te Pahi gone on to enjoy a peaceful and serene old age, like the venerable chiefs and elders portrayed at the other end of the century by Gottfried Lindauer and Charles Goldie, then the medal might well have either remained in Ngāpuhi hands or been presented at some point to a museum. But this, of course, is counterfactual history and the reality is considerably more complicated.

The medal's uniqueness needs emphasising. It remains the sole physical evidence of the significant contact between Te Pahi as an independent and sovereign chief, and Philip Gidley King as governor of a recently established British colony. It is the first state award presented to a Māori chief, and commemorates the earliest visit of such an eminent person to Australia. And while the medal is a token of esteem, it could also be interpreted more liberally as a kind of bravery and good conduct award in recognition of Te Pahi's intrepid mission. Leaving New Zealand went 'much against the wishes of his dependants',[24] as King noted, but Te Pahi realised that much was at stake in establishing an ongoing relationship with the governor for the benefit of his people. King stated that Te Pahi 'considered himself under my protection. If I wished him to remain here, go to Europe, or return to his own country, he was resigned to either, and in the most manly confidence submitted himself and his sons to my direction. All this was said in such an imposing manner that no doubt could be entertained of his sincerity.'[25]

Historians have perhaps understated how Te Pahi had to cope with a very alien, 'goldfish bowl' milieu at Government House, his every action and statement under careful colonist scrutiny. Te Pahi appears to have given as good as he got, and 'spared no pains to convince us that the customs of his country were in several instances better than ours, many of which he looked on with the greatest contempt'.[26] In one such instance, Te Pahi was horrified by what he regarded as the cruel excesses of the British justice system in this era of convict transportation, when a man was sentenced to death for stealing pork. He tearfully appealed to King to spare the thief's life. When Te Pahi was told at a subsequent dinner

Fig. 10 *The blowing up of the Boyd*, 1889, oil on canvas, 1218 × 1837 mm. Artists Louis John Steele and Kennett Watkins (Te Papa 1992-00-19-2).

party at Government House that British law 'secured to each individual the safe possession of his property, and punished with death all those who would deprive him of it', he pointed to the captain of the *Mercury*, Theodore Walker, sitting at the table and demanded: 'Then why not you hang Captain —, he come ashore and [stole] all my potatoes – you hang up Captain —'.[27] This 'touché' moment naturally caused Walker acute discomfort but greatly amused and perhaps even impressed the rest of the company.

On Te Pahi's departure, King told Banks: 'He will return to his own Country the greatest Monarch that ever left it',[28] while the *Sydney Gazette* noted: 'We cannot doubt the sincerity of his professions, or his friendly disposition towards our countrymen, which his treatment from our Government has very much improved'.[29] Te Pahi himself returned with high ideals of cultural and technological exchange, and had suggested that several of his people – the Ngāpuhi equivalent of a skilled working class – should visit New South Wales to train as shepherds and bring these skills home. Further plans to settle a party of colonial observers under Te Pahi's protection – and living in his new prefabricated house – did not, however, materialise. His second visit to Port Jackson in 1808 was marred by ill health and the absence of two critical allies: King, who had resigned, exhausted, as governor and was a prematurely dying man in England, and Marsden, who was on leave there. Internal political tensions following the overthrow and arrest of King's successor, William Bligh, did not improve matters. On his visit, Lieutenant James Finucane, unofficial private secretary to Acting Governor Joseph Foveaux, portrayed 'Tippahee a Chief of New Zealand' wearing military uniform (Fig. 8), and presented him with a Masonic medal and ribbon whose own story is discussed below.[30]

The burning of the *Boyd*

Worse was to follow for Te Pahi, in the form of an episode crucial in explaining the subsequent fate of both medals: the so-called *Boyd* Massacre, 'Burning' (as Salmond and O'Malley favour) or, more euphemistically, 'Incident', of December 1809. As with Te Pahi's first visit to Port Jackson, historians have analysed it in detail.[31] Many years after its

occurrence, the theme would inspire a fascinating pair of nostalgic history paintings, with depictions by Louis John Steele and Kennett Watkins (*The Blowing up of the Boyd*, 1889; Museum of New Zealand Te Papa Tongarewa) (Fig. 10), and by Walter Wright (*The Burning of the Boyd, Whangaroa Harbour, 1809*, 1908; Auckland Art Gallery Toi o Tāmaki).[32]

En route to Cape Town from Sydney, the transport ship *Boyd* anchored in Whangaroa Harbour to load kauri spars and allow Māori passengers to disembark. Contemporary accounts suggest that the flogging during the voyage of Te Ara (also known as 'Tara' and 'George'), a Ngāti Pou chief's son from Whangaroa, prompted the ensuing events. Such treatment represented an indignity not only to Te Ara but, according to Māori protocol, to his father and, indeed, his iwi (tribe). The chief offender, Captain John Thompson, and his crew were lured ashore, massacred and the *Boyd* was then looted. Further fatalities occurred with the accidental ignition of gunpowder on board the vessel, the source of inspiration to the later painters. Some 70 Europeans and an unknown number of the attacking party were believed killed.

Te Pahi was the wrong person in the wrong place at the wrong time. It was his tragedy to have been implicated in the attack on the *Boyd* and its crew when from all preceding evidence he would have vehemently opposed such an outrage. A retrospective account states that 'when they were killing the sailors Tippahee held his hand over his eyes and shed tears',[33] while another version had him unsuccessfully attempting to save a group of sailors who had climbed the rigging.[34] Te Pahi had arrived in Whangaroa the day after the attack to conduct trade, and evidently he did receive some of the subsequent plunder from the vessel in accordance with custom.

A combination of factors effectively 'did for' Te Pahi: ongoing misunderstandings and tensions with whalers; inter-tribal rivalries, which were probably compounded by personal jealousy of his status; but above all, the colonial authorities needed to identify and punish a ringleader, or in this case a scapegoat, among 'a people long deemed treacherous and unpredictable'.[35] A likely element of convenient confusion was made between Te Ara's brother Te Puhi, who was almost certainly involved in the attack, and Te Pahi's near namesake. The upshot was, as Salmond states, that 'this "friendly chief", who had lived with Governor King at Sydney … was castigated as a treacherous cannibal'.[36] A contemporary broadsheet ballad (Fig. 11) colourfully describes Te Pahi's alleged foul deeds of murder and cannibalism:

> Chief Tippohee came on board
> With all his company.
> Some time he view'd the vessel o'er,
> Then gave a dreadful yell,
> Which was the signal to begin,
> Upon the crew they fell.
> Thirty of whom the monsters tore,
> Limb from limb with speed,
> And while their teeth did reek with gore,
> They ate it as 'twere bread.[37]

News of the attack on the *Boyd* reached Sydney in March 1810, and created understandable alarm among crews planning to visit the Bay of Islands. A hurried investigation conducted by supercargo Alexander Berry, informed by a Bay of Islands chief variously rendered as 'Matengaha', 'Matingiro' and, by Salmond, 'Matengaro', concluded that Te Pahi had been responsible. The report memorably ended: 'let no man (after this) trust a New Zealander'.[38] Following the comparatively recent discovery of Finucane's journal, now in the National Library of Ireland, and its publication by Anne-Maree Whitaker, it can be established that three revenge attacks on the part of colonists and whalers took place, rather than the two that had been previously documented.[39] The first consisted of cannon shots from Berry's ship, the *City of Edinburgh*, directed at Te Pahi's residence, which evidently missed their target but which 'must have sent a frightening message to the residents of Wairoa Bay about their changing relationship with Europeans'.[40]

Further attacks took place on 26 March and 10 April 1810. Historically, they have been conflated, and the third has only recently emerged with the publication of Finucane's journal. Their combined effect left Te Pahi's settlement in ruins, with an unknown number of deaths of his people, estimates varying from the lower 20s to more than 70. Te Pahi's own fate is likewise uncertain. One account claimed that he had died in the third attack after being shot seven times. Traditionally, however, his death was said to have occurred several weeks later 'from a wound suffered in fighting between his people and those of Whangaroa, caused by the *Boyd* affair'.[41] More definite was the assault on his prefabricated house, the repatriation of gifts made to him earlier, the end of both the governor's sanction of trade in the area and the Crown's recognition of Te Pahi's chiefly authority, and the delay for several years of the establishment of Marsden's mission station. Finucane's journal entry of 10 April is highly relevant here:

Atrocious and Horrible MASSACREE,

Of the Crew of the Ship Boyd, Capt. Thomson, Newcastle, who were Murdered & Devoured by the Cannibals of New Zealand, where the Ship had touched on her voyage home from Botany Bay.

IT appears that whilst the Boyd was at Botany Bay the Captain went with one of the two Chiefs who govern the Island of New Zealand, named Tippohee & agreed with him to purchase some timber to take to England. As soon as the voyage would permit, the ship arrived at the Island, and the Captain was promised the timber in two days. In the mean time, he was invited on shore, and attended the Chief with part of the ship's company in the boat. Nothing particular transpired on this occasion; but the Chief returned on board, the ship attended by a number of canoes full of men. They were permitted to examine the ship, as a matter of curiosity. Tippohee was treated with great respect; and having continued on board some time, he got into his boat, for the purpose as was supposed, of meeting the Captain who had gone to see the timber. Instead however, he gave a dreadful yell, which was the signal for the massacre of the whole ship's company.—There were about 40 in all, 30 of whom the horrid monsters tore limb from limb, and regaled themselves on the flesh of the unfortunate victims. Ten of the men, 2 women passengers, and a lad, ran below; the Chief hailed the men, and told them they had got all they wanted, having plundered the ship, and if they would come down their lives should be spared. The deluded men obeyed, and fell like their comrades, a sacrifice to the inordinate and brutal appetites of the cannibals. The 2 women and the boy were taken on shore, and their lives spared but the ship was burnt. The rival Chief, Pari, situated at a different part of the Island, heard of the affair, and expressed his sorrow on the occasion to the Captain of the City of Edinburgh, who was at the Island for timber, and prepared to accompany him with an armed force to release the women & boy, in which they perfectly succeeded.

The following address has been circulated on the subject of the late massacre by the cannibals natives of that quarter;—"All Masters of ships frequenting New Zealand, are directed to be careful in not admitting many natives on board, as they may be cut off in an instant by surprise. These are to certify, that during our stay in this harbour, we had frequent reports of a ship being taken by the natives of the neighbouring harbour of Wanganoa, and that the crew were killed and eaten. In order to ascertain the truth of this report, as well as to rescue a few people who were said to be spared in the general massacre, Mr. Berty accompanied by Mr. Russel, and Metangangoa, a principal Chief of the Bay Islands, who volunteered his services, set out for Wangangoa in three armed boats, on Saturday the 4th of May and upon their arrival they found the miserable remains of the ship Boyd, which the natives after stripping of every thing of value, had burnt down to the water's edge. From the handsome conduct of Metangangoa, they were able to rescue a boy, a woman, and two children, the only survivors of this shocking event; which, according to the most satisfactory information, was perpetrated entirely under the direction of that old rascal Tippohee who had been so undeservedly caressed at Port Jackson. This unfortunate vessel intended to load with masts, &c. She had been there 3 days; after her arrival, the natives informed the master, that in two days they would shew the spars. Next day, in the morning, Tippohee came from Tippusia, and went on board; he staid only a few minutes. He then went into his canoe, and remained along-side the vessel, which was surrounded with a considerable number of canoes that had collected for the purpose of trading; and a great number of the natives gradually intruded into the ship, and sat down upon the deck. After breakfast, the master left the ship to look out for spars with two boats. Tippohee, after waiting a convenientt ime now gave signal for Massacre—in an instant the savages, who appeared peaceable on deck, rushed upon the unarmed crew who were variously employed about the ship; the greater part were massacred in an instant, and were no sooner knocked down than they were cut to pieces still alive. Five or 6 men escaped by the rigging. Tippohee now having possession of the ship, hailed them with a speaking-trumpet, and ordered them to unbind the sails and cut away the rigging and they should not be hurt they complied with his commands, and afterwards came down upon the deck he then took him on shore in a canoe, and immediately killed them The master went ashore without arms, and of course, was easily dispatched. The natives of the Spar district in this harbour have behaved well, even beyond expectation, and seem much concerned on account of the event! and dreading the displeasure of King George, have requested a certificate of their good conduct, in order to exempt them from his vengeance; but let no man after his trust a New Zealander.

(Signed) Simon Pattinson, Alex. Berry, Supercargo, James Russel.

"Given on board the City of Edinburgh, Captain S. Pattison, at the Bay Islands.

The boy Davinson, mentioned above, owed the preservation his life to his being club footed, the natives taking him for a son of the devil.

Printed by J. Catnach, 2, Monmouth-court, 7 Dials

YE British seamen hearts of gold,
Who plough the raging sea,
Attend, while I to you unfold,
A horrid Massacree.
Which did of very late take place,
Upon a British crew,
So dismal and so foul a case,
Before you never knew.

Returning home from Botany Bay,
The Captain and his crew,
At anchor at New Zealand lay,
Some timber for to view.
And while the Captain went on shore,
The timber for to see

Chief Tippohee came on board,
With all his company.
Some time he view'd the vessel o'er,
Then gave a dreadful yell,
Which was the signal to begin,
Upon the crew they fell.
Thirty of whom the monsters tore,
Limb from limb with speed,
And while their flesh did reek with gore,
They eat it as 'twere bread.

Two women and a lad they took,
On shore, and both were sav'd,
The Captain murder'd was on shore.
All by these blood-hound knaves.

The ship they robb'd of all her store,
Then burnt her up with speed,
The Monsters hasten'd to the shore,
When they had done the deed.

Be warn'd ye Captains, by the fate,
Of Thomson, and his crew,
Touch not that curs'd shore left you
These Cannibals pursue.
Those murd'rous fiends who live by blood,
Like Tigers watch their prey,
For while they smile they're bent the while,
To take your lives away.

Fig. 11 *Atrocious and horrible massacre, c.* 1810–11, broadsheet (St Bride Library, London).

> We soon cleared the island of its inhabitants. A few were killed and the remainder throwing away their arms leaped into the sea and swam to the mainland, leaving their King's house with the presents he had at various times received from our government and from individuals as a booty to the invaders. Amongst them was the medal which I gave him at Port Jackson, and which the sailor who found it again restored it to me.[42]

Despite having met Te Pahi in more civilised circumstances two years previously and alluded to here, Finucane was convinced of his guilt in 'the infernal purpose which he so well planned and effectually accomplished'.[43]

A problematic provenance

Finucane does not mention the original Te Pahi medal in his journal, and was perhaps not even aware of it. Its whereabouts between 1810 and 1899 must remain speculative, even if it is likely to have been among the items repatriated in the revenge attacks. Marsden's companion John Liddiard Nicholas noted in his *Narrative of a voyage to New Zealand* (1817) that one of Te Pahi's daughters was seen wearing the chain for the medal in 1815.[44] Contrary to local historian Jack Lee's far more recent statement, this did not mean the medal itself.[45] To refer to it, as the Ngāpuhi kaumātua (elder) Hugh Rihari categorically did in his initial approach to Sotheby's, as a 'Stolen Medal Up for Auction' is emotionally compelling but impossible to prove. When Ngāpuhi considered imposing an injunction to postpone its sale, their lawyers, Henry Davis York, specifically quoted Finucane's passage referring to the repatriation of the Masonic medal.[46] Sotheby's lawyers, John F. Morrissey and Company, immediately responded by saying 'the facts and circumstances that you have identified under the heading "Provenance" is not accepted by my client … The diary extract refers to the medal presented by Lieutenant Finucane, not the medal presented by Governor King.'[47]

That said, the provenance provided by Sotheby's was spotty. Hansen describes the medal in his catalogue essay as 'only recently rediscovered after a "disappearance" of some 200 years'.[48] It had 'possibly' been in the possession of Dutch land surveyor Johan Peter du Moulin (1816–1901), who emigrated to Australia in 1834 and who – appealingly but probably coincidentally – resided in the Bay of Islands in the mid-1840s. The first written record of the medal since King dates from the will of 1899 made by Johan Peter's nephew, Dr Edward Joseph Brooks du Moulin (1856–1900), of Dubbo, New South Wales.[49] It thence proceeded through descent to its vendors, who have to date furnished no further information about the provenance.

The reappearance of a medal

The resurfacing of the Te Pahi medal in March 2014, scratched and scuffed but in a numismatically 'fine' condition, created instant excitement. Among certain Ngāpuhi, however, not least Te Pahi's many descendants, the response took the form of anguish, even anger. This was conveyed in a *Bay Chronicle* article of 3 April – 12 days before the sale – under the headline 'Te Pahi's long-lost medal "needs to come home"'. It reported that Hugh Rihari had 'gathered [Deidre] Brown and other experts together, to look into the history of the medal and whether it was indeed one of the several taonga stolen from Te Pahi's prefabricated house'. Brown described the medal as 'an important taonga that … symbolises the promise of an equitable inter-cultural relationship that we were robbed of in the confusion that followed the *Boyd* attack'.[50]

This tone was repeated in Rihari's first direct approach to Geoffrey Smith, chairman of Sotheby's Australia, when he referred to the medal's 'theft and disappearance through looting in April 1810', which 'brings back a lot of emotion, and rekindles the pain associated with the tragic circumstance under which that medal left our shores unauthorised'.[51] In his reply, Smith was partly conciliatory, indicating that Sotheby's had made an application for an export permit under Australia's Protection of Movable Cultural Heritage Act 1986 to facilitate its potential repatriation to New Zealand, but 'that said, I must regretfully advise that we are unable to accede to your … request for postponement of the sale'. This was due to the explicit contract with the vendors and the implicit contract with interested buyers: 'While we have every sympathy and understanding for your Iwi's interest in the medal, in this case we remain bound by legal and professional constraints.' Smith suggested that the question of the return of the medal 'might more properly, fully and profitably be addressed through representation to the Australian and New Zealand Governments rather than to Sotheby's Australia or its clients'.[52]

Legal medalling

Following Smith's reply, Ngāpuhi – specifically the Ngāti Torehina hapū (sub-tribe) of Hugh Rihari – instructed the lawyers Henry Davis York to pursue the matter further. In

their letter to Sotheby's, Henry Davis York referred to the passage in Finucane's journal recounting the removal of the Masonic medal with the unstated implication that both medals were thus affected. Perhaps the lawyers were on stronger ground when they deemed the provenance for the Te Pahi medal insufficient: 'Despite its policy of only presenting the finest quality artefacts "with impeccable provenance", Sotheby's Australia has failed to establish provenance of the Medal with any reasonable certainty.' It was made clear that 'our clients wish to resolve the issue of provenance without resort to litigation if possible', and to that effect, invited Sotheby's and their clients to attend a meeting with representatives of the Ngāti Torena hapū to provide further information. Henry Davis York requested that the medal be withdrawn from sale, and that Sotheby's agree to hold and secure it, pending determination of provenance. Should they fail to do so, 'urgent injunctive relief' in the Supreme Court of New South Wales would be sought.[53]

In response, Sotheby's lawyer, John F. Morrissey, demanded to know the personal or corporate status of the 'Ngāti Torehina hapū', and whether such clients resided and/or owned assets in Australia. Morrissey noted the distinction between the two medals, questioned the legal validity of any arguments of 'cultural and spiritual significance' and reiterated Smith's refusal to withdraw the medal from sale. If the injunction proceeded, Sotheby's would 'require security for costs prior to any order being made by the [Supreme] Court', together with an undertaking as to damages. This meant that if Sotheby's had been injuncted and had the plaintiff lost the case, the latter would undertake to pay the damages that the auction house had incurred. The figure stipulated was AU$882,000, which consisted of AU$120,000 plus GST as Sotheby's loss of fee, AU$500,000 (the upper end of the estimated value) as 'the loss of value of the medal', AU$200,000 as the loss of proceeds of sale and a further AU$50,000 towards legal costs 'in respect of any interlocutory application and any preliminary matters'.[54]

While this dispute of a local hapū versus a global auction house may smack of David and Goliath, or to take a localised example, the Kerrigan family's opposition to property developers in the endearing Australian film *The Castle* (1997), the legal issues at stake – and indeed the standpoint of the prospective defendant, Sotheby's – merit serious consideration. It is hardly surprising that Sotheby's did not roll over when they received the demand to withdraw the medal from sale, as this would have had serious commercial consequences, both on the commission from the sale and in terms of reputation. It is normal in injunction applications for the defendant to ask for payment to cover any potential loss that may be incurred as a consequence of not doing something they want to do. Courts wish to deter vexatious claims that interfere with sales, and it is next to certain that security costs would have been ordered in this instance.[55]

Even if AU$882,000 may well be regarded as an extravagant demand, Sotheby's stance cannot be regarded as intimidatory; the figure was not plucked out of the air. Morrissey was effectively protecting Sotheby's interests in the absence of what they regarded as compelling evidence that they were doing anything wrong. Lawyers normally make estimates at the high end of the range to give them room to negotiate downwards if such an injunction application would proceed – 'aim high and hope the Court comes down on your side'.[56] That said, there is a whiff of a large corporate (and powerful law firm) calling the bluff of a humbler claimant that they regard as a nuisance, and scaring them with the threat of financial repercussions.

Sotheby's request for their fee (AU$120,000), in addition to the value of the medal (AU$500,000), pushed their case to its limits. As the medal did not belong to them, they could not credibly claim the latter amount, as their only loss would have been the fee. It would have been up to the vendor to make any separate representation. While this must remain hypothetical, it is therefore unlikely that the Supreme Court would have upheld Sotheby's figure. Determining costs is a balancing process to facilitate justice, and while adequate and fair protection should be provided to the defendant, it is a hallowed legal principle that 'poverty is no bar to a litigant'.[57]

In common with most injunction applications, that proposed came at the 11th hour: just two days before the auction, a document was drafted on behalf of the larger and wealthier tribal authority, Te Rūnanga ā Iwi o Ngāpuhi (Ngāpuhi Tribal Council), rather than the Ngāti Torehina hapū. Kingi Taurua agreed to act as the first plaintiff, and Sonny Tau, chairman of the rūnanga, as the second. Taurua agreed to the medal being delivered to the rūnanga should proceedings be successful, or on the assumption that it could not be lawfully exported from Australia, for the rūnanga to make arrangements for its safekeeping in that country.[58] In the event, the injunction proceedings were dropped.[59] Even if the figure had been significantly lowered by the Supreme Court, as seems likely, the costs would still 'have been huge … it could have easily ended up as a six-figure sum. Our

Fig. 12 Protesters performing a haka, Intercontinental Hotel, Sydney, 14 April 2014 (photo: Dominic Lorrimer/Fairfax AUS).

people have not historically done well within the court system and this would have been … in somebody else's country.'[60] Furthermore, it seems highly doubtful that spending large amounts on legal fees to pursue a historical and numismatic cause would have sat happily with the rūnanga's core responsibilities as a provider for Ngāpuhi social services and educational and training scholarships.

'Gee, this medal belonged to me'

Although neither Ngāti Torehina nor the Rūnanga ā Iwi o Ngāpuhi issued a press statement, the contested medal enjoyed a steady build-up of news coverage, with the *New Zealand Herald* carrying the headline: 'Ngapuhi fear medal will be lost for good'. The same account stated that Rihari's bid 'for a postponement of the auction so he could have a discussion with Sotheby's … was "flatly refused"'.[61] Smith's crucial role was not reported; instead, Sotheby's spokesperson was Gary Singer, a member of its board of directors, a former Deputy Lord Mayor of Melbourne and, in his colourful private life, Smith's partner.[62] Singer robustly questioned the basis of the Ngāpuhi claim: 'We don't know who they are or what they want, so it's impossible to give a definitive reply … No one has come forward and said, "This is the basis of my claim" – when people make a claim, they usually back it up.'[63] He reiterated this point to *SBS World News*: 'If they had a claim, they should have put up their hand and said ages ago [*sic*], gee this medal belonged to me, where is it?'[64] The medal was, he asserted, an important piece of Australian history and one of its 'prouder moments. This was an incident where we recognised an indigenous visitor and we have gone out of our way to be friendly and treated him with respect.'[65] It is worth postulating whether Philip Gidley King's enlightenment should somehow serve to ease Sotheby's conscience over 200 years later.

Whatever its deficiency in causality, Singer's standpoint is certainly at odds with recent shifts in thinking – at least among museum directors and curators – on the return of cultural property, 'a legitimate and morally correct thing to do', according to museologist Piotr Bienkowski. Such restitution and repatriation centres on 'objects looted or

wrongfully removed during colonial occupation', and here the Te Pahi medal seems like a credible candidate.[66] Such an argument would probably have cut little ice with Singer, whose take on 'challenges to ownership' was to say 'these sorts of things go on all of the time – you only have to look at Greece and the Elgin Marbles'.[67] Ironically, by citing this notorious precedent, Singer arguably strengthened rather than weakened the Ngāpuhi case. Lord Elgin derived full advantage from the *firman* (letter of instruction) granted him by the Ottoman Porte – and thus in the context of pre-independence Greece – to 'take away any pieces of stone with inscriptions and figures thereon'.[68] The outcome was a denuded Parthenon. The parallel with Te Pahi, whether in terms of the absence of colonist and whaler sovereignty over his land and people in 1810, or in the brutal outcome, seems apparent. Understandably, perhaps, Singer chose to emphasise the happier climate of events in 1806, as well as to question Ngāpuhi's title claims.

Far more newsworthy than the official standpoint of either Ngāpuhi or Sotheby's was the haka (posture dance) performed by half a dozen Ngāpuhi expatriates at Sydney's Intercontinental Hotel, the venue of the sale (Fig. 12). The protest received prominent coverage in the *Sydney Morning Herald* and *SBS World News*. The leader of the haka, Kiri Barber, saw the protest as complementing but also reinforcing Ngāpuhi's legal moves. It was an attempt 'to shame Sotheby's into withdrawing the medal'. Barber claimed: 'You can't put a price on our history … This is such an important part of our story – the first time a British leader recognised one of our leaders. It cannot just become someone's investment plaything or disappear into a private collection.'[69] Although this action received no formal Ngāpuhi sanction, Deidre Brown much admires Barber's courage and determination.[70]

At the sale the next day, despite being initially told he was not allowed to be present, Barber followed his protest by standing up to address those present in Māori. Security officers let him have his say before politely escorting him from the auction room. He later claimed that he was simply proclaiming a karakia (ritual chant) of farewell to the medal: 'It was such a sad moment for us. Because after 204 years, we see it for a week. And it's gone.'[71] Rihari's sentiments on the night of the sale were near identical. He was 'resigned to the fact that an important piece of Ngāpuhi and New Zealand history would likely be gone', and added that 'we have gone as far as we can but at the end of the day there's not much more we can do'.[71]

Under joint ownership

The Te Pahi medal was sold at the lower end of its estimated range, attracting a winning bid of AU$300,000 made jointly by Te Papa and Auckland Museum. Contrary to the expectations of independent valuers who predicted that it might rival that of the *Charlotte* medal (which realised AU$750,000 in 2008), bidding proved conservative. There are several possible explanations. The Te Pahi medal lacks the *Charlotte* medal's pictorial richness. It is primarily of Aotearoa New Zealand rather than Australian historical interest, and therefore lacked a critical mass of avid and affluent local collectors. The global financial crisis almost certainly cast a shadow on the enthusiasm of such private collectors, and at least one Australian museum evidently had misgivings over the inadequate provenance that Sotheby's provided.[73] It is even possible that these same demonised investors, with their lifestyle of 'playthings' (to paraphrase Barber), demonstrated an iota of restraint, and what might be construed as cultural sensitivity, following the highly publicised protests. Certainly the same factor, compounded by concerns over legitimacy of title, significantly influenced the desultory bidding at a controversial Eve auction of indigenous Hopi masks in Paris in June 2014, where only nine of 29 lots were sold.[74]

The Te Pahi medal's new owners were revealed the day after the sale, following consultation with Ngāpuhi. Te Papa and Auckland Museum had been in close contact for at least two weeks prior to the sale and had agreed on an equally split financial contribution, with a corresponding share of the ownership, should their joint bid be successful. Auckland Museum will enjoy possession of the medal in the first instance, in recognition of the interest of Ngāpuhi, for a period of one year commencing with its arrival in New Zealand. Te Papa will then have possession of the medal for the equivalent period; thereafter, possession will be for a period of five years for each institution. Both parties will jointly enter into a kaitiaki (stewardship) agreement with the descendants of Te Pahi and other relevant Ngāpuhi hapū that recognises their association with the medal and their ongoing involvement in its management. Initially, a ceremonial 'handover' of the medal at the Rua Rau Festival at Parramatta was proposed for late October 2014, but this never took place. Instead, for reasons of protocol, when the medal was brought back to New Zealand on 28 November 2014 it was taken by museum staff and Ngāti Rua (Te Pahi's former descendants and today a hapū) to Te Pahi's estate and

was welcomed back onto that land. The medal was then formally handed back to the custodianship of its new owners by Ngāti Rua, Ngāti Torehina and Ngāti Rehi at Auckland War Memorial Museum on 6 December 2014.[75]

The acquisition of the Te Pahi medal was acclaimed by Roy Clare, director of the Auckland Museum. It was a

> uniquely important acquisition by two of the country's leading institutions [that] affirms the strength of the rapidly evolving day to day relationship with iwi, hapū and whānau [family groups] across Aotearoa New Zealand … The museum is among the kaitiaki that care for and re-connect taonga with people and their communities. As such, we're thrilled to have worked together with Te Papa, with encouragement from Te Pahi descendants in Ngāpuhi, to secure the return to Aotearoa of an exceptionally significant piece of history relating to early relationships between Māori and Europeans.[76]

Arapata Hakiwai, the kaihautū (Māori leader) at Te Papa, concurred, declaring

> The partnership between Te Papa and Auckland Museum, working in collaboration with Te Rūnanga ā Iwi o Ngāpuhi, demonstrates the importance for this nationally significant taonga to return home. It is important to uphold the principle of Mana Taonga, which recognises the relationship between treasures and their descendant source communities. In the case of the Te Pahi medal, this acknowledges the value of this tribal treasure to present and future generations.[77]

In turn, Rihari believed that the acquisition 'brings closure to the pain and suffering that our peoples have endured for these past 204 years, following the medal's loss in the attack on Te Pahi's islands, Motuapo and Roimata'.[78]

Conclusion

This case study testifies to the political significance of the Te Pahi medal in history – and art history. It is one that is repeatedly and frustratingly overlooked by practitioners in these respective disciplines, particularly the latter. Several significant questions remain unanswered. Even if the immediate circumstances of its disappearance, on or about April 1810, are unlikely ever to be determined, the near-90-year gap in its provenance prior to Edward Joseph Brooks du Moulin's will of 1899 *must* somehow be resolved, however partially. The du Moulin family – or their descendants – deserve thanks from Ngāpuhi for their role as the careful kaitiaki of the medal over the past century and more, as Deidre Brown has acknowledged.[79] More may well emerge about the medal's history as a consequence, even if the recent glare of controversial publicity over the Sotheby's sale has understandably caused its former owners to wish to maintain anonymity, at least for the moment. Finally, the whereabouts of the second Te Pahi medal, repatriated by its original donor, James Finucane, remain tantalisingly unknown.

Acknowledgements

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Notes

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5 Leslie J. Carlisle, *Australian historical medals 1788–1988*, Sydney: Leslie J. Carlisle, 2008, p. 2.

6 David Hansen, 'The Te Pahi silver medal', *in: Fine Asian, Australian & European Arts & Design: Sydney 15 April 2014*, sales catalogue, Sydney: Sotheby's Australia, p. 42. See also Michele Field and Timothy Millett (*eds*), *Convict love tokens: the leaden hearts the convicts left behind*, Adelaide: Wakefield Press, 1998.
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8 Quoted in Hawkins, *Nineteenth-century Australian silver*, p. 33.
9 Hawkins, *Nineteenth-century Australian silver*, p. 35.
10 Jim Noble, email to the author, 8 July 2014.
11 See Anne Salmond, *Between worlds: early exchanges between Māori and Europeans 1773–1815*, Auckland: Penguin, 1997, pp. 327–329, 349–372; and Vincent O'Malley, *The meeting place: Māori and Pākehā encounters, 1642–1840*, Auckland: Auckland University Press, 2012, pp. 45–50, 55–56, 59–62. See also Angela Ballara, 'Te Pahi', *in: Dictionary of New Zealand biography* [website], retrieved on 7 October 2014 from www.teara.govt.nz/en/biographies/1t53/te-pahi.
12 Deidre Brown, 'Te Pahi's whare: the first European house in New Zealand', *in: Fabulation: myth, nature, heritage: Proceedings of the 29th Annual Conference of the Society of Architectural Historians Australia & New Zealand, Launceston, Tasmania, 5–8 July 2012*, Launceston: Society of Architectural Historians Australia and New Zealand, pp. 181–183. See also Angela Middleton, *Te Puna: a New Zealand mission station*, New York: Springer, 2008.
13 Quoted in Salmond, *Between worlds*, p. 329.
14 Ibid.
15 O'Malley, *The meeting place*, p. 46.
16 Hansen, 'The Te Pahi silver medal', p. 42.
17 Quoted in Flannery (*ed.*), *The explorers*, p. 100.
18 Ibid., pp. 100–101.
19 Quoted in Salmond, *Between worlds*, p. 351. For a discussion of Te Pahi's 'ideas on the existence of a God', see Robert McNab (*ed.*), *Historical records of New Zealand. Volume 1*, Wellington: Government Printer, 1908, p. 267.
20 For an excellent study of this house, see Brown, 'Te Pahi's whare', pp. 164–186.
21 Quoted in James Frederick Watson (*ed.*), *Historical records of Australia. Series 1, volume V, July 1804–August 1806*, Sydney: Library Committee of the Commonwealth Parliament, 1915, p. 658.
22 O'Malley, *The meeting place*, p. 45.
23 Quoted in Flannery (*ed.*), *The explorers*, p. 103.
24 Ibid., p. 100.
25 Ibid.
26 Ibid., p. 101.
27 Quoted in Salmond, *Between worlds*, p. 354.
28 Ibid., p. 356
29 Ibid.
30 For details of Te Pahi's second visit to Port Jackson, see Salmond, *Between worlds*, pp. 369–372.
31 See Salmond, *Between worlds*, pp. 368–397; and O'Malley, *The meeting place*, pp. 61–63.
32 For Steele and Watkins, see Roger Blackley, 'Louis John Steele 1843–1918; Kennett Watkins 1847–1933', *in:* William McAloon (*ed.*), *Art at Te Papa*, Wellington: Te Papa Press, 2009, p. 100; for Wright, see 'Walter Wright, *The Burning of the Boyd, Whangaroa Harbour, 1809*', *in: Auckland Art Gallery Toi o Tāmaki* [website], retrieved on 7 October 2014 from www.aucklandartgallery.com/the-collection/browse-artwork/234/the-burning-of-the-boyd,-whangaroa-harbour,-1809.
33 O'Malley, *The meeting place*, p. 62.
34 Salmond, *Between worlds*, p. 392.
35 O'Malley, *The meeting place*, p. 62.
36 Salmond, *Between worlds*, p. 392.
37 Quoted in ibid., p. 388; illustration ibid., p. 389.
38 Quoted in ibid., p. 387.
39 Anne-Maree Whitaker (*ed.*), *Distracted settlement: New South Wales after Bligh: from the journal of Lieutenant James Finucane*, Melbourne: Miegunyah Press, 1998, pp. 99–100.
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41 Ballara, 'Te Pahi'.
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44 J.L. Nicholas, *Narrative of a voyage to New Zealand, performed in the years 1814 and 1815, in company with the Rev. Samuel Marsden. Volume 2*, London: James Black and Son, 1817, p. 179.
45 Jack Lee, *The Bay of Islands*, Auckland: Reed Publishing, 1983, p. 41.
46 Kathy Merrick and Andrew von Königsmark, Henry Davis York, fax and email to Geoffrey Smith, 10 April 2014.
47 John F. Morrissey, email to Kathy Merrick and Andrew von Königsmark, 11 April 2014.
48 Hansen, 'The Te Pahi silver medal', p. 40.
49 Ibid. Edward Joseph du Moulin decreed that the 'old Australian Silver medal presented to Tiappahee which I desire shall not be parted with' should be left to his son William Edward du Moulin (1892–1949) 'on his attaining his majority', 25 October 1899. I am grateful to Marcia Hau for providing me with a copy of the will.
50 'Te Pahi's long-lost medal "needs to come home"', *Bay Chronicle*, 3 April 2014, retrieved on 7 October 2014 from www.stuff.co.nz/auckland/local-news/northland/bay-chronicle/9895113/Te-Pahis-long-lost-medal-needs-to-come-home. In turn, Brown and Rihari alerted Te Papa to the sale. They worked in collaboration with the museum, they were interested parties in the imminent legal action with Sotheby's Australia, and they were kept informed of the direct protest action in Sydney by its leaders. Independently, Professor Alison Jones, of Te Puna Wānanga, University of Auckland, also saw the relevant newspaper

item and alerted her son, Finn McCahon-Jones, associate curator of applied arts and design at Auckland Museum. These responses and activities testify to the collaborative efforts of hapū, museums and other organisations in their efforts to repatriate the medal.

51 Hugh Rihari, letter (faxed) to Geoffrey Smith, 9 April 2014.
52 Geoffrey Smith, email and fax to Hugh Rihari, 9 April 2014. On an informal level, Rihari informed the Minister of Culture and Heritage and Attorney-General, Chris Finlayson, of his concerns, with the latter conveying his moral support without making any commitment to Government intervention (Deidre Brown, conversation with the author, 29 August 2014).
53 Merrick and von Königsmark to Smith, 10 April 2014.
54 Morrissey to Merrick and von Königsmark, 11 April 2014.
55 Rachel Spencer, School of Law, University of South Australia, email to the author, 2 October 2014.
56 Briar Barry, logistics coordinator, Icebreaker, Wellington, email to the author, 30 September 2014.
57 Ibid.
58 Sonny Tau, draft statement to Kathy Merrick, 13 April 2014.
59 In a draft letter to John Morrissey dated 15 April 2014, Kathy Merrick and Andrew von Königsmark stated, 'Given the size of the undertaking claimed, our clients are unable to proceed with any application for urgent injunctive relief'.
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65 Ihaka, 'Ngapuhi fear medal will be lost'.
66 Piotr Bienkowski, '"You're gonna make me lonesome when you go": a critique of museum restitution and repatriation practices', *in:* Conal McCarthy (*ed.*), *Museum practice: the contemporary museum at work*, Oxford and Malden, MA: Wiley Blackwell, forthcoming.
67 Ihaka, 'Ngapuhi fear medal will be lost'.
68 For an excellent summary of the controversial status of the *firman* and its translation, see 'Elgin Marbles', *in: Wikipedia: the free encyclopedia* [website], retrieved on 7 October 2014 from http://en.wikipedia.org/wiki/Elgin_Marbles.
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70 Deidre Brown, conversation with the author, 29 August 2014.
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72 Ihaka, 'Ngapui fear medal will be lost'.
73 Peter Lane, honorary numismatist, Art Gallery of South Australia, conversation with the author, 4 July 2014; Deidre Brown, communication with the author, 16 December 2014.
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75 For information on the Rua Rau Festival, see 'Rua Rau Festival 2014', *in: Discover Parramatta* [website], retrieved on 7 October 2014 from www.discoverparramatta.com/events/festivals/rua_rau_festival. Deidre Brown supplied the updated information in a communication with the author, 16 December 2014.
76 Cherie McQuilkin, 'Te Papa and Auckland Museum work together to return Te Pahi medal to New Zealand', Te Papa press statement, 16 April 2014, retrieved on 7 October 2014 from www.tepapa.govt.nz/AboutUs/Media/Pages/TePapaandAucklandMuseumworktogethertoreturnTePahiMedaltoNewZealand.aspx.
77 Ibid.
78 Ibid.
79 Deidre Brown, conversation with the author, 29 August 2014.

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