



VANCOUVER ISLAND OR DOUGLAS TREATIES 101

Introduction

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WHO WAS JAMES DOUGLAS?



- Fur trader. Son of Scottish merchant and a Black woman or mixed race woman from British Guyana. Married Amelia Connolly daughter of HBC office and his First Nations Wife
- Head of the Hudson's Bay Company on the west coast from 1840s-1858.
- Chose the site of Fort Victoria in 1842 and started construction in 1843
- Moved to Victoria in 1849

COLONY OF VANCOUVER ISLAND

- In 1849 the British Government declared Vancouver Island to be a British Colony to stop American expansion
- Estimated 20,000-30,000 First Nations not consulted
- To delay having to pay the cost of colonisation the British leased the colony to the Hudson's Bay Company (HBC) for 10 years





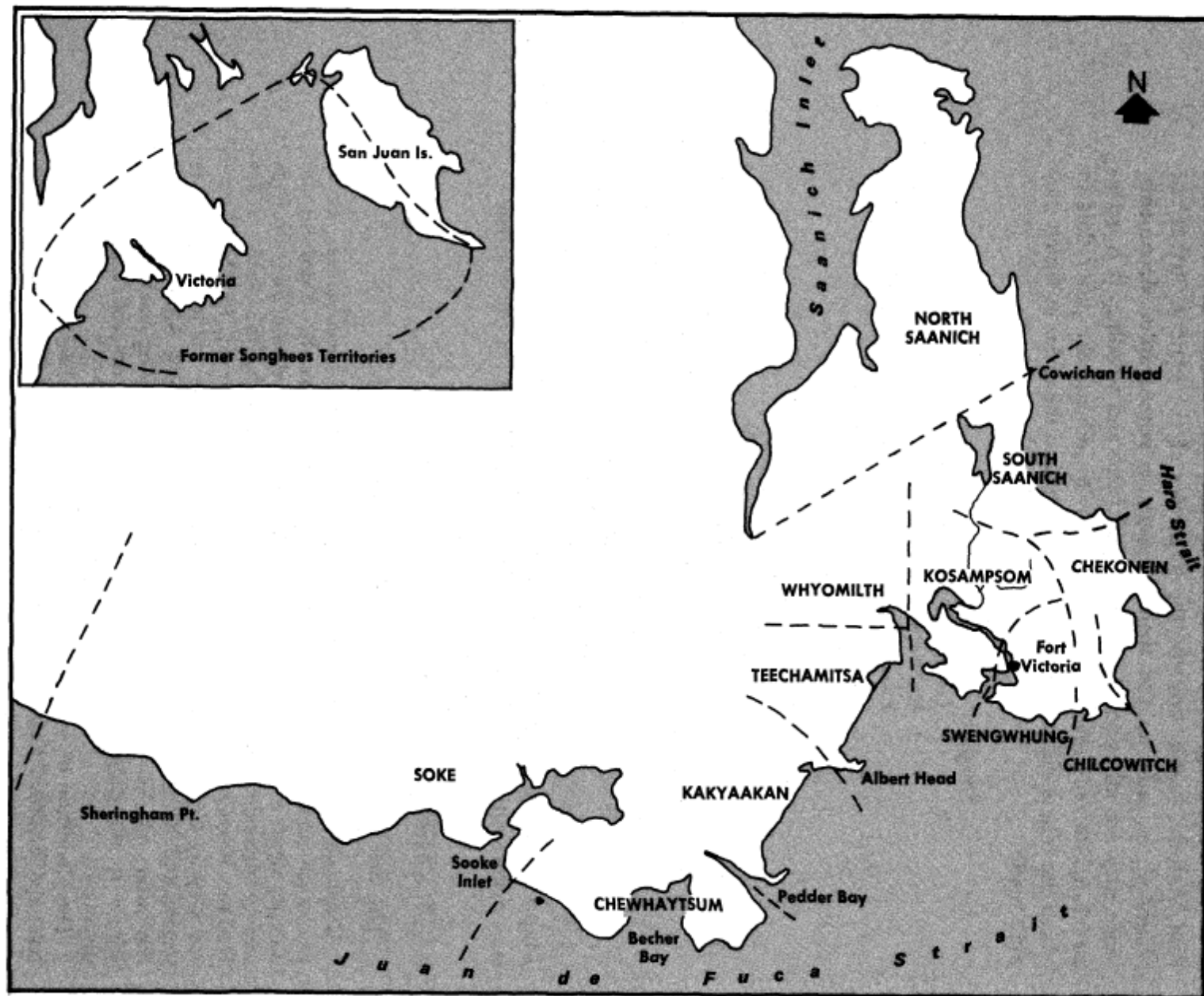
COLONY OF VANCOUVER ISLAND

- HBC paid all the costs up front, sold land to settlers to cover costs, with a promise that the British Government could take back the colony and would reimburse the HBC any costs not covered by land sales in 1859
- James Douglas represents HBC and so controls land
- First governor, Richard Blanshard, quit after a few months and James Douglas became second governor



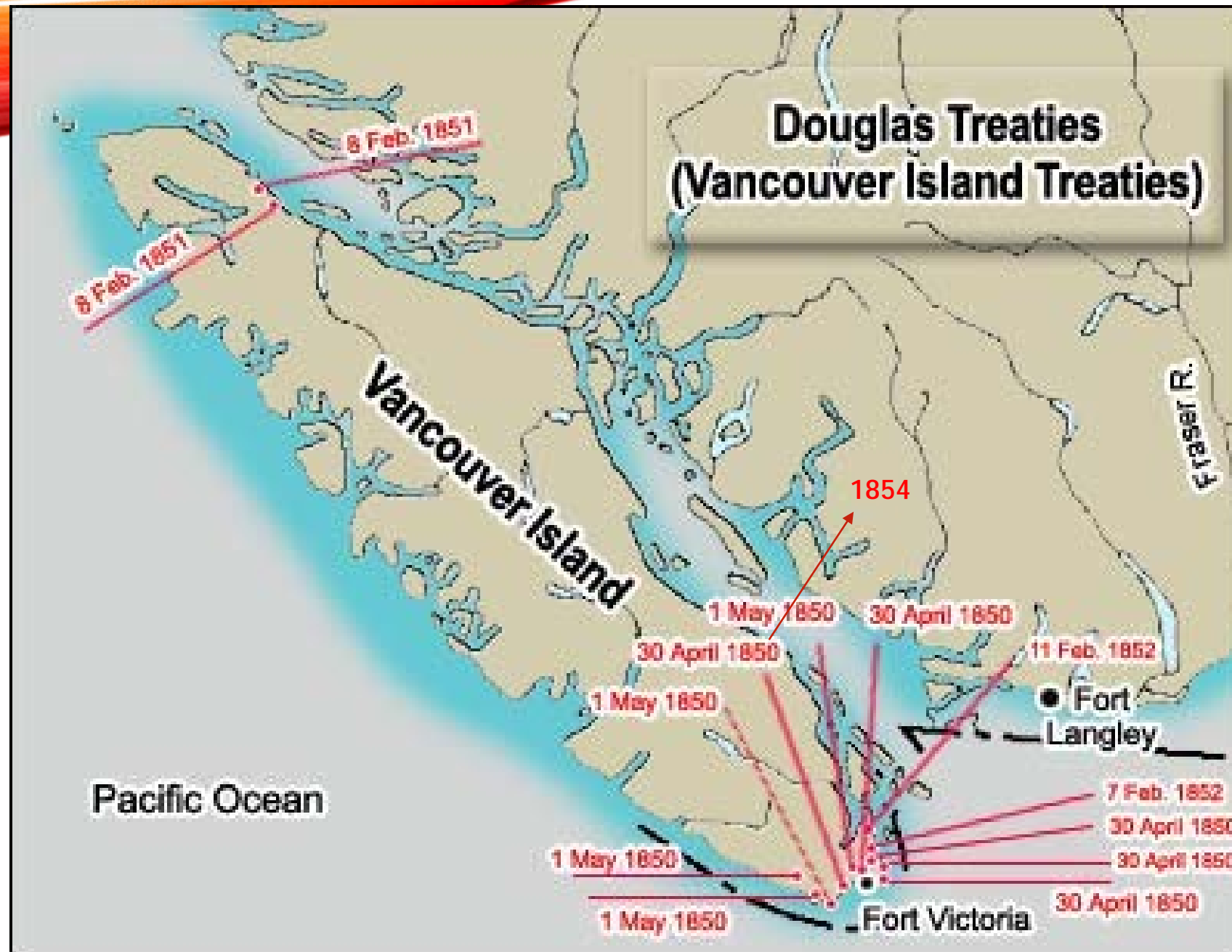
TREATIES

- James Douglas adopts the position that he must purchase title to land for settlement from First Nations
- What we call treaties he called "deeds of purchase"
- Makes 14 treaties/"deeds of purchase" on Vancouver Island between 1850-1854



MAP 1. Southeastern Vancouver Island, showing the areas covered by the Fort Victoria treaties. Inset: former Songhees territories.

Douglas Treaties (Vancouver Island Treaties)





TREATY PEOPLE

- Coast Salish
 - Straits Salish
 - Lekwungen (6 treaties now 2 communities Songhees and Esquimalt) 1850
 - Sooke (1 treaty now 1 community) 1850
 - Beecher Bay (2 treaties now 1 community) 1850
 - WSA NEC or Saanich (2 treaties – now 4 communities, Tsawout, Tsartlip, Paquachin, Tseycum) 1852
 - Halkomelem
 - Snuneymuxw or Nanaimo (1 treaty now 1 community) 1854
- Kwakwak'wakw
 - Kwakiutl (2 treaties now 1 community Fort Rupert) 1851

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- All the settlers on these lands



CONTEXT OF THE TREATIES

- They were verbal agreements
- At least for the Lekwungen and WSA NEC treaties, used a translator who oral history says was proficient
- For first nine treaties there was no text provided at the time the treaties were agreed to – documents suggest a letter was read out stating the HBC's idea of the treaty
- Douglas records that there was much discussion and an agreement

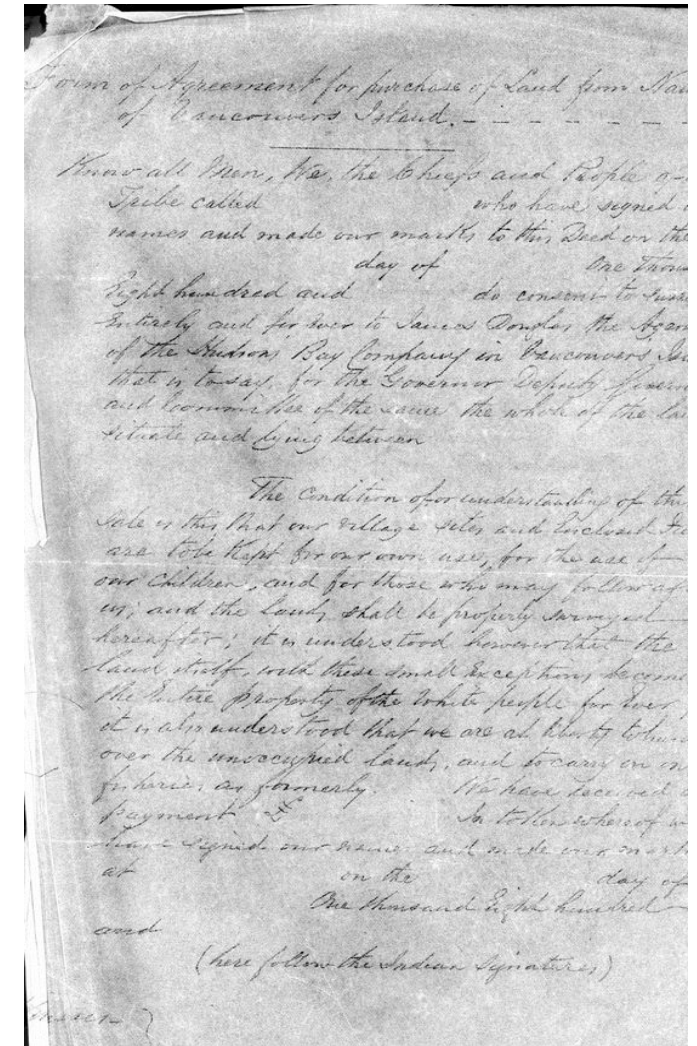


HISTORY OF THE TREATIES

- No actual text at the first 9 treaty meetings
- These nine treaties record the names of every member of each First Nations in attendance with an x placed beside their name
- The text that we now consider the treaty text did not arrive in Victoria until 6 months after nine treaty meetings
- Treaty text may have been available for the later Fort Rupert, Saanich and Nanaimo Treaties but none of the First Nations could read – for these treaties only chiefs' names recorded.

CONTENT OF THE TREATIES

- We do not know what the oral agreements were
- There are conflicting accounts
 - The written treaties
 - Douglas' reports to the HBC
 - Oral histories from Lekwungen (Songhees-Esquimalt), Saanich (WSANEC), Nanaimo (Snuneymuxw) and Kwakiutl



We all understood
that similar gifts
would be made
each year, what is
now called rent.



Chief David Latasse, 1934

WHAT TO CALL THE TREATIES?

- Fort Victoria Treaties (only 9 treaties were signed near Fort Victoria)
- Douglas Treaties (gives all the credit to Douglas but these were clearly joint agreements with First Nations)
- Vancouver Island Treaties (most inclusive)



WHAT DO THEY MEAN FOR US TODAY?

- Some First Nations take the view that the agreements made were treaties and that the treaty promises have not been honoured.
- Some First Nations take the view that these were not treaties as they have been recorded in the written record. Instead the oral agreements were not properly recorded, were only agreements about peaceful relationships going forward.
- The courts have taken the position that the agreements were valid treaties that bind the government and First Nations and continue to offer hunting and fishing rights to the signatory First Nations.
- Ultimately, what the treaties mean is still being debated.