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T. Lindsay Buick

Excerpt

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## CHAPTER I.

## A WHALER'S DREAM.

OF the many French sea - captains who pioneered the whale-oil industry in these southern waters not one of them has left his impress so prominently or so permanently upon the history of New Zealand as Jean Langlois. Until recently we knew nothing of his birth except that it was humble, or of his upbringing except that it was rude. Of his personality we knew even less, and apparently misunderstood it more. It has been customary to suppose that he was a man with whom whaling was an occupation but colonization an inspiration; one who remembered the crowded cities of France when he surveyed the empty lands of New Zealand; one who thought of the poor and needy labourers of his country, nominally free but actually bondsmen, under a cruel and relentless industrial system. We have

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supposed that, conscious of this, he saw the waiting opportunities in this great South Land, where the problem was not so much land for the people as it was people for the land. We, too, have credited him with observing that his country's flag was not represented in these waters with that frequency or that honour which its dignity and its traditions deserved, and that to change all this became with him a tangible, if a distant, goal. In the light of modern research these estimates are as erroneous as they are generous. History will not adjudge Jean Langlois as either a sentimentalist or as a philanthropist. He was not a sailor with a touch of poetry in him, nor one deeply concerned in humanitarian problems. He was perhaps only a little less moved by sentiments of national prestige. Viewed from afar, and through the mists of ninety years, these gentler sensibilities may have appeared to belong to him, and may have seemed to play their part in the circumstances that made him known to us. By the more minute delineation of his character which we get through the medium of documents now available to us he is shorn of the sterling attributes with which his name has so often been associated. In pea-jacket and sea-boots he stands revealed to us as of no higher type than a turbulent old sea-dog, with deep veins of vanity and sordid commercialism as the dominant features in his make-up. It is

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possible, as one writer says, he was so charmed by the grandeur of Banks Peninsula that "with a true Frenchman's love of France he coveted it for his country, and determined to found a colony on this scene of primeval loveliness." More probable is it that he thought only of his flag as a protection to trade, and that commercial safety was a more moving element with him than national extension.

It may, however, be conceded to him that he was a man of some vision, and one of no less action; that he was not one who merely dreamed dreams, but one who did things to make his dreams come true. To the extent that he propounded and executed a scheme of colonization which intrigued France, stirred England, and agitated New Zealand, this measure of credit can hardly be denied to him. This is so, even if it is unfortunately evident that mercenary motives were more active in his mind than humanitarian or patriotic influences when, in 1838, he conceived the idea of founding a French colony at Akaroa.

In that year Jean Langlois was captain of the French whaling-ship *Cachalot*. His voyage in search of whales had brought him, together with so many others, to New Zealand waters, and in the course of his cruising up and down he had entered Akaroa Harbour, as also the similar well-favoured bays of Banks Peninsula.

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Here he was at once impressed by their salubrious climate and their geographical advantages as applied to the whaling industry. With the practised eye of the mariner he saw that they provided sheltered waters where ships could be repaired and crews refreshed after the rude buffetings they received in the gales of the Southern Ocean. Appreciating these facts, he pondered how he could turn them to commercial advantage, and schemes began to spin in his brain.

When or where the idea of buying land in New Zealand first occurred to him we do not know.\* This much is certain: that while his vessel lay in the landlocked waters of Port Cooper† in the August of 1838 he entered into negotiations with such natives as he found there for the purchase of what he believed to be the whole of Banks Peninsula.

The scheme to acquire territory on so large a scale was not altogether original with Captain Langlois. The idea was neither new nor novel, for already there had begun in New Zealand those wild purchases which resulted in the squandering of vast sums of money and the sowing of equally vast crops of disappointed hopes. This was not less so in the South than in the North, and Mr. Edward Shortland, Sub-Protector of the Aborigines, who was associated

\* He arrived in May, 1838.

† Now Lyttelton Harbour, of which the old native name was *Whakarauupo*.

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with Mr. Commissioner Godfrey in adjusting claims to land in the South Island, has given an interesting account of what some of these claims looked like under the fierce light of investigation :—

Several claimants to small tracts of land, in some cases merely a few acres, came from the neighbourhood of Foveaux Strait to establish their titles. There appeared little doubt that they had generally given ample consideration, and they were never likely to be disturbed in their possession, having been resident thereon for many years. These persons all presented parchment deeds with fine seals, drawn up in the forms in use in Sydney or England, which were probably as nearly unintelligible to them as to the New-Zealanders, who, of course, could never have understood them. The history of their origin, and how they got them, was rather amusing. A lawyer's clerk, finding a temporary absence from Sydney convenient, conceived the idea that, as there was at the time a great rage for buying land in New Zealand, he might employ his time to advantage in that country. He therefore prepared a number of these parchment deeds, leaving blank spaces for names of places and persons, and with them visited various parts of the coast. He seldom failed to find willing purchasers at five guineas the deed.

Though such documents could fairly have no intrinsic value in the eyes of any sensible persons, if unconfirmed by the original proprietors of the soil, they had, I was assured, been found very useful at Sydney. These land speculations were then in fashion, and the formal appearance of these deeds, with the addition of a tattooed face subscribed in place of a signature, gave them a marketable value. In many

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cases goods to a large amount were sent to New Zealand, without any security that they would ever be paid for, other than by the deposit of such documents as described above. Of the claims to extensive tracts of land only a part was investigated, for the rest had been probably abandoned as untenable now that it was found they were to be examined thoroughly, or because they had become part of bankrupt estates, as they had in some cases, and had thus fallen under the neglect to which property so circumstanced is often sacrificed. The claimants, however, of this class, or their agents who were present, could generally give no more description of the boundaries which they claimed than that contained in the deeds, which was often no more than a certain number of miles along the sea-coast from a named point, the extent inland being as far as the hills, or else far enough to make up the number of acres claimed. The names of places given were often those by which they were better known to whalers and sealers than to the natives themselves. The internal evidence, therefore, which they offered was that they could never have been derived from native dictation; indeed, that they could with difficulty have been made intelligible to the natives whose signatures were attached, even by a person who had an entire knowledge of the language. The only means, therefore, of obtaining a tolerably accurate description was to refer to the natives present for a statement of the boundaries of the land they acknowledged to have sold. In one instance it was evident that the claimant was thereby given even a larger number of acres than he demanded. This, however, was a peculiar case, for he had been long resident in the country, and had paid at different times a very large amount of property to the natives. He was, besides, on friendly terms with them, so that

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they were anxious to deal generously with him. It appeared at the same time, from observations made by the natives, even when they showed a desire to give evidence favourable to the claimants, that most of the monster claims had originated simply in a purchase of a right to occupy sufficient ground for a whaling-station, and to fish along a certain extent of coast to the exclusion of all others within a reasonable distance of the station. The nature of their tenure was, in the first place, what the natives term *he noho noa iho*, which is about equivalent to a "squatting lease" in New South Wales; in fact, one expression is almost a translation of the other. When it seemed probable that New Zealand would at no distant period become a British colony, there naturally arose a desire to substitute for this holding one of a more permanent class, and by the payment of property of comparatively trifling value it was not very difficult to obtain the signatures of a few chiefs, who in some instances were at the time on a visit to Sydney, to deeds of the nature above described. It was, indeed, affirmed by the natives on several occasions that the coast boundary set forth by the claimant only defined the extent of his right by sea; whereas he would have made it serve as the base-line which was to determine the extent of his property on shore.

Among the claims not examined by the Government was one of a million acres in the neighbourhood of Banks Peninsula, alleged to have been purchased from a single native named Kolok. I was for a long time unable to discover who Kolok could be, but at last found that it was the whalers' pronunciation of Koroko, an old chief residing at Waikouaiti. I afterwards inquired of him how he could have thought of selling so much land which could not possibly have belonged to him. His reply was characteristic. He had heard that the natives

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residing at Koukourarata (Port Levy) and Akaroa had sold lands to which he also had a claim—for he was one of those who had removed to the South through fear of Te Rauparaha—without asking his consent or sending him any part of the payment; he, therefore, sold the whole district to show them his displeasure. *He whakahe i a ratou.\**

Captain Langlois' purchase of the Peninsula was of the conventional type, made with more or less irresponsible individuals, loose as to its terms and light as to its payments. It was not, however, effected on a ready-made deed manufactured by a needy law-clerk from Sydney, but was based on a document drawn up in French, and was in all probability his own compilation.

It is not easy to say at this distance of time just what Captain Langlois believed he had bought under this agreement, for, while he bargained for the whole of the Peninsula, he calculated its area at 30,000 acres—a truly modest computation when we know that the present-day estimate of the Peninsula's area is 326,000 acres. It is perhaps still more difficult to say what the natives believed they had sold. Langlois probably knew but little Maori, the Maoris probably knew less French, and it is not a simple matter to reduce to precise terms what is agreed upon by two sets of people who do not clearly understand each other. That there was an understanding—or perhaps it would

\* Thus I register my protest.



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be more accurate to say a misunderstanding—is certain, since the natives accepted some goods in part-payment. At Pigeon Bay, where the second payment was made in 1840, the language difficulty was overcome with some ingenuity, for there Captain Langlois read and explained his deed in English, and his doubtful English was more or less doubtfully translated to the assembled people by a Nga-Puhi native named Tomi, who had picked up a smattering of our tongue; but, so far as we know, even this circumlocutory mode of interpretation was not resorted to at Port Cooper. Nor is there anything to show how long Captain Langlois was occupied in the negotiation, nor can we say whether those with whom he negotiated were representative of all the people on the Peninsula. Iwikau, the leading man at Akaroa, subsequently denied participation in the first discussions, but, since special provision was made in the deed for him and his people, it is more than probable he at some stage of the proceedings gave his assent to the arguments of the Captain. What arguments the Captain used to induce compliance with his desires we do not know. It is not at all unlikely that the exhibition of some glittering articles of trade proved to be the culminating influence, the natives signing the deed with but a meagre notion of what that act might involve. Their negative interest in the future was doubtless heightened

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not merely by native improvidence but by external circumstances that were all working in Langlois' favour. The resident people of the Peninsula had heard of the land-grabbing propensities of the Sydney merchants\* and the land-selling proclivities of Tairaroa and Tu Hawaiki. Realizing that their estate might one day be sold by these, the two most powerful chiefs in the South Island, whose influence they would be reluctant to oppose, they decided it would be better to part with it themselves. They were therefore the more disposed to listen to the voice of the charmer, especially when he came with many presents and more promises. This much we do know: that the discussion came to an end on 2nd August, 1838, by the execution of a deed which stipulated that in consideration of the transfer to Captain Langlois of "their proprietary rights in Banks Peninsula," the vendors were to receive a spot payment of goods to the value of £6 (150 francs), and at a later date a further payment of goods valued at £234, this portion of the bargain being completed at Pigeon Bay on 14th August, 1840.

Here, then, is the English text of this interesting document, which proved to be the basis of one of the most romantic chapters in the history of New Zealand:—

\* Purchases of this class resulted in 45,976,000 acres being claimed in 1840. "Some of these claimants," says one writer, "had nothing more to show for their purchases than an ornamental scrawl on a deed which was so phrased as to be unintelligible to the chiefs who signed it."