

Background to the Douglas Treaties

In the 1840s, Vancouver Island was home to thousands of First Nations people belonging to Nuuchah'nulth, Coast Salish, and Kwakwaka'wakw speaking groups (an 1856 census counted 33,873 Indigenous people on Vancouver Island).¹ In 1843, the Hudson's Bay fur trading company established a trading post at Fort Victoria in the territory of the Lekwungen Coast Salish-speaking people. By 1846, Britain and the United States agreed to divide the territories west of the Rocky Mountains, so that the United States controlled the area south of the 49th parallel and Britain controlled the area north of this border, including Vancouver Island.

To maintain its hold on this territory and have continued access to the Pacific Ocean for trade routes, the British Colonial Office created a colony on Vancouver Island in 1849. Colonial powers like Britain believed that if they could settle enough of their own citizens permanently in Indigenous territories, they could claim these territories as their own.

Britain allowed the Hudson's Bay Company to manage the Colony of Vancouver Island and agreed to let the company have exclusive trading rights for the next ten years. In exchange, the company agreed to colonize the island with British settlers. Before the Hudson's Bay Company could sell the land to the settlers, it first had to purchase the land from its original owners, the Indigenous people. This was described as "extinguishing" or ending Aboriginal rights to land. Colonial powers usually purchased land from Indigenous people by negotiating treaties.

Between 1850 and 1854, James Douglas signed treaties with fourteen Aboriginal communities on Vancouver Island. These treaties dealt with areas from Victoria to Sooke, the Saanich Peninsula, Nanaimo, and Fort Rupert.² The text in the treaties is quite short, and the agreements reached in the fourteen treaties are almost the same, except for the territories referred to, the persons signing, and the payment amounts for the land. According to the treaties, the Indigenous chiefs and their communities agreed to "surrender, entirely and for ever," most of their territories to the Hudson's Bay Company. They kept their "village sites and enclosed fields" and the right to "hunt over the unoccupied lands, and to carry on their fisheries as formerly." For their land, First Nations communities received blankets or pounds sterling.

There was much room for misunderstanding in negotiating these treaties. In 1850, few Hudson's Bay Company employees understood the Salish language, and few local Indigenous people understood or read English. Despite the communication difficulties, interpreters did help Douglas explain the treaties to the Aboriginal groups.³

Salish people, however, did not think the treaties were a land sale, or the extinguishment (end) of their land rights. Lekwungen chief David Latasse, who was a boy when the treaties were signed,

¹ John Adams, *Old Square-Toes and His Lady: The Life of James and Amelia Douglas* (Victoria, BC: Horsdal & Schubart, 2001), p. 111.

² Cole Harris, *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia* (Vancouver: University of British Columbia Press, 2002), p. 19.

³ Grant Keddie, *Songhees Pictorial: A History of the Songhees People as Seen by Outsiders, 1790-1912* (Victoria: Royal BC Museum, 2003), p. 49.

thought that Douglas would pay his band gifts every year to rent the land.⁴ Saanich elder Dave Elliott learned through oral history that this was a peace treaty, not a sale of land.⁵



Canada in the Making Website: http://www.canadiana.org/citm/imagepups/douglastreaties_e.html

After 1854, Douglas stopped making treaties, and historians are still not quite sure why. Douglas said that he ran out of money, and the Colonial Office decided not to send him more money for this purpose. Another reason may have been that Douglas decided to purchase only enough land for settlers to use while the Hudson's Bay Company was in charge of Vancouver Island.⁶

In the years following the signing of the Douglas Treaties, Douglas allowed settlers to take Indigenous land even if it had not been purchased through a treaty. During the gold rush, when thirty thousand miners came to southern British Columbia, Douglas did not make treaties with Aboriginal groups on the mainland; instead he set up reserves for Indigenous people to live on.⁷ British Columbians today are still living with Douglas' decision not to sign any more treaties. Most of the land in the province was not purchased from Aboriginal people with treaties before it was inhabited by newcomers.

⁴ Chief David Latasse interviewed by Frank Pagett, "105 Years in Victoria and Saanich!" *Victoria Daily Times*, 4 July 1934, Magazine Section, pp. 1, 8.

⁵ Dave Elliott, Sr., edited by Janet Poth, *Saltwater People* (Saanichton, BC: School District No. 63, 1983), pp. 69-73.

⁶ Harris, *Making Native Space*, pp. 21-23.

⁷ Harris, *Making Native Space*, pp. 30-34.