



NEW ZEALAND  
ARCHAEOLOGICAL  
ASSOCIATION

**NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION NEWSLETTER**



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HUTTON, F.W.	1872	<i>Fishes of New Zealand.</i>
PARROT, A.W.	1957	<i>Sea Angler's Fishes of New Zealand</i> , Hodder and Stoughton.

## More on Preservation

G.D.G. BAILEY

In the last issue of the Newsletter, Mr H.J.R. Brown drew attention to the grave problem of the despoliation of Auckland's archaeological sites. As he pointed out, this problem, though perhaps more acute in Auckland than elsewhere, is nation-wide. Mr Brown advocated amendments to the Historic Places Act, and an increase in the powers and duties of the National Historic Places Trust. In the writer's opinion, these recommendations were good and timely, but he feels that legislation should go further, and introduce to our Statute Books something akin to the Ancient Monuments Acts in force in the United Kingdom.

Before discussing the British legislation, however, the writer would like to draw attention to certain other statutes existing in New Zealand, which enable some action to be taken with regard to the preservation of sites - although it is important to note that in no case is there sufficient statutory provision for the prevention of the despoliation now occurring. As will be seen, the powers they give are limited, though these could well be used in appropriate situations.

The Reserves and Domains Act of 1953 empowers the government to gazette as an Historic Reserve a place already set aside as a Public Reserve. Maori pa sites are listed as one type of place which can so be dealt with. This Act further empowers the government to create Private Historic Reserves where land owners apply to the Minister of Lands to have their land so declared. Subject to the consent of the owner in the latter case, the Minister is empowered to promote, supervise or authorise excavations, etc. on the reserve. It should be noted, however, that there is nothing to prevent an owner himself, whose land has been declared a Private Historic Reserve from excavating and generally carrying out private investigations on his own behalf. The Minister may also control the management and preservation of reserves, and apart from the owner, in the case of Private Historic Reserves, no outside party can excavate without Ministerial consent.

Next, the Town and Country Planning Act of 1953 might be relevant in certain situations. Under its terms, any person or group of persons may apply to a Local Authority formulating a District Scheme to have provision made for the setting aside of land for certain purposes - which could include sites of archaeological importance meriting preservation. If such provision is not made, the Act gives right of appeal to the Town and Country Planning Appeal Board.

Finally, the Historic Places Act empowers the National Historic Places Trust to enter into agreements with authorities for the management, maintenance and preservation of sites. The Trust also has the power to acquire land where such sites are found, in order to carry out these functions, as well as any finds from them. It can promote or supervise excavation by approved organisations. Where private land is involved, the owner's consent must be obtained before this takes place.

It is clear that although these acts provide some means of preserving sites, they are all very limited in scope. The procedure under the Town and Country Planning

Act would be useful only in very few cases, while under the other acts, though stipulation is made for the punishment of offences, the acquisition or preservation of sites is largely a discretionary and optional business. Likewise, any scheduling or listing of sites under New Zealand legislation is quite optional. In no case are mandatory powers provided, nor are the special characteristics of archaeological sites recognised; they are treated just as one type of historic place alongside early European buildings, for example.

To turn to the situation in Britain, a series of Ancient Monuments Acts have given very considerable powers to the Minister of Works to receive sites or purchase them with government moneys and to establish specialist maintenance staffs. Local Authorities also have powers of purchase within their areas of jurisdiction. Some very important sites are protected by preservation orders, which means that they are taken into government ownership and cannot be disturbed without the Minister's consent. Compensation is payable to owners whose interests are affected by this procedure.

More common, however, is the system of scheduling sites as ancient monuments, lists of which are published from time to time. These remain under private ownership, but cannot be disturbed by anyone (including the owner) without three month's notice being given to the Minister, unless the work is of urgent necessity. The time-lag enable rescue excavations to take place, if the Minister feels that permanent preservation, by means of an order, is not necessary.

Finally, it should be noted that the British Town and Country Planning Act contains provisions of a similar character for the protection of ancient buildings.

The steps now being taken by the Archaeological Association to provide the National Historic Places Trust with a list of sites which require protection will enable us to see just how adequate our existing legal apparatus is. In advocating a more comprehensive Act, however, the writer is not suggesting that New Zealand should slavishly follow the British model, nor that we should confine our energies to obtaining a revision of the law. For one thing, the situation in the United Kingdom is not as foolproof as one might be led to think from the terms of the legislation itself. For example, rescue excavations are sometimes impossible at sites which are not known until building or other works occur.

Finally, the writer feels that the Archaeological Association should have a well defined policy concerning the preservation of archaeological sites, which is consistently followed by the membership. It should have two major points:-

- (1) a long term campaign to obtain adequate legislation both to protect certain important sites in perpetuity and to ensure that threatened sites of lesser significance are investigated by competent archaeologists before they are destroyed,
- (2) an immediate policy of co-operation with Government, Local and private bodies wherever development takes place, to ensure that the existence of archaeological sites is made known to interested parties, and that provision is made for their examination well before building works commence. As recent events in Auckland have shown, it is not necessary for such co-operation to wait on the enactment of appropriate legislation.

Obviously, much ground work needs to be done now by the local archaeological societies, involving approaches to such bodies as the Town Planning Authority, the Police, building firms and local Councils. Here we can profit from the experiences of the Auckland Society. Nor should we overlook the value of interesting the local Education Boards, who would surely appreciate the educational value of prehistory being

uncovered on their doorstep. If we demonstrate our willingness to follow this policy of co-operation, we will have more chance of improving our legislation to deal adequately with the sites which must not be destroyed, and of ensuring that sufficient staff exists to survey and maintain them.

## Book Review

*The Discovery of the Pacific Islands.* Andrew Sharp. Pp.xiii + 259.

Oxford at the Clarendon Press, 1960. 55s. (N.Z.)

Mr Andrew Sharp's latest work, *The Discovery of the Pacific Islands*, will almost certainly arouse no strenuous controversy. For here, in some 122 chapters varying in length from ten pages to a few lines, he sets out merely to identify the first European discoverers of the islands of the Pacific and, presumably, to correct the admittedly often speculative identifications of the past.

For lack of any personal knowledge of the islands - which he strangely holds to be superfluous - he relies mainly on a comparison of the relevant topographical details in the explorers' narratives with the data contained in the records and charts of 'modern hydrographic authorities' though not, it seems, the British Admiralty charts themselves. He makes much use, too, of sequences of islands and of the times of passages as compared with the feasible sailing times and, in the case of more recent discoveries, of observed latitudes and longitudes.

Several of Mr Sharp's earlier identifications are admittedly only conjectural. For instance, he identifies Magellan's Los Tiburones as Caroline rather than Vostok because in Albo's report there is a reference to catching a large number of sharks and Caroline has a bay on its lee side and is noted for its fish. Similarly, he holds that Taongi in the Marshalls group was discovered in 1526 by Salazar because it is the only island anywhere near 14° at 12 days' sailing from the Ladrões and the Pacific Islands Pilot, Mr Sharp's bible, specifically comments on the green colour of the lagoon mentioned by Salazar. And Grijalva, he thinks, must have seen one of the Gilberts since it is scarcely possible that any ship running along the equator could have got past them.

In his reconstruction of the later voyages of the Spaniards Mr Sharp is, however, on much firmer ground and his identifications show a good deal of penetration. He sees, for example, that in his passage through the eastern Pacific in 1606, Quiros must have discovered Hao and not Anaa. But he is only the most recent investigator to point this out. As he admits, Cook surmised as much in 1769 though, to be sure, Cook's most recent editor has rejected this identification on the ground that Quiros must have seen Nengo and therefore missed Hao out of sight on his north. In 1884, too, Lieutenant Caillet, the surveyor of the Tuamotu, in an article apparently not known to Mr Sharp, set out in considerable and very precise detail the course Quiros must have taken through the group and his conclusions were reproduced in 1929 in Teuira Henry's monumental volume on Tahiti. And the identification has been made independently twice in the last two years, by Father Celsus Kelly and by Mr H.E. Maude. Mr Sharp has been anticipated elsewhere. Both Meinicke and Aitken have shown that Mendana's San Bernardo of 1595 was Pukapuka in the northern Cooks; and Father Kelly and Mr Maude have shown that the San Bernardo of 1606 was Caroline. And as long ago as 1897, Louis Becke showed that Quiros's Gente Hermosa was Rakahanga. Nor is Mr Sharp infallible. It is,