‘uw-wu tst lhu ‘ul melq’ ut (Lest We Forget): Revitalizing Memories of Early Quw’utsun Interactions with the Royal Navy

By

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Abstract

This thesis investigates the diplomacy by Quw'utsun leadership during the Royal Navy expeditions of 1853 and 1856 at a time when James Douglas' was making first efforts to bring the Queen's Law to the Cowichan Valley. These expeditions stood out as largely peaceful diplomatic events compared to other interactions along the Northwest Coast, and the legal, social, political and cultural factors at play are examined in detail.

Consulting primary sources, oral history, and interviewing knowledgeable and experienced Qwu'utsun members, a nuanced reconstruction of these events with attention to the influence of Quw'utsun leaders (Tth'asiyetun and Loxe') in dialogue with James Douglas is produced. The presence and leadership of these Quw'utsun men have largely been missed in previous analyses of these expeditions, in addition to the social and cultural changes that were occurring at that time.

These interactions are nested within the events of the greater area and beyond, connecting the Crimean War and American expansion into the local histories of Fort Victoria and the Quw'utsun peoples.

Contents

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Thank you, Sarah Morales, for your participation as my external examiner.

[1] Thank you also for the translation of "lest we forget" into Hul'q'umi'num'

Dedication

This work is dedicated to all the Indigenous veterans who have served our country and their people. It was learning about you that started this journey for me. Lest we forget.

Introduction

Ever since Europeans first set foot on what we now call North America, Indigenous Peoples have had to contend with various state militaries. These interactions have significantly impacted Indigenous ways of knowing, being, and doing.[2] From alliances to war, Indigenous populations have fought hard to adapt to the rapidly changing world.[3]

How these vastly diverse populations met these challenges is too long to list, as it would cover millions of lives and over five hundred years of colonization.[4] Many stories could be told from many perspectives, and still, the complete picture would never be constructed. Each telling provides another piece of the tapestry, and another part of our past takes shape. [5]

Knowing the past helps us understand our present, helps us understand each other, and helps us understand the context upon which relationships are built. When we do not know how things came to be, it is not easy to appreciate the concerns and challenges others have faced and still face today.

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[2] Lackenbauer, P. Whitney., R. Scott. Sheffield, and Craig Leslie Mantle. *Aboriginal Peoples and Military Participation: Canadian and International Perspectives*. Edited by P. Whitney Lackenbauer, R. Scott Sheffield and Craig Leslie Mantle (Winnipeg: Canadian Defence Academy Press, 2007).
[3] Winegard, Timothy C. *Oka: A Convergence of Cultures and the Canadian Forces / Timothy C. Winegard* (Kingston, Ont: Canadian Defence Academy Press, 2008).
[4] See Lackenbauer, P. Whitney., and Craig Leslie Mantle. *Aboriginal Peoples and the Canadian Military: Historical Perspectives*. Edited by P. Whitney Lackenbauer and Craig Leslie Mantle (Winnipeg: *Canadian* Defence Academy Press, 2007).
[5] Lackenbauer, P. Whitney, John Moses, R. Scott Sheffield, and Maxime Gohier. *A commemorative history of Aboriginal people in the Canadian military* (National Defence, 2010).

Stó:lō Elder Rosaleen George once said, “to know your history is to be *smelath*-that’s ‘worthy.’ If you don’t know your history (if you’ve lost it or forgotten it), well, then you are *stexem*-and that’s ‘worthless.’”[6] This sentiment lends to the particular importance of Indigenous history. Given that much of what we know has been written through a colonial lens, adding Indigenous voices to our understanding of our shared history is even more vital.

The Royal Commission on Aboriginal Peoples (RCAP), launched in response to the Oka crisis in 1990 in which the Canadian Armed Forces was intimately involved, provided the seed of much-needed change within Canadian society. RCAP *Volume 1-Looking Forward Looking Back* laid bare the lack of recognition of, and broken promises to, Indigenous Veterans by the Canadian Government and the Canadian Armed Forces. Not only had Indigenous Veterans and their contributions been neglected, but they also suffered from enfranchisement and, in many cases, alienation from their communities.[7]

It has been 30 years, and there is still much work to do in unpacking the relationship between Indigenous Peoples and the Canadian Military. I want the reader to think about this time, the last 30 years, and reflect on that change. In this thesis, a similar amount of time, from about 1825 until 1856, is examined. This period represents the time between the Quw’utsun peoples' first interactions with the Hudson’s Bay

[6] Keith Carlson, Albert Jules McHalsie, David M. (David Michael) Schaepe, and John Sutton Lutz, eds. *Towards a New Ethnohistory: Community-Engaged Scholarship Among the People of the River* (Winnipeg, Manitoba: University of Manitoba Press, 2018), 1.
[7] Royal Commission on Aboriginal Peoples. Vol 1: Looking Forward Looking Back. (1996), 11

Company (HBC) and the second military expedition by the Royal Navy into their territory, which aimed to impose the Queen's Law upon them as her subjects.[8]

Growing up and being educated here in Victoria in the 1980s, I learned very little about the Indigenous populations of Canada and even less about the peoples and territories here on Vancouver Island. It was not until my first experiences working with Indigenous Summer Programs[9] within the Canadian Armed Forces in the late 1990s that the historical relationships between the Crown and the vast Indigenous populations across what we call Canada today began to form within my understanding.

Many years later, I was granted the opportunity through my graduate studies to direct my attention to a small piece of this puzzle. This thesis is the culmination of that opportunity. No single story can describe the process of colonization and the many ways Indigenous peoples have adapted to it. It is complex, variable, and knowable from different perspectives. What can be done, and what I have chosen to do, is to research and describe a small yet significant piece of this tapestry.

This thesis is intended to be a story of how, in the context of colonization of the Northwest Coast, what a microhistory of the relationship between the Quw'utsun peoples and the Royal Navy that operated out of Esquimalt Harbor and what is now known as Canadian Forces Base (CFB) Esquimalt can tell us about these relationships. While I provide context from the earliest days of the fur trade on the Northwest Coast, my study focuses on two military expeditions in 1853 and 1856 to apprehend criminals

[8] Brazier, Graham. How the Queen's Law Came to Cowichan. *The Beaver. Vol. 81* (Winnipeg: Canada's National History Society, 2001).
[9] https://forces.ca/en/programs-for-indigenous-peoples/

in the eyes of the Queen's Law and how the Quw'utsun people managed these events. It will examine the social and political changes rippling through and disrupting traditional patterns of being and how they impacted these events.

The expeditions of 1853 and 1856 stand out as largely peaceful and diplomatic from other times when the Royal Navy was called upon to use its power to assist the colonial government. Once before, in 1851, Governor Richard Blanshard ordered Captain Fanshawe of *H.M.S Daphne* to seize and destroy property belonging to the Nahwitti (near Fort Rupert) in response to the killing of three deserters.[10] Several times after these two expeditions, the Royal Navy would again be called upon to act forcefully for the colonial government and inflict harm upon the Indigenous populations of Ahousaht (1864),[11] Peneluxutth' (1864),[12] and Tsilhqot'in (1864).[13] Those actions were taken under the new administrations of Governor Kennedy and Governor Seymour shortly after Sir James Douglas was made a Knight Commander of the Bath and retired in 1863 marking a significant change in Indigenous/Crown relations.[14]

To understand this story and the contexts of this particular historical development in which these two expeditions took place requires an understanding of how the Northwest Coast came under the influence of various state powers, the role the Royal Navy had in the early years of European settlement, and how the leaders in the

[10] Parker to Hawes, 24 October 1851, CO 305:3, no. 9092, 206A.
[11] Kennedy to Cardwell 14 October 1864, CO 305:23, no. 11617, 348.
[12] Gough, Barry M. *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90* (Vancouver: University of British Columbia Press, 1984).
[13] Lutz, John Sutton. *Makuk: A New History of Aboriginal-White Relations* (Vancouver: UBC Press, 2014).
[14] Adams, John D. *Old Square-Toes and His Lady: The Life of James and Amelia Douglas* (Victoria, B.C: Horsdal & Schubart Publishers. 2011), 155. Douglas would leave for a tour of Europe in May of 1864.

Hul'q'umi'num' communities adapted and managed the changing times with unfamiliar cultural values in addition to describing the events themselves.

The actions of three men are critical to this story: James Douglas, Tth'asiyetun, and Loxe'. While many people were involved, these three were to play critical roles in managing these two conflicts, which heavily influenced the outcome of this initial period of colonization. In turn, we will see that three social aspects are connected to this change and emphasized in this paper: leadership, religion, and conflict management.

Methodology

Researching this story took the form of closely reviewing written source material from archival sources, primary and secondary historical sources, ethnohistorical literature, ethnographic texts, and oral histories, along with interviews and reflections beside Indigenous collaborators to make sense of what is known. As this project was developed and took place at the tail end of the COVID-19 pandemic, the decision was made to keep interviews to a minimum yet seek a few key individuals who were both knowledgeable and experienced with Quw'utsun history. Three interviews were carried out with Quw'utsun members Harvey George a descendant of Tth'asiyetun, Francine Alphonse a descendant of Loxe', and Jared Williams an active community historian and communicator whose ancestor helped to build the Stone Church on Qwum'yiqun'. These voices helped to put into context the otherwise heavy reliance on written documentation and to synthesize these various sources with community input.

Purpose and Intentions

Initially, I envisioned this project aimed at learning about Indigenous relations with the military in British Columbia, and this remains the case. However, the scope was refined to make the study manageable in terms of an ethnohistoric investigation of events and concepts that were pivotal to future relations in the area. To maintain rigour in examining the historical record, I have focused on the two military actions centred in the Cowichan Valley in the earliest days of colonization. These were distinct from the more regionally well-known policing actions the Royal Navy was involved with in future years and provided a novel framework for my study.

Inspired by the Truth and Reconciliation Commission's (TRC) Call to Action #57, which calls "upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples," the choice to investigate the history of the Royal Navy's interactions with Indigenous peoples seemed like an obvious choice.[15] As a member of the Canadian Armed Forces and someone interested in playing a role in reconciliation, it made sense to understand this shared history better and offer it to the Canadian Armed Forces to incorporate it into its educational material and Naval Museum.

It is important to note that in the 19th century the Royal Navy operated all up and down the coast and across to Haida Gwaii. It played a large part in suppressing violence, alcohol merchants, slavery, and raiding, often acting as police, judges, juries, and executioners. To cover them all would be far too expansive for this thesis. At times,

[15] Truth and Reconciliation Commission of Canada: Calls to Action. (2015), 6.

villages were attacked by gunships attempting to apprehend suspected murderers.[16] Other times, dishonest merchants selling alcohol were hunted down to prevent the disastrous liquids from entering communities.[17] These are significant contributions, both negative and positive; however, they are beyond the scope of this paper.

Ultimately, this project is meant to help those interested in our shared history to gain a better understanding so that as we move forward, we can become worthy of this legacy and understand a small part of how we got here today.

Layout and Organization

This paper has been organized into four chapters and a conclusion. Chapter One contains a discussion of ethnohistory and how it relates to this paper, a literature review on the sources used and difficulties with them and their accuracy, and an examination of Coastal British Columbia placenames and how they came to be represented by the Royal Navy. Chapter Two provides an overview of the historical development during the first half of the 19th century. It will briefly cover the time from initial contact with Europeans via the trading companies to the American expansionism that culminated in the geopolitical situation encompassing the 1850s. Chapter Three will tell the story of Peter Brown and his murder that led to the first expedition by the Royal Navy on a punitive mission against the Quw'utsun and Snuneymuxw. Chapter Four will recount the changing colonial situation in the Northwest and tell a story of Thomas Williams and the maiming he suffered at the hands of Tathlasut for interfering with a woman he was

[16] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*. See also Arnett, Chris. *The Terror of the Coast: Land Alienation and Colonial War on Vancouver Island and the Gulf Islands, 1849-1863* (Burnaby, B.C: Talonbooks, 1999).
[17] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*.

betrothed to. Finally, this paper will conclude with thoughts and a discussion of these topics as they have been understood in consultation with interviews conducted with Quw'utsun members who are interested and concerned about their collective history.

Overview of the Cultural Changes and Challenges

The colonization process did not begin on the Northwest Coast until the beginning of the 19th century. British contact with the Quw'utsun people did not begin until the HBC sent the ship *William and Ann* to explore the Juan de Fuca Strait and the Fraser River in 1825.[18] It was then that the great Coast Salish leader Tth'asiyetun began his long relationship with the HBC, and the Quw'utsun people began to adapt European material and values into their own lives as they saw fit. Potatoes were the first identifiable European good readily accepted and integrated into the food production economy. [19] Also, the concept of the "chief" was introduced. The eminent anthropologist Wayne Suttles noted that "the whole institution of chieftainship as it now exists developed after European contact," Tth'asiyetun was the first Quw'utsun described as such in the historical records.[20]

Quw'utsun contact would remain distant and minor until the founding of Fort Victoria in 1843. During this time, the introduction of material goods and ideas was at a pace they could manage as they found them beneficial. However, after the establishment of Fort Victoria, change began to move more quickly.

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[18] Maclachlan, Morag, and Wayne P. Suttles. *The Fort Langley Journals, 1827-30* (Vancouver: UBC Press, 1998).
[19] Suttles, Wayne P., and Ralph Maud. *Coast Salish Essays* (Vancouver B.C: Talonbooks, 1987).
[20] Ibid, 6. Also, see Morag and Suttles, *The Fort Langley Journals, 1827-30,* 11 for this description.

Access to European goods would change social structures, enabling those who could harness these trade relations to increase their wealth and prestige.[21] Along with these goods, however, concepts such as Christianity and the Queen's Law would follow as Europeans sought to 'pacify' and 'enlighten' those whom they saw as 'barbarous' or 'savage.'[22] By 1850, missionaries would go to the Quw'utsun people, espousing a new worldview aimed at bringing Christian ideas of morality.[23] Then, in 1853 and again in 1856, the Queen's Law would follow.[24]

Religion was embraced at first. Gaining spiritual power through ritual was not a foreign concept to the Quw'utsun: they were steeped in it.[25] After all, the Europeans were indeed wealthy and powerful, and their relationship with their God must have granted it to them, so why would they not take advantage?[26]

The moralizing power of the missionaries' teachings must have been a heavy burden for some who had previously killed, and life or death violence was likely something all Quw'utsun people experienced several times in their lives through inter-

[21] Ritchie, Morgan, and Bruce Granville Miller. "Social Networks and Stratagems of Nineteenth-Century Coast Salish Leaders." *Ethnohistory* 68, no. 2 (2021), 237–268.
[22] I recognize the negative connotations of these words, and no offence is intended, but that does not change how Europeans wrote or felt about their contact with these diverse populations. Even James Douglas, who seemed to care about the conditions under which Indigenous people lived genuinely, could not escape his ethnocentrism.
[23] Bowsfield, Hartwell., and James Douglas. *Fort Victoria Letters, 1846-1851* (Winnipeg: Hudson's Bay Record Society, 1979), 222
[24] Brazier, How the Queen's Law Came to Cowichan.
[25] Barnett, H. G. "The Coast Salish of Canada." *American Anthropologist* 40, no. 1 (1938), 118–141.
[26] These ideas came about in a conversation with Jared Williams as we grappled with why the missionaries were readily accepted into the village of Comiaken. Despite how things have unfolded over the last 170 years, they could not have predicted that path. Harnessing the power of spirits was a common path for Quw'utsun of prestige, and the Christian God must have seemed very powerful in their eyes.

tribal conflict. Mary Rice told a story of her grandfather Xulqalustun, the head of a house at Peneluxutth' and a warrior who:

> "had been to Fort Victoria and had learned white men's laws, and the good priests had talked to him, he would sit and think of all the men he had killed and of all the heads he had cut off and put on sticks, and he would be sorry, and cry, and cry, and he would talk to the Cowichans, telling them, 'never, never must we do these things again!' And as he told them so have they remembered, for he was the wisest chief the Cowichans ever had."[27]

When the Queen's Law demanded that a person be punished for murder, combined with Christian morals, it must have been a strong coercive force to reckon with.

With the groundwork laid by the missionaries for the moral and physical imposition of the Queen's Law, colonists would force their way into the valley without any agreement.[28] It had only been about 30 years since the Quw'utsun had first encountered the Europeans. During that time, the Quw'utsun peoples witnessed themselves go from being fully independent and self-governing to being seen by the British as assumed subjects of the Queen and her laws.

Far from Vancouver Island, other events would influence how things unfolded locally. In the mid-1840s, American expansionism saw thousands of settlers push into the Willamette Valley in present-day Oregon, forcing the HBC north. By the mid-1850s, this American migration would trigger wars throughout Puget Sound and cause concern

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[27] Cryer, Beryl Mildred, and Chris. Arnett. *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island* (Vancouver. B.C: Talon Books, 2007), 63

[28] Douglas had promised the Quw'utsun a treaty similar to the other Douglas Treaties, but it was never fulfilled. Hamar Foster, and Alan Grove. "Trespassers on the Soil: United States V. Tom And A New Perspective On The Short History Of Treaty Making In Nineteenth-Century British Columbia." In *The Power of Promises*, 89 (University of Washington Press, 2012).

on Vancouver Island. Then, in 1854, Britain declared War against Russia over Crimea. Though half a world away, its ripples would still impact the Quw'utsun peoples.

The Royal Navy was to play a large part in this story. While the Royal Navy did not lead, their power provided coercive pressure in enforcing the Queen's Law. The Royal Navy came to be seen as the arbiter of colonial justice. *H.M.S. Thetis* was at one point called a "Silax" or "angry ship" by the Snuneymuxw, and King George's men (as the English were sometimes known) were understood as a separate tribe of warriors "who go about punishing all who offended against other tribes."[29] While this is not a role the Royal Canadian Navy plays today, the legacy left behind by the Royal Navy of that time remains with us.

The Royal Navy would also survey the Northwest Coast and inscribe it into colonial knowledge by assigning place names, creating a sense of accessibility for the settlers to follow. They would imprint their idea of history onto the land and remain ignorant of the meaning ascribed by the Indigenous people themselves.

Initially, the Admiralty had little interest in the Colony of Vancouver Island; it lacked the storage and supplies needed for patrolling ships, was far removed from British geopolitical interests, and its strategic position was questionable.[30] However, each of these points would reverse as history unfolded.

Through these two expeditions, the resources in the traditional territory of the Quw'utsun would attract colonial interests. The Quw'utsun people would prove resilient

[29] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*, 55.
[30] Ibid.

to the impact of these world systems but at a high cost. It seems only now, 170 years later, that the strands first woven during these early days are beginning to loosen.

Chapter One

Ethnohistory and Historical Anthropology

Simply put, ethnohistory is a combination of anthropology and history. This sub-discipline has a long history in North America and has taken on many forms. In contexts of scholarship in North America, it has primarily focused on the histories of Indigenous peoples and their encounters with settler colonialism. It focuses on richly situating that history in the cultural context and frameworks of the Indigenous peoples concerned. Ethnohistory takes pains to acknowledge the ethnocentric blinders and filters of conventional history, placing Indigenous peoples in a central focus. It incorporates archival work with oral histories to provide tangential perspectives sometimes supported by standard Western historical narratives.[31] Often, including this thesis, it can take the form of studying colonial records, reading between the lines, and seeking out ethnographic evidence to create a more rounded narrative about our shared histories.

While much ethnohistory seems to be historians integrating anthropological methods and concepts into their work, it is also recognized that anthropologists on the Northwest Coast, such as Wilson Duff and Wayne Suttles, have turned to archival work to supplement their ethnographic work.[32]

Even before that, ethnohistory has long been part of anthropologists' cultural and historical interests on the Northwest Coast. Franz Boas, as part of his program of

[31] McGregor, Heather E. "Exploring Ethnohistory and Indigenous Scholarship: What Is the Relevance to Educational Historians?" *History of education (Tavistock) 43, no. 4*: 431–449, 2014), 436.
[32] Carlson, McHalsie, Schaepe, and Lutz, *Towards a New Ethnohistory: Community-Engaged Scholarship Among the People of the River.*

salvage ethnographies, sought out stories and histories before they were forgotten. For Boas, understanding historical particularism was vital to understanding a group's culture, and it was imperative to record histories in their pure form before cultural changes caused by colonialism skewed the sources.[33]

What makes the Northwest Coast unique in North America is the relatively short time since colonization and cultural change began in any sustained manner. Other than Spanish and English ships that charted the coast and traded for furs in the latter half of the 18th century, land-based sustained contact did not begin until after the War of 1812 when American and British fur trading interests (not to mention aspirations of national sovereignty) pushed the reaches of European influence into this area. Unlike the East Coast of North America, where colonial pressures had increased since the early 16th and 17th centuries, most Indigenous populations surrounding the Salish Sea had minimal contact or material influence from Europeans until the 1820s when the HBC began to look for locations for their trading posts north of the Columbia River. Even then, the thrust of European land grabbing and the social, economic, and political machinations that go with it were limited to the activities of a few hundred newcomers until the mid-1850s.[34]

The exact definitions of ethnohistory are varied, much like their practitioners. Therefore, it is essential to describe what ethnohistory means in the context of this paper rather than survey the various flavours espoused by academics interested in this sub-discipline.

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[33] Ibid.
[34] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90.*

Cruikshank points out that history is continuously being reevaluated in the present and reinterpreted as time and new information is acquired. Cruikshank cites Rosaldo, who stated that “history is the shaping of the past by those who live in the present. All histories derive from a particular time, a particular place and a particular cultural heritage.”[35] This thesis fits nicely into this point of view.[36]

This thesis intends to better understand a particular time in the history of Quw’utsun peoples and how that intersected with Naval history. It has been a winding path and could easily lead to many destinations. What started as an investigation into Indigenous/Military relations in the Northwest Coast has scoped down to an analysis of two events where Governor James Douglas led an expedition with the Royal Navy to apprehend Indigenous men in the name of the Queen’s Law.

Numerous other instances can and should be examined further to understand the Royal Navy's impact on colonization. These include the Newitty incident with Governor Richard Blanshard, the Chilcotin War, alcohol and spirits interdiction, suppression of inter-tribal violence, suppression of colonial violence, and the destruction of the village in Lamalcha Bay.[37] However, investigating all these instances would be too broad for this paper to do correctly, and the involvement covers a significant period ranging from

[35] Cruikshank, Julie. “Oral Tradition and Oral History: Reviewing Some Issues.” *The Canadian Historical Review 75, no. 3*: 403–418, (1994), 410.
[36] My adult life and military career span the last 30 years. The time mentioned is the period since the RCAP was established and the changes we have seen in our society regarding Indigenous issues. Without a doubt, this influences how I represent this history.
[37] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*. See Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863,* for Lamalcha Bay and Lutz, *Makuk: A New History of Aboriginal-White Relations,* for the Chilcotin War.

the early 1800s till about the 1890s when the Royal Navy was no longer used for such purposes.[38]

This brings us back to how ethnohistory is essential for understanding these events. When James Douglas brought the Navy up into the Cowichan Valley, he did not encounter passive recipients of colonial power. In the 1850s, the Quw'utsun peoples were very much still independent. While the British Government claimed sovereignty over the Colony of Vancouver Island, it seems clear that this claim was not accepted by the people who had lived there since time immemorial. The questions that drove this research are: What brought the Royal Navy to these territories? How did they interact with the local Indigenous populations? How did the Indigenous populations respond to the presence of the Royal Navy? What actions did the Royal Navy take directly with the Indigenous people, and why? How did the Indigenous people respond to the projection of colonial power? What was the pattern of conflict that was already present between Indigenous populations? How did this change with the presence of the Royal Navy? When there were conflicts, how were they managed by the Royal Navy, the Colonial Government, and the Indigenous community involved? These questions are partly answered by reading through the colonial records. Still, the attempts by historians and other writers to do so thus far have missed out on the active participation of Quw'utsun leaders and how they sought to shape and adapt to the changing world.

[38] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*.

Sources and Stories

There are very few primary sources for details on what transpired during the expeditions led by James Douglas. The only available primary sources[39] come from the Colonial Dispatches,[40] James Douglas' private journal,[41] Admiral John Moresby's recollections,[42] *A Pioneer,* a book written by Senator William J. MacDonald,[43] Joseph McKay's Nanaimo journal and letters,[44] and Lieutenant Palmer's diary entry.[45] In addition to these are several oral stories recorded by Beryl Cryer. Though not primary sources in the traditional Western sense, I consider them primary sources for this paper.[46] I have endeavoured to use these sources as much as possible for reference as the secondary sources are all interpretations of these primary sources, and it was desired to avoid replicating errors contained within them.

The Colonial Dispatches contain significant details, though they are clearly tailored for government reading and consumption. Douglas' private journal is one of the best sources; however, essential parts are now lost to time. Moresby's account was

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[39] Other sources were unavailable.
[40] The Colonial Despatches Team. *The Colonial Despatches of Vancouver Island and British Columbia 1846-1871*, Edition 2.4, ed. James Hendrickson and the Colonial Despatches project. Victoria, B.C. University of Victoria. https://bcgenesis.uvic.ca/index.html.
[41] Douglas Diary, "Private Papers of James Douglas, First Series," BCARS.
[42] Moresby, John. *Two Admirals*: *Admiral of the Fleet Sir Fairfax Moresby (1786-1877) and His Son, John Moresby, a Record of Life and Service in the British Navy for a Hundred Years* (London, 1909).
[43] Macdonald, William John. *A Pioneer 1851* (Victoria, B.C. publisher not identified, 1994).
[44] "HBC LETTERBOOK: CORRESPONDENCE BETWEEN JOSEPH MCKAY (NANAIMO) AND JAMES DOUGLAS (VICTORIA)." HBC McKay letters, 1852-1853: Nanaimo archives. https://www.nanaimoarchives.ca/transcripts-and-recordings/hbc-mckay-letters-1852-1853, 2014, and "HBC FONDS: TRANSCRIPTION OF JOSEPH MCKAY'S JOURNAL August 24th, 1852 - September 27th 1854." HBC McKay Journal, 1852-1854: Nanaimo archives, 2013. https://www.nanaimoarchives.ca/transcripts-and-recordings/hbc-mckay-journal-1852-1854.
[45] Palmer, George. "Lieutenant George Palmer's Diary." FriendsofHMSTrincomalee.org.uk. https://friendsofhmstrincomalee.org.uk/archive.html. 2022.
[46] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island.*

written many years after the fact, and reading through his document, it is easy to note the romantic tone of “an old sailor, who recalls many men and things in the peace of his last days, it is difficult sometimes to distinguish phantom and reality.”[47] Moresby’s account is still extremely valuable; however, the quotations of speeches made are suspect as to their accuracy, as noted above. Senator William J. MacDonald’s book *A Pioneer* is a primary source as he was present during these two expeditions. However, his memory is faulty, and in it, he mixes details from both expeditions into one, and it is sparse on details. Though I have carefully reviewed it, I chose not to draw directly on this source, only calling attention to it for the readers' interest. Joseph McKay’s Nanaimo Journal contains some information, though these entries are brief in their description. Though limited in scope, Lieutenant Palmer’s Diary provided a perception of a Royal Navy Officer as he sat on Qwum’yiqun’ Hill (Comiakin Hill) during the expedition in 1856. These were the only remaining accessible primary sources for information on these events in the local area.[48]

Many secondary sources discuss this incident and are referenced where appropriate. Some of these sources utilized primary sources that were unavailable to the author. When I found one, I would locate the primary source to better understand the quote's context. Often, I would find important information left out, such as in several cases where Admiral Moresby was quoted either out of context or by ignoring other information relevant to the quote at hand. Therefore, I opted to cite passages from these

[47] Moresby, *Two Admirals*: *Admiral of the Fleet Sir Fairfax Moresby (1786-1877) and His Son, John Moresby, a Record of Life and Service in the British Navy for a Hundred Years,* 136.
[48] There is a journal from W.H. Hill on microfilm at the University of British Columbia. Reel 5028, I:2 contains details cited by Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*.

secondary sources only if I could verify them to avoid continual misrepresentations or if they were deemed essential.

Ethnographic and ethnohistoric sources provided valuable insight into these events, and some recent scholarship adds much-needed context to previously unmentioned aspects. These were critically analyzed and included for context.

Historic Names and Inconsistencies

The names of Indigenous people, and often of HBC employees, are spelled in many ways depending on who was taking the record. For example, Tth'asiyetun was known by the following names: Chaseaw, Old Joe, Shashia, Saw-se-a, Tsawsiai, Tth'asiyetun, Tsosieten, Josia, Tsau-si-ai to name a few.[49] While Tth'asiyetun seems to have had the most names, the numerous spellings and names for individuals make associating people with places or deeds uncertain. Tomo Antoine[50] (Thomas Williams, Tomo Ouamtany, One-armed Tomo, Tomo Quantany) is another person of interest who is difficult to identify though significant to this history. What makes it even more challenging is that there were at least two people with the name Tomo,[51] maybe more, and at least two Thomas Williams, possibly more. This challenge has plagued the early tellings of this history.

The last point that needs to be covered here is historical inaccuracies and their replication through secondary sources. There are too many to list here, so I will ask the

[49] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30.*
[50] Tomo Antoine was a prominent figure in the history of Fort Victoria who had not gotten enough attention. While I struggled to include him in this paper, I could not do so correctly and will have to wait for a future paper.
[51] Joseph McKay's Journal. Oct 20, 1856

reader to be flexible in understanding this past. Undoubtedly, future readers may find mistakes in my story or at least disagree with it. As mentioned, I have stayed close to the primary sources. I have done my best to tell a story that is accessible and provides insight without trying to speak for the Quw'utsun people. A story is never a complete picture but a perspective among many possibilities.

Indigenous populations, Hul'q'umi'num' speakers and the Quw'utsun people

Figure 1 Core and marine territories of the Hul'q'umi'num' peoples as represented by the Hul'qumi'num Treaty Group's statement of interest for the modern-day BC Treaty Process. Retrieved from Egan 2012

The Northwest Coast is a very diverse region of Indigenous peoples. From Alaska to the Columbia River, the people who lived here were part of 13 linguistic families with at least 45 distinct languages.[52] The Salishan family alone accounted for 23 of these languages, of which 16 were spoken in the coastal region.[53] Hul'q'umi'num' speakers are a Vancouver Island dialect centred in the Cowichan Valley and whose traditional territory was expansive.[54]

Quw'utsun Social Organization

Political organizations in these Quw'utsun villages were largely autonomous, though held together through cultural and kinship ties.[55] The Europeans understood them as each having a headman or Chief.[56] The terms Shsi'em,[57] He'wa'qw,[58] or Si'em[59] could also be appropriate. Social stratification was present and described as an "inverted pear shape with the large upper class and the small lower class."[60] Leaders, however, led by consensus and if they made poor choices or could not gather support from their local family relations, they could and would be replaced.[61]

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[52] Suttles, Wayne P., and Barbara Lane. "*Northwest Coast, Handbook of North American Indians, Vol. 7*, William C. Sturtevant general editor." (Smithsonian Institution, Washington, DC, 1990).
[53] Ibid.
[54] Egan, Brian. "Sharing the Colonial Burden: Treaty-Making and Reconciliation in Hul'qumi'num Territory." *The Canadian geographer 56, no. 4.* (2012), 398–418.
[55] Thom, Brian. "The Anathema of Aggregation: Toward 21st-Century Self-Government in the Coast Salish World." Anthropologica 52, no. 1: (2010), 33–48.
[56] Douglas, James. "Report of a Canoe Expedition Along the East Coast of Vancouver Island." The Journal of the Royal Geographic Society of London 24, (1854), 245–249.
[57] Leader, Chief; head of a workplace. Harvey George, personal communication
[58] A recognized or chosen person (e.g., one with a particular role in family or community, chief). ibid
[59] An honoured or respected person. ibid
[60] Suttles, Wayne. "Private Knowledge, Morality, and Social Classes Among the Coast Salish." *American Anthropologist* 60, no. 3 (1958), 503.
[61] Personal Communication, Jared Williams.

Ritchie and Miller[62] examined the social networking of three prominent Coast Salish leaders during this time of transition in the 19th Century: Sashia (Tth'asiyetun), Slabebkud, and Snatelum. Warriors had traditionally been treated with suspicion in Coast Salish society, but a century of raiding from northern people had increased their authority in coastal areas. Physical prowess would add to the prestige of these men, enabling them to acquire goods and slaves from raiding, adding to their wealth. Navigating relations with the European traders and forts successfully undoubtedly did as well. Adapting to the influence of Christian missionaries would also have aided within this conflux of new challenges and opportunities. Those who could adapt to several of these systemic flows would find themselves in leading positions.[63]

Qwum'yiqun' Hill, a Place of Power and Myth

Captain John T. Walbran notes in his compendium of British Columbian coastal names that "the history of a country is often indicated by its names."[64] Place names are intricately tied to the understanding and connections to territory for the Indigenous peoples of North America, whose place names also have cultural stories and histories of significance.

[62] Ritchie, Morgan, and Bruce Granville Miller. "Social Networks and Stratagems of Nineteenth-Century Coast Salish Leaders." *Ethnohistory 68, no. 2* (2021): 237–268.
[63] See also Angelbeck, William."They Recognize No Superior Chief: Power, Practice, Anarchism and Warfare in the Coast Salish Past." Electronic Theses and Dissertations (ETDs) 2008+. T, University of British Columbia. Doi:http://dx.doi.org/10.14288/1.0058414. (2009), 141.
[64] Walbran, John T. *British Columbia Coast Names, 1592-1906: Their Origin and History: to Which Are Added a Few Names in Adjacent United States Territory* (Vancouver, B.C: Published for the Vancouver Public Library by J.J. Douglas Ltd, 1971), 5.

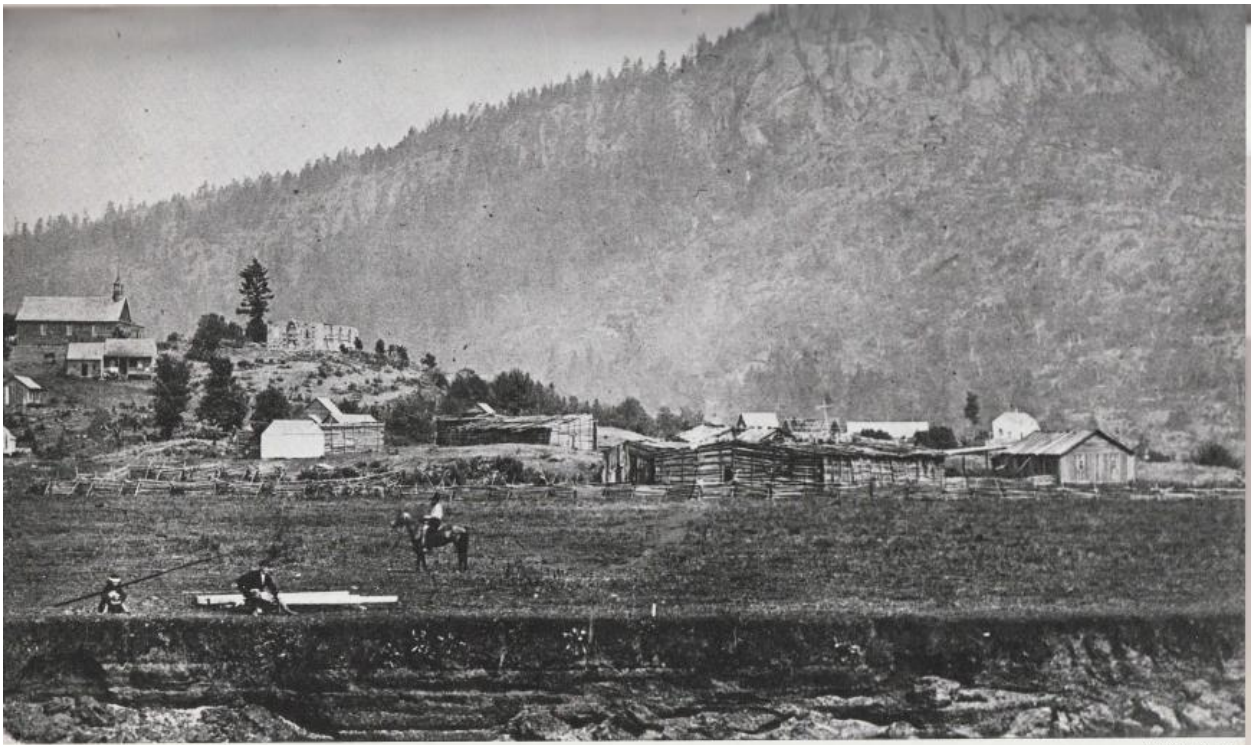

Figure 2. Qwum'yiqun' Hill showing the log St. Ann's with the Stone Church in course of construction placing this photo about 1869. Note the lack of vegetation. Scanned from E. Blanche Norcross: The Warm Land. 1975

Qwum'yiqun' Hill is such a place for the Quw'utsun people. It is a sacred place associating myth and legend with many historically significant events. It was on Qwum'yiqun' that Spaal met Heels and was turned into a raven, unwilling to listen to the demands of the great transformer.[65] Also, it was there that Q'ise'q wove together a cloak of hummingbird feathers, which he would trade to the Thunderbird for a robe that would allow him to fly.[66] Qwum'yiqun' Hill is not just a raised piece of ground but a significant part of the storied landscape linking the Quw'utsun people to their homes.[67]

Qwum'yiqun' Hill would later host many meetings between the Quw'utsun people and the colonial powers. It was Qwum'yiqun' Hill where the first missionaries would stay

[65] Marshall, Daniel Patrick. *Those Who Fell from the Sky: A History of the Cowichan Peoples* (Duncan, B.C: Cultural & Education Centre, Cowichan Tribes, 1999), 44.
[66] Personal Communication, Jared Williams. Also see Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island*, 272
[67] Thom, Brian D. *Coast Salish Senses of Place: Dwelling, Meaning, Power, Property and Territory in the Coast Salish World* (Doctoral Thesis. McGill University, 2005).

and influence cultural changes in names and marriage patterns.[68] It was on Qwum'yiqun' Hill that James Douglas and the first expedition would meet with Tth'asiyetun and the leader of Lhumlhumuluts'. Qwum'yiqun' Hill would be where Douglas set up camp during the second expedition to arrest Tathlasut. Later, it would be on Qwum'yiqun' Hill that St. Ann's, and following that, the Stone Church (also known as Butter Church) would be built. Then, in 1913, the *Royal Commission on Indian Affairs in the Province of British Columbia* would be held in the Stone Church.[69] These historical events add significance as this hill also has become a place of colonial encounters connecting the Quw'utsun people to the colonial systems imposed upon them.

Place names of the Royal Navy

Almost all Indigenous place names were ignored, overwritten, or anglicized during the initial British surveying in the mid to late 19th century. On the maps presented later in this paper, the reader will note that Qwum'yiqun' Hill was named Mount Bruce by the expedition in 1856 and would later be given to a nearby mountain on Saltspring Island.

If place names genuinely tell a story, the coast names found in Coastal British Columbia recall the deep involvement of the Royal Navy in the construction of the colonial landscape. A survey of Walbran's compendium, which includes much of the British Columbian coast, including parts of Alaska and Washington State, reveals that 645 of the 1441 (45%) named places are directly associated with the Royal Navy. These places are named after Captains, mid-shipmen, surgeons, pay-masters, ships, and

[68] Norcross, E. Blanche. 1959. *The Warm Land* (Duncan, B.C: E.B. Norcross, 1959).
[69] Marshall, *Those Who Fell from the Sky: A History of the Cowichan Peoples,* 158.

other crew. The next group comprising 635 named places (44%) are government agents, noble families, Hudson Bay employees and their families, families of Royal Navy officers, missionaries, Army officers, Americans, merchant ships, a dog on a survey ship, and others. Spanish names were partially honoured, and the names of places given by the first European explorers number 85 or 6%. These remained on more prominent places like Quadra Island or Juan de Fuca Strait. The last group comprises Indigenous names, which account for 76 (5%) of the 1441. Though these names are anglicized versions of the tribal name or Indigenous name for a place, sometimes a Chief's ancestral name, and often contain only a partial resemblance to the actual Indigenous name.[70]

A small caveat should be expressed with this last survey. The only source referenced for the names was Walbran's book, first published in 1909. While thorough, some names may have changed or been added in the last 100 years. The next point is definitional: Naval names included Royal Marines but excluded the names of relatives of Naval officers. This last group could change the count by 10% or more if moved over. Another interesting separation might be that of the placenames of the HBC. This would likely result in a significant number, though nowhere near the count of the Royal Navy.

So, what does this tell us about the colonial history of Coastal British Columbia? Essentially, it implicates the involvement of the Royal Navy in constructing the colonial landscape. The coastal passages, bays, and inlets were unknown to European settlers. The Royal Navy surveyed, charted, and made these seaways safe for colonial

[70] Walbran, *British Columbia Coast Names, 1592-1906: Their Origin and History: to Which Are Added a Few Names in Adjacent United States Territory*.

expansion and use. Some Indigenous names were kept, helping identify the people who lived in these places or their leaders. It is easy to imagine that this was done for ease of colonial understanding rather than respecting place names the Indigenous people themselves understood.

Naming the coastal places as such would make it easier for colonists looking for a new home. If they were to look at a map, they would recognize names and feel more at ease to be near them. The names would signal and reinforce notions of Western ownership and sovereignty. This would attract settlers to a British landscape, not one owned by the Indigenous people.

Looking through the names, many were simply applied to a place with no real meaning attached to it. There are exceptions, however, particularly in Hul'q'umi'num' territory, including places like Chase River and Gallows Point, which derived their names from the expedition in 1853. There are additional place names associated with these events, such as Samsun Narrows, MacDonald Point, Thetis Island, Trincomalee Channel, and Moresby Island, to name a few. The names of the people and the ships attached to these expeditions immortalized in Western standards of navigation and discovery.

Once again, what does this tell us about the colonial history of British Columbia? First, it tells us that the landscape was quickly assimilated into a standardized Western social construct. The Royal Navy practically threw names onto places. Second, they took the honour and opportunity to name themselves, their government, and their families.

It should not be surprising to many that the Indigenous populations of the Salish Sea had their own names for places important to them that defined their world and carried the histories of their peoples. The various cultural groups would have their own names in their own languages and their own stories. These cultural landscapes were always much more local in scope.

Island Hul'q'umi'num' speakers had an intricate cosmos of placenames that were important to them. Rozen relates 302 placenames in his 1985 thesis.[71] No one person knew all these names, which were collected from various sources. That is due to the nature of Coast Salish life. Knowledge and names were localized to the family group. Though some names would be shared, that was not always the case as stories were owned by families, as might the place names be.[72]

[71] Rozen, David Lewis. Place-names of the Island Halkomelem Indian People (MA Thesis. University of British Columbia, 1985).
[72] See Thom, *Coast Salish Senses of Place: Dwelling, Meaning, Power, Property and Territory in the Coast Salish World,* for a discussion on Hul'q'umi'num' peoples' naming practices and senses of place.

Chapter Two

Historical Development of the Euro-American Expansion into the Northwest Coast

The Northwest Coast was the last quarter of North America below the Arctic Circle to be explored and colonized by Europeans. The Spanish were the first to arrive on the coast and were followed by Captain James Cook on his third voyage of exploration, arriving in March of 1778 off the coast of Oregon. Initial contacts between Europeans and Indigenous people were sporadic, though the publication of Cook's voyages in 1784 brought increasing commercial interests into the area by sea.[73] Meanwhile, ever seeking out new sources for the fur trade, Europeans sought routes across the continent to access these resource-rich areas.

Alexander Mackenzie was the first European to traverse the land from Lake Athabasca over the formidable Rocky Mountains to reach the Pacific Coast in 1793. This act spurred American President Thomas Jefferson to order the U.S. Corps of Discovery to seek a route to the Pacific under the leadership of Meriwether Lewis and William Clark in 1805.[74] These transcontinental explorations increased competition between British and American traders to access and lay claim to these territories for their economic benefit, disregarding Indigenous sovereignty as they went.

The expedition reports by these explorers set off a competition between the Northwest Company and the American businessman Jacob Astor's Pacific Fur

[73] Fisher, Robin. *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890* (Vancouver, B.C: University of British Columbia Press, 1977).
[74] Gough, Barry M. *First Across the Continent: Sir Alexander Mackenzie* (Norman: University of Oklahoma Press, 1977).

Company to stake their claims to the rich resources within these traditional territories. In 1811, Astor's ship arrived at the mouth of the Columbia River to make their claim, and Fort Astoria was built.[75]

A war between Britain and the United States of America would break out in 1812. While primarily fought in the East, a British ship, *H.M.S. Phoebe*, would be dispatched alongside the Northwest Company's ship *Issac Todd*, under a letter-of-marque, to travel to the Columbia River and "destroy everything that is American on the N.W. Coast."[76] Unfortunately for the British, as we will see later, these ships would be delayed along their trip fighting American frigates. By the time they arrived, members of the Northwest Company had made it to the fort over land and purchased it from Astor's company, renaming it Fort George on October 16, 1813.[77]

With a cease in hostilities in 1814, a new paper war for the Columbia District would commence. Ignorant of Indigenous title, claims of sovereignty between the US and Britain would embattle the two nations for years. The *Treaty of Ghent*, signed on December 24, 1814, sought to return to *status quo ante bellum*, or as it was before the war. The US claimed that Fort George was taken during the hostilities and was, therefore, to be returned into its fold. The Northwest Company sought to protect their purchase, but there was no provision in the treaty.[78]

The ambiguity of national sovereignty over the territory surrounding the Columbia River and to the north would remain for many years. In 1818, Britain and the United

[75] Gough, Barry M., and Admiral John Anderson. *Britannia's Navy on the West Coast of North America, 1812-1914* (Victoria, Vancouver, [British Columbia], Heritage House, 2016).
[76] Ibid, 42.
[77] Ibid.
[78] Ibid.

States arrived at a joint occupation agreement that would be renewed in 1827. This agreement opened the territory for the exploitation of British and American fur traders for many years.

The Cultural Fluency and Experiences of James Douglas

Sir James Douglas would play a large part in this story, and knowing more about his life is essential to understanding the two military expeditions. Under his leadership, the colonial powers exerted their influence, and it was primarily his judgment that influenced these events, at least from the colonial side.

Figure 2. Sir James Douglas and his Metis wife Amelia. Victoria City Archives. Retrieved from Adams 2011.

It was his experience of working with various Indigenous populations for well over 30 years, his marriage to a Metis woman, and his Christian values that would chart the course of these encounters. He was a frontiersman, hardy and rugged. At the age of 37, while travelling to Fort Nisqually, his guide had been swept away crossing a river, and Douglas rushed to his aid, saving the man. Many others would not have even tried.[79]

Douglas was born in Guyana on August 15, 1803, to a Scottish father and a West Indies mother of mixed ancestry. His early life would be spent in Stabroek at the mouth

[79] Adams, *Old Square Toes and his lady: The life of James and Amelia Douglas*, 54.

of the Demerara River.[80] His father, John Douglas, would eventually return with his sons to Glasgow, Scotland, in 1812 to be educated. Douglas would eventually leave Scotland at the age of 15 on May 7, 1819, to sail for Quebec to join the Northwest Company.

From the Northwest Company's headquarters in Montreal, Douglas would begin his trek across to Fort William, a significant trading fort on the shore of Lake Superior. Douglas would spend the next year learning the duties of a clerk and accounting and came to know Dr. John McLoughlin, one of the senior Northwest Company members. However, Douglas had arrived at a time of uncertainty. The financial affairs of the Northwest Company were in disarray. Rivalry with the HBC had been costly, and the Napoleonic Wars had disrupted trade for both companies.[81]

In 1820, Douglas was sent to Île-à-la-Crosse for the next five years. The Northwest Company would merge with the HBC on March 26, 1821. Douglas would have to learn a new system of trade and accounting under this merger and would do so with distinction. George Simpson was, at the time, a senior leader in the Northern Department and under his leadership hard choices were made. Many of the employees of these two companies were cut between 1821 and 1825. Out of the 1983 employees, only 827 would remain, Douglas included.[82]

One of the reasons Douglas was kept was his evident ability to manage trade with the area's Indigenous peoples. Recognized as "a very sensible, steady young man," Douglas had impressed Chief Clerk George Keith. [83] At age 20, he was placed in

[80] Ibid, 3.
[81] Ibid, 12.
[82] Ibid, 18.
[83] Ibid, 18.

charge of a Cree post, which Douglas managed with great success. With a continual record of proficiency, Douglas was assigned a new task, and in 1825, he was sent to Fort Vermillion in northern Alberta. There, he once again distinguished himself with trade and dealing with Indigenous relations. Working in remote posts meant working with the Indigenous people on their terms and having the cultural fluency to avoid or manage conflict. These experiences would prove vital in the years to come.

Fort Vancouver and the Need to Solidify Territory

Despite the agreement of shared occupation of the Oregon territory by the British and Americans, both nations expected that the territory would eventually be divided.[84] The British wanted the border to run the 49th parallel across the Rocky Mountains and follow the Columbia River. The Americans would not accept this and wanted the border to follow the 49th strait across to the Pacific. The HBC and the British government decided to move the center of operations from Fort George (Astoria) to Fort Vancouver to solidify their claim.[85] George Simpson reasoned it was to "identify our claim to the Soil and Trade with his [Vancouver's] discovery of the River and Coast on behalf of Gt. Britain."[86] To this end, Fort Vancouver was established on the North side of the Columbia River at its confluence with the Willamette River in 1824.

Initially, the HBC was the primary commercial interest in Oregon, with minimal American influences with which to compete. This lack of American interest was partially due to the limited American naval power and political interests closer to the East

[84] Gough, Barry M. *Fortune's a River: The Collision of Empires in Northwest America* (Madeira Park, B.C: Harbour Publishing, 2007), 337.
[85] Ibid.
[86] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30*, 7

Coast.[87] The HBC's trading success increased over time, and they sought to expand their operations.

In 1825, the HBC brig *William and Ann* was sent to explore the Juan de Fuca Strait for trade and a possible fort construction location.[88] Several miles off the coast and entrance of the Fraser River, the brig encountered a group of Quw'utsun who came alongside. Among them was a formidable man Alexander McKenzie[89] described as one who "had certainly the appearance of a Chief and his manly Countenance would command respect any where, his name is Chaseaw. As usual with all Indians who have little intercourse with the Whites this one showed a good deal of diffidence and required no small solicitation to entice him on board".[90] This man was Tth'asiyetun, and it was here that the Quw'utsun peoples entered into the written historical records.

Initially, the Snohomish Chief Waskelatchee, who was acting as the interpreter on the brig, was nervous about this man. After a while, they became friendly, and Tth'asiyetun warned the crew of an impending attack, cementing the beginnings of a good relationship.[91]

[87] Gough and Anderson, *Britannia's Navy on the West Coast of North America, 1812-1914.*
[88] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30,* 10.
[89] Not to be confused with the explorer Alexander Mackenzie. Ibid, 241.
[90] Ibid, 11.
[91] Ibid, 11.

Tth'asiyetun, First Chief of the Quw'utsun

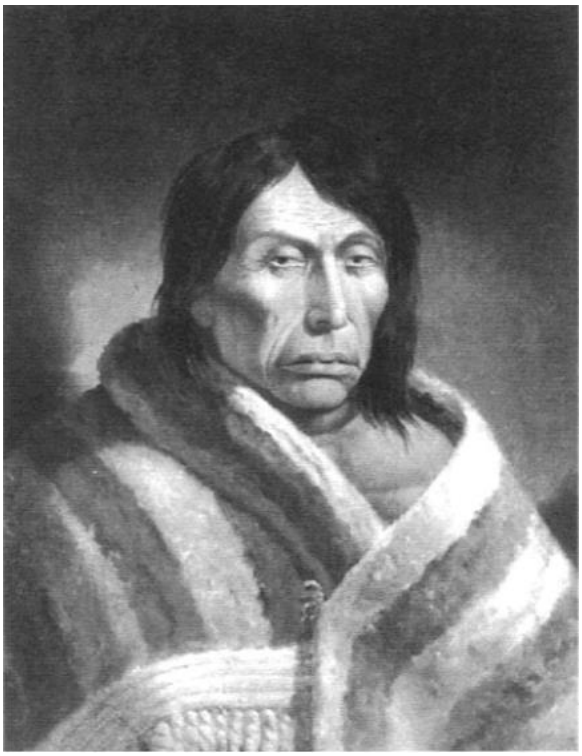

Figure 3 Shasia. Oil Painting by Paul Kane retrieved from Maclachlan 1998 229

Tth'asiyetun must have quickly concluded that there was an opportunity for himself and his people to build a good relationship with these new arrivals to his traditional territory. But who was he?

Likely born near the turn of the 19th century[92], Tth'asiyetun was the son of Qwulhutstun, the hi'wa'qw or hereditary leader of T'eet'qe' village.[93] Born when the village was located on the Koksilah and Cowichan Rivers, his father would move them to what is now known as Shingle Point on Valdes Island.[94] There, he would learn the traditional Coast

[92] Harvey George speculates that Tth'asiyetun was born between 1780 and 1790. However, it seems likely that it was closer to 1800, which would have made him about 70 years old when he passed away in 1870.
[93] George, Harvey. *Hul'q'umi'num' stories of Tth'asiyetun: The last Coast Salish warrior chief* (MA thesis. Simon Fraser University, 2018), 1.
[94] Ibid, 3.

Figure 4 image Retrieved from George 2019 citing Michelle Parent, 2019 as the source.

Salish activities of hunting and fishing and the cultural protocols he would need as the future hi'wa'qw. Tth'asiyetun would become an active and important leader among the Island Hul'q'umi'num' speakers and beyond.

Tth'asiyetun quickly established himself as an intermediary to the Company as early as 1827, not only as a trader but also assisting the fort in recovering stolen goods, providing protection and access to Fort Langley.[95] Undoubtedly, this longstanding relationship had granted him preferential access to the officers of the HBC and was important to his own status and relations among the Coast Salish. It was through these interactions that the HBC considered Tth'asiyetun to be a chief. Though the term was unknown to the Quw'utsun, he quickly stepped into this role, and others would follow. Robert Brown of the Vancouver Island Expedition would comment after hearing of the death of Tth'asiyetun that he was told by the great chief bitterly the last time he saw him that "They all call themselves chiefs now-a-days…I am the only chief."[96]

[95] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30*, 39 and 41.
[96] Brown, Robert. "The Last of the Chiefs". In *All the Year Round* (1870), 345-347.

Tth'asiyetun is thought to have had as many as thirteen wives.[97] Many wives represented wealth and broad relations throughout the Salish Sea but also incurred obligations. Access to aid, resources, or passage could be secured through these marriages, and both parties would expect that. One of his daughters would marry an HBC Officer named Ovid Allard, who was stationed in Nanaimo in 1853. Another married the son of Snatelum, the influential Coast Salish leader on Whidbey Island.[98] A third daughter is thought to have married Tomo Antoine, an important interpreter for the HBC.[99]

Through these economic, military, and diplomatic relationships, Tth'asiyetun built a fort on Valdes at Shingle Point (T'eet'q'e) that he modelled after Fort Victoria. This fort reportedly had several cannons acquired from the Russian American Company.[100] Without a doubt, Tth'asiyetun's actions and leadership guaranteed his people's relative safety and prosperity during these turbulent times. Tth'asiyetun passed away in 1870 and, therefore, must have been in his mid-to-late twenties when he first met the HBC traders on the *William and Ann*.

Fort Langley, the Expansion North, and Indigenous Entanglements

The HBC could not return to the Fraser River in 1826, as they had promised, due to the desertion of men and a lack of supplies.[101] Then, in 1827, the ship *Cadboro* was

[97] George, *Hul'q'umi'num' stories of Tth'asiyetun: The Last Coast Salish Warrior Chief.*
[98] Ritchie and Miller, Social Networks and Stratagems of Nineteenth-Century Coast Salish Leaders, Snatelum was also noted several times in the Fort Victoria Journals.
[99] Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863*. See also Van den Berk, Bart, ed. *The History of Leechtown. Part I, The VIEE and the Discovery of Gold on the Sooke and Leech Rivers* (Sooke, BC, Canada: VandenBerk-Books, 2014), 224.
[100] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30*.
[101] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30*.

sent to establish what would be known as Fort Langley. Details on this process are scant; however, oral histories indicate that the ship's crew did not know the area well and had reencountered Tth'asiyetun. Seeking his advice, he would show them a place near the Kwantlen people. [102] Their Chief, Whattlekainum (Hwatulqinum), was also Tth'asiyetun's father-in-law. This act would ensure the opportunity for Tth'asiyetun and Whattlekainum to act as trade facilitators and share in their profits- a pattern often seen among Indigenous peoples and early traders.[103]

Over the next several years, Tth'asiyetun would repeatedly prove his willingness to maintain good relations with these traders and use that to his benefit. On Saturday, June 28, 1827, visitors stole some items from the ship. Tth'asiyetun availed himself to recover the goods, and the next day, he was rewarded with a blanket and some beads for his trouble.[104]

By interjecting himself in the affairs of the European traders, he was able to build a relationship with and obtain arms and ammunition from the HBC. This enabled an alliance of Coast Salish peoples to fight off the Lekwiltok at the Battle of Maple Bay around 1840.[105]

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[102] George, *Hul'q'umi'num' stories of Tth'asiyetun: The Last Coast Salish Warrior Chief*.
[103] Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890.*
[104] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30,* 28.
[105] Angelbeck, Bill, and Eric McLay. "*The Battle at Maple Bay: The Dynamics of Coast Salish Political Organization Through Oral Histories*." *Ethnohistory* 58, no. 3 (2011), 359–392. See also Maclachlan and Suttles, *The Fort Langley Journals, 1827-30*; and Ritchie and Miller, Social Networks and Stratagems of Nineteenth-Century Coast Salish Leaders.

Conflict with the Lekwiltok and other Northern Groups

In the early days of the 18th Century, Lekwiltok and other Kwakiutl groups[106] from the north were pushing their boundary into Coast Salish territory.[107] There were undoubtedly many reasons for this, but a greater capacity to manage larger groups and access to new technologies, such as firearms traded from Europeans, gave them a distinct advantage over their southern neighbours.

In the *Fort Langley Journals 1827-30*, the authors often record the apprehension and terrors inflicted upon various Coast Salish groups by the Lekwiltok. To be clear, to the Hudson Bay traders, the Quw'utsun people were also known to conduct raids and bring warfare to other Coast Salish tribes, and oral histories record counterraids on the Lekwiltok and others.[108] There were also peaceful relations, marriages, and trading between Coast Salish groups and their northern neighbours. That said, there was a clear imbalance in the fighting and organizational capabilities between the Lekwiltok and the Coast Salish.[109]

The HBC was a commercial enterprise. When it came to hostilities between Indigenous groups, they would maintain neutrality for the most part and protect those who had camped near their forts to project the idea that they were there for peaceful

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[106] Often, groups were ascribed membership by Europeans as if they belonged to a cohesive group. While related culturally, there was no unified leadership. Individuals and groups within these groups often acted for their own reasons.
[107] Mitchell, Donald. "Changing Fortunes: Kwakiutl-Salish Frontiers of the Central Northwest Coast." In *Proceedings of the Circum-Pacific Prehistory Conference*, vol. 3 (1989), pp. 1-15.
[108] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30*. See also Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island.*
[109] Mitchell, Changing Fortunes: Kwakiutl-Salish Frontiers of the Central Northwest Coast.

trade. Killing and raiding near their forts was not accepted if it could be prevented. On March 29, 1829, a dozen or so company men were able to drive away a force of 240 Lekwiltok raiders at the mouth of the Fraser River.[110] The Royal Navy was not present to aid in these matters prior to the 1840s.

Clallam Massacre and Early HBC Conflict

This neutral stance did not hold when one of their members was attacked. The most notable example of this was the killing of Alexander McKenzie and four other men in January of 1828. McKenzie's wife, the daughter of the Chinook Chief Comcomly, was also taken but not killed.[111] On their way back to Fort Vancouver from Fort Langley, they encountered some Clallam, who had been seeking revenge for some mistreatment. [112] Company policy was stringent on expectations for maintaining relations, and it seems unlikely that this small group had offended the Clallam. However, it is possible that another group had done so, and McKenzie's group just happened to be seen as associated with the offenders.

It was Tth'asiyetun who first brought news of these killings to Fort Langley on January 13 of that year. Met with skepticism at first, it was later confirmed.[113] That June, a punitive expedition was launched under the command of the Chief Trader Alex McLeod and recorded by the clerk Frank Ermatinger. [114] It was felt that the killing of these company men could not be left without an answer.

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[110] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30,* 204
[111] Ibid, 213.
[112] Ibid, 213.
[113] Ibid, 65.
[114] Dye, Eva Emery, and Frank Ermatinger. "Earliest Expedition Against Puget Sound Indians." *The Washington Historical Quarterly* 1, no. 2 (1907), 16–29.

What started as a matter of honour would end with a massacre. Word had reached the Clallam group that an HBC expedition was coming. The Clallam then retreated to one of their villages. Other tribes would offer assistance to the Company men along their journey, attesting to the generally good relations with the HBC and the messiness of inter-tribal relations between these diverse populations.[115]

The HBC sent a message to the Clallam in hopes of negotiating the release of McKenzie's wife and coming to some compromise regarding the killing of the men, but it seems to have been rejected.[116]

The attack was recorded in detail. The group led by Mr. Yale snuck up to two lodges under cover of darkness and struck while those inside were asleep. Two families were destroyed: "three men, two or three women, a boy and a girl."[117] They did not stay long nor confirm that all were dead. They quickly struck off to meet with the other group led by Mr. McLeod. As it would turn out, the families killed were not those responsible, yet Ermatinger justified to himself that the brother-in-law was among them. [118]

The situation was not yet resolved as the woman was still being held. The expedition met up with the *Cadboro* under Captain Simpson, who had yet to secure her release. He had with him some hostages, which he planned to trade for her. It would take some time, but eventually, the ship, with the expedition on board, would arrive at a Clallam village which had been deserted. They would destroy the village with cannons

[115] Ibid.
[116] Ibid, 22.
[117] Ibid, 24.
[118] Ibid, 23-24.

and search for and find several articles belonging to Alexander McKenzie. They also found two small children, and they brought them on board.[119]

The next day, they negotiated with the Clallam through a Snohomish leader (who held the nickname Frenchman), and they secured the release of McKenzie's wife in exchange for the children. In the end, possibly twenty-five Clallam were killed, though Ermatinger doubted that count, and McKenzie's wife was recovered.[120]

This encounter was probably exceptional in what was likely one of several violent frontier conflicts in those early days with the HBC and did not involve the Royal Navy. Company policy would follow economic interests and strive to maintain peaceful relations with those they traded with; however, Company policy was also set to show a strong posture to prevent any need for such decisive actions.

James Douglas Arrives at Fort Vancouver as its Future Comes into Question

The suitability of Fort Vancouver came into question after two supply ships were wrecked on the sand bar near Cape Disappointment at the mouth of the Columbia River in 1829-1830. Governor Simpson and Chief Factor McLoughlin had conflicting ideas about the best placement for the HBC's key trading fort. Simpson wanted to explore better options for a trade hub, while McLoughlin favoured maintaining Fort Vancouver as the center.[121]

In 1830, James Douglas was transferred to Fort Vancouver to take over accounting. Several years earlier, Douglas had been identified as a vital asset for the

[119] Ibid.
[120] Ibid, 29.
[121] Adams, *Old square toes and his lady: The life of James and Amelia Douglas.*

Company by Chief Factor William Connolly and Douglas' future father-in-law, remarking in 1826 that:

> "His knowledge of the general character of Indians…added to a readiness & particular attention to his duty, qualify him in a high degree for this part of the Country where without unremitting labour & perseverance it is impossible to succeed."[122]

He would need and use these personal qualities for the rest of his life.

Commercial trade out of Fort Vancouver would continue for many more years. In 1834, Governor Simpson eventually got his way and ordered exploration for alternative ports that could act as a trade hub for HBC activities.[123] Initial efforts were unsuccessful in finding a suitable location as Governor Simpson had specific criteria he wanted to meet, particularly agricultural viability. With Chief Factor Finlayson reporting in 1836 that Port Townsend, Port Discovery, and Whidbey Island were found lacking, the steamship *Beaver* was sent to investigate the southern tip of Vancouver Island.[124] Douglas reported the favourable condition of Camosack or Victoria Harbour in 1838 and two other harbours nearby, Sooke and Esquimalt.[125]

Concurrently, British naval power increased in the Pacific when the headquarters of the Pacific station out of Valparaiso, Chile, was established in 1837.[126] The Royal Navy's increased presence on the West Coast drew even more American attention. President Jackson would send a spy to investigate British activities in Oregon. In 1837, a naval officer, William Slacum, under the guise of a traveller, reported that the HBC

[122] Adams, *Old Square Toes and his lady: The Life of James and Amelia Douglas,* 23
[123] Lamb, 4 letters Relating to the Cruise of the "Thetis," 1852-53.
[124] Ibid.
[125] Ibid.
[126] Gough and Anderson, *Britannia's Navy on the West Coast of North America, 1812-1914.*

was thwarting American settlement in the area.[127] It was becoming clear that the future stability of British control in the area would be challenged. Slacum would later suggest the Oregon Memorial be sent to the American Government in 1838,[128] and this would eventually lead to the *Bill to Organize a Territorial Government in the Oregon Territory* on February 3rd, 1845.[129]

In 1842, the decision to establish a fort at the site of Camosack was made in advance of Douglas' recommendation at the Council of the Northern Department at Norway House, Manitoba, in addition to the closure of the northern forts.[130] This timing was fortuitous for the British as, in 1843, about 1000 American settlers arrived in Oregon, swiftly changing the demographic power landscape.

Before 1843, there were fewer than 30 American families in Oregon. By 1845, another 4000 settlers, including 300 American Dragoons (mounted infantry), had arrived.[131] The accounts of Lieutenants Warre and Vavasour, two British Army Officers sent to investigate occurrences in the Pacific Northwest, detail some of the troubles and anti-British sentiments. Their report stated that "the Hudson's Bay Company [was using] the Imperial measure and the Americans the old Winchester standard."[132] What this meant was that the British were relying on legal sentiments of occupation and sovereignty while the American pioneers resorted to force by arms to secure what they wanted or needed.

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[127] Adams, *Old Square Toes and his Lady: The Life of James and Amelia Douglas.*
[128] Brosnan, The Oregon Memorial of 1838, 69.
[129] Schafer, Joseph. "Documents Relative to Warre and Vavasour's Military Reconnoissance in Oregon, 1845-6." *The Quarterly of the Oregon Historical Society* 10, no. 1(1909), 1-99, 3
[130] Adams, *Old Square Toes and his Lady: The Life of James and Amelia Douglas.*
[131] Schafer, Documents Relative to Warre and Vavasour's Military Reconnoissance in Oregon, 1845-6.
[132] Ibid, 64.

British property was at risk from the newcomers, and requests to the Royal Navy were made for support and security. Unfortunately, despite the visits of *H.M.S. America* and *Modeste* to the Columbia River over several months, which indeed showed British support, the Americans reacted to this by forming their own militia to protect their interests.[133] The visits of the British ships were not enough, and the HBC employees ended up joining a provisional government in the interest of cooperation and protection of their holdings, but this was done out of need rather than desire.[134] To add further context to the anti-British sentiment, the Oregon government of the day attempted to pass two new laws: prevention of what they called “the half-breed (sic) population” from owning property (which at that time accounted for almost all British citizens) and a tax on the Kanaka workforce (Hawaiian HBC workforce).[135]

The Oregon Treaty of 1846 sealed the fate of Fort Vancouver and Fort Victoria. The HBC was slowly losing its resources south of the 49th parallel, and the need to expand Fort Victoria's ability to sustain itself became more pressing. Incidentally, Warre and Vavasour visited the fort and reported that the Esquimalt harbour "appears to afford anchorage and protection for ships of any tonnage.”[136] This appears to be the first military observation on the suitability of the location in Coast Salish territories on Vancouver Island for the Royal Navy.

[133] Gough and Anderson, *Britannia’s Navy on the West Coast of North America, 1812-1914.*
[134] Ibid.
[135] Schafer, Documents Relative to Warre and Vavasour's Military Reconnoissance in Oregon, 1845-6.
[136] Ibid, 55.

A Disastrous War on the Cayuse

Increasing immigration by American pioneers in the Oregon territory had continued to put pressure on and bring diseases to local Indigenous groups. In 1847, Marcus and Narcissa Whitman were killed with eleven others, while 47 people were captured and taken hostage by the Cayuse people, ostensibly for a recent measles outbreak.[137] Douglas was acting as the Chief Factor of Fort Vancouver at the time and sent Peter Skene Ogden attempting to negotiate their release with goods and supplies, fearing how the Americans would react. The following year, his fears were realized, and the Americans attacked the Cayuse in 1848, setting off the Cayuse War and disrupting trade and safety.[138] This event would inform Douglas on handling conflicts with Indigenous populations for years as he would cite this event as part of his calculations several times.[139]

Fort Victoria and Intercultural Relations

While Indigenous people who lived on the South Island were initially welcoming, it did not take long before intercultural (mis)understandings and practices led to conflict. Between overtaking their camas fields and retaliating against Indigenous people for killing company livestock, relations with local Indigenous groups and the wider area were tenuous at best. [140]

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[137] Adams, *Old Square Toes and his lady: The Life of James and Amelia Douglas,* 69.
[138] Ibid.
[139] See Douglas to Molesworth 8 November 1855, CO 305:6, no. 380, 152 for one such example.
[140] Lutz, John Sutton. 2020. "Preparing Eden: Indigenous land use and European settlement on southern Vancouver Island." *Plants, Peoples and Places* (McGill-Queen's University Press, Montreal, QC, 2020), 107-130.

The first significant altercation occurred in 1844 when, after the killing of an ox, the fort, under Roderick Finlayson's direction, refused to trade with the offenders until restitution was paid.[141] Instead, the group of Quw'utsun and Lekwungen led by the (in)famous Ts'uwxilum (Tzouhalem) threatened the fort.[142] Despite the fort's successful defence and payment collection, livestock continued to be killed for many years as they trampled and fed off the local area. In 1852, a similar event led to a conflict involving the Victoria Voltigeurs[143] and the Lekwungen people, who only backed down after the deployment of the armed *Beaver* next to their village.[144]

Security was a constant issue for the fur traders, and others settled at and around the Fort. With only several hundred inhabitants, they were vastly outnumbered by the Indigenous population and intercultural conflict was dealt with by negotiation, theatrical posturing, and the threat of force. The Victoria Voltigeurs were an assembly of HBC employees responsible for defending the fort and surrounding area. It was comprised mainly of French-Canadian and Iroquois Metis, who would act as a security force when needed. These men would accompany Douglas as his personal guard during the two expeditions to Cowichan and Nanaimo.[145]

After almost 20 years working elsewhere on the Northwest Coast, James Douglas was assigned to the new Crown Colony of Vancouver Island in 1849,

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[141] Ibid.
[142] See also McKelvie, Bruce Alistair. 1949. *Tales of Conflict*. Heritage House Publishing Company. And Duff, W., 1969. The Fort Victoria Treaties. *BC Studies: The British Columbian Quarterly*, (3), pp.3-57.
[143] Voltigeurs is a word taken from French skirmishers during the Napoleonic war and was chosen to represent the local defence/police force at Fort Victoria
[144] Lutz, Preparing Eden: Indigenous land use and European settlement on southern Vancouver Island. McKelvie, B. A., and Willard Ireland. "The Victoria Voltigeurs." *British Columbia Historical Quarterly* 20 (1956), 221-239.
[145] McKelvie and Ireland, The Victoria Voltigeurs.

ostensibly as the new Governor. However, after arriving, he discovered that Richard Blanshard had been appointed instead.[146] While Blanshard did not arrive until 1850, Douglas, as the land agent for the HBC, continued to expand the colony, and in 1850, the first of the *Douglas Treaties* were signed in Victoria, Sooke, and Metchosin.[147] He would continue this dual role after Blanshard resigned in 1851.

The Crown Colony of Vancouver Island was slowly establishing itself as more than just an outpost of the HBC. The fledgling Colony still had many shortcomings. It was almost entirely populated by HBC employees, and it was struggling to make up for products that the company was losing access to from the Oregon Territory in the wake of the mass migration of American settlers into the Oregon District.

By 1850, the Oregon census listed 13294 settlers.[148] This number would continue to grow at a rapid rate. The settler population would double in 1852; by 1860, the settler population would reach 52465.

North of the Columbia River, in what would become the Washington Territory, the federal census totalled 1111 inhabitants in 1850.[149] As with Oregon, this number would rapidly increase, and by 1860, 11000 settlers had moved into the area.

By comparison, in 1856, Douglas estimated the Indigenous population within the limits of the Colony (Vancouver Island) to be 25874, while on the South coast of the

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[146] Ibid.
[147] Duff, Wilson. The Fort Victoria Treaties. *BC Studies: The British Columbian Quarterly*, 3 (1969), pp.3-57.
[148] Black, Lloyd D. “Middle Willamette Valley Population Growth.” *Oregon Historical Quarterly* 43, no. 1 (1942), 44.
[149] Mapes, Carl H. “Population Growth in the Puget Sound Region.” *Yearbook of the Association of Pacific Coast Geographers* 2 (1936), 15–18.

strait, there were about 8000.[150] The 1855 census for the Colony of Vancouver Island totaled 733 settlers in 1855, with 232 of that number located in Nanaimo.[151] With the American population growth quickly outpacing both British and Indigenous populations, there was a real threat of further annexation by the Americans. This meant that the British had to maintain control of the area and it would be up to James Douglas with the assistance of the Royal Navy.

[150] Douglas to Labouchere 20 October 1856, CO 305:7, no. 11582, 103
[151] Retrieved from an image not transcribed. Douglas to Russell 21 August 1855, CO 305:6, no. 10048, 109.

Chapter Three

Conflict Resolution and Cultural Framing

The murder of Peter Brown on November 5, 1852, has been the subject of academic attention for at least seven decades, and the focus of much of that inquiry has been on the actions of James Douglas. A shepherd working at the pasture near Christmas Hill was shot in the chest twice, and initially two Indigenous men from Cowichan were suspected. Douglas moved to apprehend the men in the name of the Queen's Law with the assistance of the Royal Navy. Douglas has been variously characterized from a brave hero who brought murderers to justice to a harbinger of colonial injustice and imperial overstep yet to come.[152] While the interpretations of this event can be presented in many ways, it is prudent to remember the preservation bias of this event.[153] A discussion of the sources for this incident follows below, with my argument being that the agency of Indigenous peoples in these histories is central to understanding how conflict is experienced and its legacies for narratives about our own positions today.

To date, writers have uniformly missed the agency and parts played by the Quw'utsun and Snuneymuxw people in these events. The writer's narratives seem to position the Indigenous population as passive recipients of colonial power. They do recognize the resistance given to this colonial power and even highlight it, yet they fail to consider how the Quw'utsun and Snuneymuxw participated in resolving this conflict

[152] See McKelvie, *Tales of Conflict* and Swanky, Tom. *The True Story of Canada's "War" of Extermination on the Pacific Plus the Tsilhqot'in and Other First Nations Resistance* (British Columbia, Canada: Dragon Heart Enterprises, 2012), for two colourful examples.
[153] That is, many details are missing that could change the story.

themselves. This may have been due to missing information, but the clues are there in the primary sources.

Conflict resolution is a culturally bound process involving judgment, consideration, and the power to carry out and enforce a resolution. Western notions of conflict resolution ideally rely on written legal structures and security forces to implement them. While this was foreign to the Indigenous population then, they did have a strong sense of justice and intricate forms of resolution. These varied among the diverse cultural groups of the Northwest Coast, and while a broad review of these are beyond the scope of this paper, my research on the conflicts in Coast Salish territories on southern Vancouver Island in this critical period of the early 1850s were very much co-shaped by Indigenous and British approaches, as well as the particular skills and outlooks of leaders involved and the various kinds of power they wielded at the time.

Conflict is also a spectrum mediated by the perceptions of those involved. It can manifest in a simple argument between two people or spiral out of control into a total war between nations. How we understand conflict, frame its occurrence, and resolve it is bound to our cultural understanding of what is right.[154] Resolving intercultural conflict requires cultural fluency.[155]

How was the conflict that followed Brown's murder resolved? How is it possible that James Douglas was able to take 150 well-armed men into Quw'utsun and Snuneymuxw territory and apprehend two suspects without any violence? This chapter

[154] LeBaron, Michelle. "Culture and Conflict." *Beyond Intractability*. Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium (University of Colorado, Boulder, July 2003).
[155] Ibid.

will answer these questions by considering who was directly involved in resolving this conflict. While describing this episode, I will highlight aspects unmentioned in many of the secondary sources that were key to its resolution. Finally, context will be added through engagement with ethnographic and ethnohistoric sources to read between the lines of the primary sources. This synthesis of available resources will provide a more nuanced understanding of this event that considers the situation's complexity.

Over the following years, the presence of the HBC steadily increased. As previously mentioned, Fort Victoria was established in 1843 to consolidate trade and as a strategic step to counter the increasing American presence on the Northwest Coast.[156] In 1849, the Crown Colony of Vancouver Island was formed to assert British sovereignty, provide commercial access, and open the area for colonization.[157] This process was left to the HBC to carry out by the British government, and it did so slowly.

A Shepherd is Killed on Christmas Hill

On November 5, 1852, Sque-is, son of Them-them-a-liked[158] from Lhumlhumuluts' (Clemclemaluts) and Siam-a-sit, son of Tche-hetum a Snuneymuxw Chief, arrived at a herding station located near Christmas Hill just north of Swan Lake.[159] Possibly two women were with them, and their arrival was not out of the

[156] Gough and Anderson, *Britannia's Navy on the West Coast of North America, 1812-1914.*
[157] Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890.*
[158] The spelling of these names is likely not even close to the actual words and are poor representations of early *colonists* who could not distinguish sounds from the Hul'q'umi'num' language. Unfortunately, it is all that remains in the records to this effect.
[159] Douglas to Pakington 11 November 1852, CO 305:3, no 933, 147; Peterson, Jan. *Black Diamond City Nanaimo, the Victorian Era*. 1st ed (Surrey, B.C: Heritage House, 2002); Smyth, Lindsay, E. Murder at Christmas Hill: Sir James Douglas and the Peter Brown Affair [Squeero and Siam-a-sit in the murder of Peter Brown]. *B.C. historical news*, 1997, Vol.30 (4), 22.

ordinary as visits to the station by the local Indigenous people were frequent.[160] Two HBC employees, James Skea and Peter Brown, worked at the station. Shortly after the arrival of the visitors, James Skea left to drive the sheep out to the pasture. Upon his return, Skea found Peter Brown's lifeless body just outside the house. He had been shot several times through the chest.

Skea must have gone for help immediately, as Douglas personally went to investigate the matter that day.[161] Douglas determined that several objects had been taken from the house (two guns, four blankets and other items), and he had found "a firebag, looking glass, wooden comb and pipe of Indian manufacture."[162] These items suggested to Douglas that both visitors were responsible. After all, it is unlikely that one person could shoot someone in the chest twice with a single shot musket and "[o]ne of those parties is well known here, having been employed as a shepherd at the station…I have no doubt we shall soon discover the real authors".[163]

Who Was Peter Brown and Where Was He From

Peter Brown was an HBC servant who arrived in 1851 from Orkney on the *Norman Morrison* during its second voyage to the colony with supplies and labourers.[164] He was part of an exodus of British subjects leaving their homes for places worldwide. Some sought opportunity, some sought to escape, and others were forced to leave. About ten million people emigrated from Great Britain between 1815 and 1914, with a

[160] Douglas to Pakington 11 November 1852, CO 305:3, no 933, 147.
[161] Beattie, Judith Hudson., and Helen M. Buss. *Undelivered Letters to Hudson's Bay Company Men on the Northwest Coast of America, 1830-57* (Vancouver: UBC Press, 2003).
[162] Ibid, 400.
[163] Ibid, 400.
[164] Ibid.

higher percentage being Scottish.[165] At the time, Fort Victoria had a population of about 300, most of whom were HBC employees, and was beginning to feel this systemic population pressure.[166]

A letter from Peter's family helps remind us that we are speaking about a person, "the only son of a respectable widow" with their own set of relations and not just a shepherd.[167] This letter, which he never received, reveals the news of families that have left for America and Australia while a lady friend talks about people who have died and others who have married. She even asks him to return and "Bee Soo Gooud as Com hom and Bee now Father to my daughter."[168]

Colonial Systems to Strengthen the British Position

The Crown Colony of Vancouver Island had been busy in 1852. The settler population within Fort Victoria was slowly growing. The discovery of gold on Haida Gwaii in 1850, and confirmed in 1851, increased tensions between British interests and American miners. The newly appointed Governor of the colony, James Douglas, was concerned that Americans would swarm up to Haida Gwaii and attempt to annex those islands as they had previously done in the Oregon territory.[169]

Requesting naval assistance from Rear-Admiral Fairfax Moresby, then the Commander-in-Chief of the Pacific Station out of Valparaiso, Chile, Douglas hoped that

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[165] Lloyd, Amy J.: "Emigration, Immigration and Migration in Nineteenth-Century Britain." *British Library Newspapers*. (Detroit: Gale, 2007).
[166] Gough and Anderson, *Britannia's Navy on the West Coast of North America, 1812-1914.*
[167] Beattie and Buss *Undelivered Letters to Hudson's Bay Company Men on the Northwest Coast of America, 1830-57*. Douglas to Pakington 11 November 1852, CO 305:3, no 933, 147.
[168] Beattie and Buss, *Undelivered Letters to Hudson's Bay Company Men on the Northwest Coast of America, 1830-57*, 399
[169] Lamb W.K. 1942. "Four letters Relating to the Cruise of the "Thetis," 1852-53. *British Columbia Historical Quarterly, Vol. VI.* No. 3.

the increased presence of warships would bolster British sovereignty and bring security to the growing colony.[170] Rear-Admiral Moresby dispatched *H.M.S. Thetis* (Captain Augustus Kuper commanding) in early 1852, which happened to have his son aboard. The then Lieutenant John Moresby would later provide the often cited and most colourful (if not romantic) description of the first naval expedition under the command of Governor James Douglas. *H.M.S. Thetis* would patrol and explore Haida Gwaii for several months, but the gold rush was short lived, so the ship returned to San Francisco in July of that year. [171]

H.M.S. Thetis returned from Sausalito Bay, San Francisco, on October 17, 1852, to spend the winter at Fort Victoria and was in the Esquimalt harbour when the shepherd Peter Brown was murdered on November 5th. This presence provided Douglas the opportunity to enforce the Queen's Law, and he immediately requested Captain Kuper's assistance.

Douglas also took this opportunity to do things differently, believing that Governor Blanshard's handling of the Newitty incident north of Fort Rupert, where three HBC deserters were killed and the suspects and their village were dealt with using an extremely heavy hand, to be a "fruitless" endeavour.[172] This time, he did not want the issue settled by resorting to the "old method of destroying canoes and bombarding and burning villages in order to secure their surrender," and "he was anxious that only the guilty men themselves should suffer."[173] Douglas hoped the "display of force, rather than

[170] Douglas to Grey 29 January 1852, CO 305:3, no. 3742, 84.
[171] Lamb 1942.
[172] Douglas to Labouchere. 24 February 1857, CO 305:8, no. 3887, 24. See also Blanshard to Grey. 19 October 1850, CO 305:2, no. 2521, 85 for brief description of this incident from Governor Blanshard.
[173] Lamb, 4- letters Relating to the Cruise of the Thetis, 190.

its use," would achieve his objective.[174] Kuper agreed to assist and conduct the mission despite the personal risk to his men.

Changing Old Policy and Respecting Intercultural Relationships

There was a risk in undertaking this expedition. There was a sense that if the murderers were not apprehended, it would invite further depredations upon the workers in the colony, both at Fort Victoria and Nanaimo. This danger, real or perceived, could lead to the same sort of wars that were being fought and continued to occur in American territory. Instead, Douglas was intent on bringing the accused to justice and gaining the confidence of the tribes with respect to the Queen's Law.[175] The only way this could happen is if violence was restrained "for reasons of public justice and policy" and not to implicate the entire tribe or act in a manner that would cause the Quw'utsun to stand together for a common cause.[176] After all, Douglas had recently worked to build a relationship with those communities personally, at least along the coast, and Tth'asiyetun had come to speak with him. Through this conference with Tth'asiyetun, Douglas was convinced that the suspect was not acting with the knowledge of his community, and it would not be good policy to threaten those with whom good relations could be maintained.

A Canoe Trip of Exploration and Relations

Earlier that summer Douglas and several others travelled by canoe from Fort Victoria up the east coast of Vancouver Island to what is now Nanaimo. They were in

[174] Ibid, 191.
[175] Douglas to Pakington 11 November 1852, CO 305:3, no 933, 147.
[176] Douglas to Pakington 11 November 1852, CO 305:3, no 933, 147.

search of a new source of coal that had been brought down to Fort Victoria by a man named Ki'et'sa'kun, whom Douglas gave the moniker "Coal Tyee."[177] During this trip, Douglas visited Quw'utsun people that he encountered along the way and found "they were extremely friendly and hospitable to our party" and that they:

> "lived in several villages, each having a distinct chief, or headman, who cannot be said to rule the community which acknowledges his supremacy, as there is no code of laws, nor do the chiefs possess the power or means of maintaining a regular government; but their personal influence is nevertheless very great with their followers."[178]

Douglas also notes that the Cowichan could muster 500 fighting men out of a population of 2100. Recognition of this trip is often overlooked in the secondary sources. By meeting with the Quw'utsun along the coast in the summer, Douglas would have had both information about and personal relations with these village leaders before the expedition.

The trip did not end in Cowichan but continued up to Nanaimo. Finding the Snuneymuxw also "very friendly and disposed to give every information we desired in regard to all matters concerning their own affairs," Douglas assessed them to be not as warlike as the Quw'utsun or as numerous.[179] Most importantly, at least to Douglas, was the immensity of the strategic coal resource there. Douglas immediately appointed Joseph William McKay, a Métis man, to take possession of the coal fields for the HBC formally.[180] McKay kept a journal of his time at Wentuhuysen Inlet (Nanaimo Bay), which began as the first entry on August 24, 1852. We will return to these journal entries

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[177] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island.*
[178] Douglas, James. "Report of a Canoe Expedition Along the East Coast of Vancouver Island." The *Journal of the Royal Geographic Society of London 24 (1854)* 245–249. 246.
[179] Ibid, 246.
[180] Peterson, *Black Diamond City Nanaimo, the Victorian Era.*

later. For now, coal is most important to discuss as it drew colonial attention to this area in the first place.

Coal: A Vital Resource for the Future of the Colony

Coal was not just a commodity but also a strategic resource. In the minutes of a letter from James Douglas to John Somerset Pakington dated 27 August 1852, which describes the canoe trip to Wentuhuysen Inlet, Herman Merivale, the permanent under-secretary in the Colonial Office, made several remarks.[181] Merivale had always held an interest in Vancouver Island. However, here he exclaimed that he did not think the government paid due attention to the importance of Vancouver Island and Haida Gwaii. Gold and coal, from the Colonial Office's point of view, were not just resources but hard currency and solid fuel. It was the coal, however, that was the most important. At that time, Vancouver Island suddenly became the only source of coal "along the long line of coast of the two Americas" and could become the "centre of the Pacific commerce."[182] Commerce was only part of that system's interest, as the mid-19th century also saw the significant use of steam vessels of war for the Royal Navy. Indeed, coal would become one of the main economic drivers of the colony for the remainder of the 19th century.

A Plea for the Royal Navy to Remain

Visits from ships of the Royal Navy to the Colony of Vancouver Island had, to this point, been sporadic. Rear-Admiral Fairfax Moresby reported in 1851 that "Victoria at present offers little encouragement to induce the visits of a Vessel of War- Neither

[181] Douglas to Pakington 27 August 1852, CO 305:3, no 10199, 134.
[182] Douglas to Pakington 27 August 1852, CO 305:3, no 10199, 134.

Vegetables nor Bread could be found."[183] Nor could it "be expected that two ships of War coming unexpectedly at the same time could procure sufficient supplies of provisions from the Company's stores."[184] American interference contributed to this lack of supply as "traffic between Vancouver's Island and Nisqually, from which cattle and sheep are brought, was stopped by the United States Custom House authorities in Oregon."[185] The colony would need to expand to supply these needs to the navy and themselves, and it was steadily doing so.

This expansion also increased friction with the Songhees people, in which cattle and sheep belonging to settlers were harvested. In one such incident in the spring of 1852, the constable and a retinue of ten men could not apprehend one of the men suspected and were embarrassingly repelled by the Songhees Village, who had taken the man in. On April 15, 1852, Douglas sent a detailed letter which explained an altercation and begged for consideration on "the advantage of stationing one of Her Majesty's Ships, employed in the Pacific, at this or the neighbouring Port of Esquimalt" whose presence might provide security as their absence "now hinders many parties from embarking capital in this Colony."[186] This tense situation was only resolved by positioning the HBS Beaver menacingly next to the village, leading to a negotiated settlement and restitution for the slain livestock.

Now that a significant source of coal had been found, the importance of this entrepot and its strategic location increased dramatically. This resource was found to be

[183] Parker to Peel 28 November 1851, CO 305:3, no. 10075, 215.
[184] Pelly to Grey 14 January 1852, CO 305:3, no. 409, 409.
[185] Ibid.
[186] Douglas to Grey 15 April 1852, CO 305:3, no. 6485, 103.

so rich that Douglas remarked how “diffused a general feeling of satisfaction in the Colony as every inhabitant naturally takes a lively interest in the success of an undertaking on which the prosperity of the country, and in a great measure, his own private interests, so much depends.”[187] News of this critical resource sent to the Colonial Secretary also contained the initial report on the murder of Peter Brown. Douglas would have to ensure the HBC employees felt safe enough to work in Fort Victoria and Nanaimo. To do this, he would have to act.

The Problem with Wind-Driven Ships and the Need for Steam Power

Immediate action could not be taken for several reasons. Douglas wanted first to be sure of which tribe the accused belonged to and sent messengers with demands to surrender them along with a reward for their apprehension and delivery.[188] Douglas then requested assistance from Captain Kuper and the crew of *H.M.S. Thetis*. However, as a sailing ship, she could not make the trip into the inner straits, and they would all have to await the return of the HBC Steamer *Beaver*[189]. In the meantime, Douglas awaited a response from his messengers.

Within a few days of sending messengers to Cowichan, they returned accompanied by Saseeah, one who “possesses the greatest degree of influence with that people.”[190] Tth’asiyetun is the person Douglas speaks of here.[191] Tth’asiyetun was a wealthy leader who maintained two village sites- T’eet’qe’ at the mouth of the

[187] Douglas to Pakington 11 November 1852, CO 305:3, no 933, 147.
[188] Beattie and Buss, *Undelivered Letters to Hudson’s Bay Company Men on the Northwest Coast of America, 1830-57*.
[189] Douglas to Pakington 9 December 1852, CO 305:3, no. 3851, 157; Moresby 1909
[190] Douglas to Pakington 11 November 1852, CO 305:3, no 933, 147.
[191] Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863,* 41. Referred to as Soseeah [Tsosieten], the Chief.

Cowichan River and another of the same name on Valdes Island not far from Nanaimo.[192] Tth'asiyetun, expressing regret and unhappiness, explained how his people "were not disposed to quarrel with the whites."[193] Douglas likely asked Tth'asiyetun to carry a dispatch up to Nanaimo.

In Nanaimo, Joseph McKay was anxiously awaiting news from Fort Victoria. Indigenous men employed to transport messages in the express canoe had arrived on November 12, 1852 and reported that "Sques say (Squeis) a Thm-thm-a-litch Cowichan accompanied by a young Nanaimo (son of Tch-whe-tun) and two others had murdered a shepherd at Christmas Hill sheep station Victoria District."[194] McKay then recorded the arrival of another set of dispatches carried to Nanaimo by the Quw'utson Chief Tsau-si-ai (likely Tth'asiyetun) that confirmed earlier reports of the murder.[195] McKay was ordered to cease the sale of ammunition immediately.[196] Word of the murder spread, and McKay records that "the Nanaimoe (sic) murderer waited on me accompanied by a party of Nanaimoe braves for the purpose of exculpating himself."[197]

Almost seven weeks would pass by before the expedition could get underway. Douglas recognized that sending a force in simple open boats would not only be dangerous in the winter weather but likely end in defeat.[198] The accused had taken refuge in their home villages, and no action could be taken "owing to the non arrival of the Hudson's Bay Steam vessel, which was needed to tow the sailing ships.[199] The

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[192] George, *Hul'q'umi'num' stories of Tth'asiyetun: The Last Coast Salish Warrior Chief.*
[193] Douglas to Pakington 11 November 1852, CO 305:3, no 933, 147.
[194] McKay Journal. 12 November 1852.
[195] McKay Journal. 17 November 1852.
[196] Gough and Anderson, *Britannia's Navy on the West Coast of North America, 1812-1914.*
[197] McKay Journal. 6 December 1852
[198] Douglas to Pakington 9 December 1852, CO 305:3, no. 3851, 157.
[199] Ibid.

Beaver had been relocating miners from the failed mines at Fort Rupert to the coal operations at Nanaimo and would not arrive in Victoria till late December.[200] McKay records that the *Beaver* did not leave Nanaimo till December 15th on its way south.[201]

The Expedition Finally Gets Underway

Finally, on January 4, 1853, James Douglas left Fort Victoria on the *Beaver* with the HBC brigantine *Recovery* in tow. Along with him were Lieutenants Sansum and Moresby, 130 men and marines from *HMS Thetis*, and 20 Voltigeurs from the settlement.[202] The expedition had to be undertaken immediately despite the terrible weather. The *Thetis* was due to leave Esquimalt, and there was no indication of when another Royal Navy ship would arrive.[203] The cold winter weather battered the flotilla as they were towed up and around the Saanich peninsula. On the 5th of January, they could not make any headway as the weather and tides worked against the ships.

On the morning of January 6, 1853, the sudden appearance of the first European ships to enter the bay caused an initial stir of action in the Hul'q'umi'num' communities in the area. However, eventually, a canoe approached the ships. Messengers were dispatched inviting the Quw'utsun leaders to a conference, hoping to settle the matter quickly. Douglas noted in his records that he had been willing to apply coercive measures if needed, though he considered that the last resort and "indeed every motive of sound policy and humanity dictate a quiet settlement of this difference."[204]

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[200] McKay Journal. 9 December 1852.
[201] McKay Journal. 15 December 1852.
[202] Lamb, 4 letters Relating to the Cruise of the "Thetis," 1852-53.
[203] Douglas, Report of a Canoe Expedition Along the East Coast of Vancouver Island.
[204] Ibid, 33.

Experiences he had gained from his days in Fort Vancouver observing the American actions, particularly the Cayuse War of 1848, informed his actions and intentions.[205]

Intercultural Mediation

There were at least three villages close to the tidal waters in Cowichan Bay. Lhumlhumuluts' (Clemclemaluts), the largest of the villages on the lower Cowichan River, was located at the junction of the south and middle tributaries.[206] The Village of T'eet'qe' (Taitka) was located to the north of Lhumlhumuluts' across the river, and the

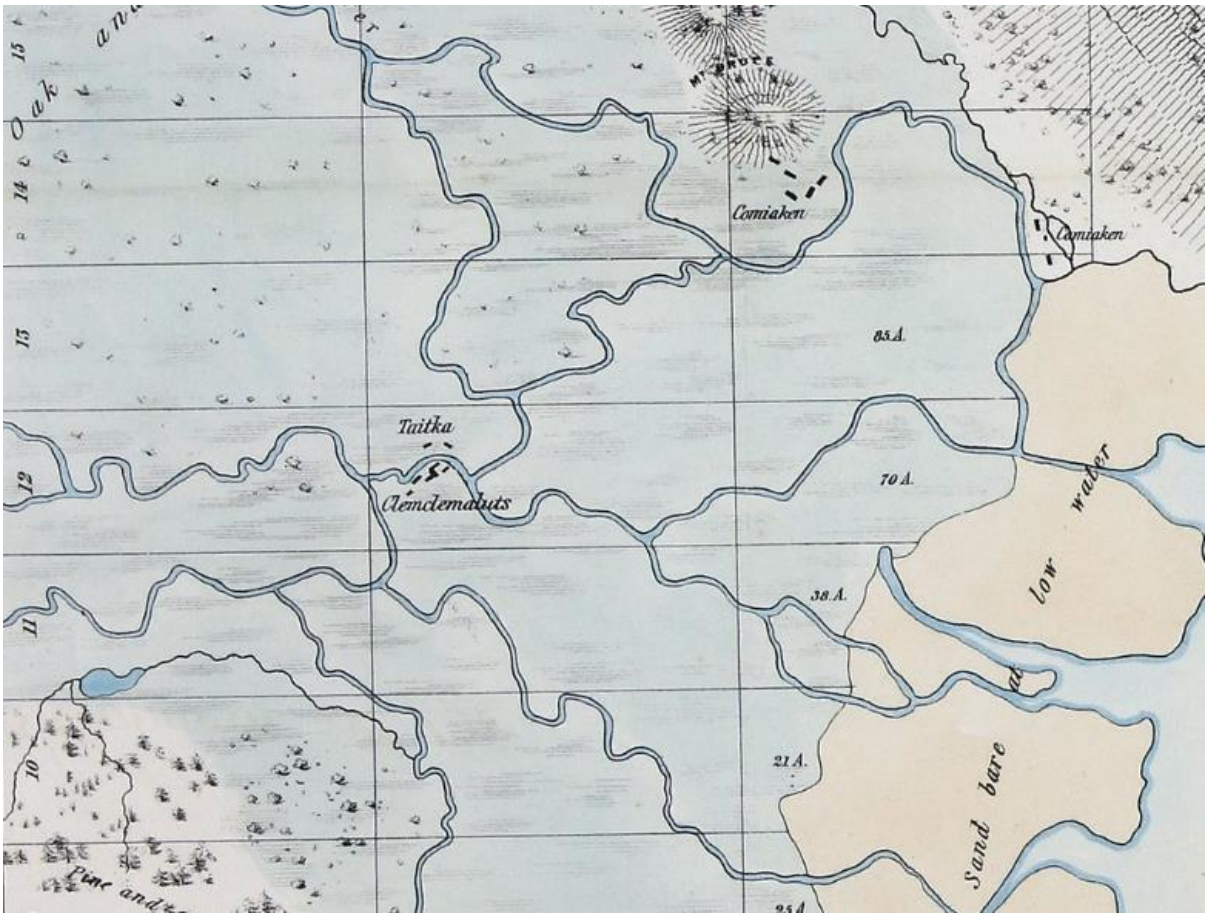

Figure 5. This map was drawn in 1859 and is cut from the original. Retrieved from https://vault.library.uvic.ca/concern/generic_works/ec6e83ae-3f60-40d1-8a8a-5595fe115d55?locale=en

[205] Douglas to Barclay 22 December 1851, CO 305:3, no. 3558, 370.
[206] Roze, Place-names of the Island Halkomelem Indian People.

village of Qwum'yiqun' was just south of Qwum'yiqun' Hill.[207] The proximity of these last two villages further supports the notion that Tth'asiyetun would have had a strong relationship with Qwum'yiqun' and Lhumlhumuluts.' This expedition was not Douglas' first visit to these villages. As mentioned previously, Douglas came to these sites earlier that summer and had strengthened relations with these leaders.

Loxe' and the Future Line of Chiefs

It is possible that another influential man responding to Douglas was Loxe' (Loxa, Lo'harr, Lohar, Lokah).[208] His name is not mentioned in any sources for this event; however, he was well-known to the Colonial Government. Loxe' was a leader of the Qwum'yiqun' at the time and is a hereditary name still prominent in certain Quw'utsun families today, including having been carried by the late Dennis Alphonse, long time Chief of Cowichan Tribes in the late 20th century.[209] He was a warrior noted in the oral histories for fighting and defending against a Bella Bella raiding party.[210] He was younger than Tth'asiyetun and was estimated to have lived between 1824 and 1899.[211] Loxe' may have been a veteran of Maple Bay, though if he did fight, he

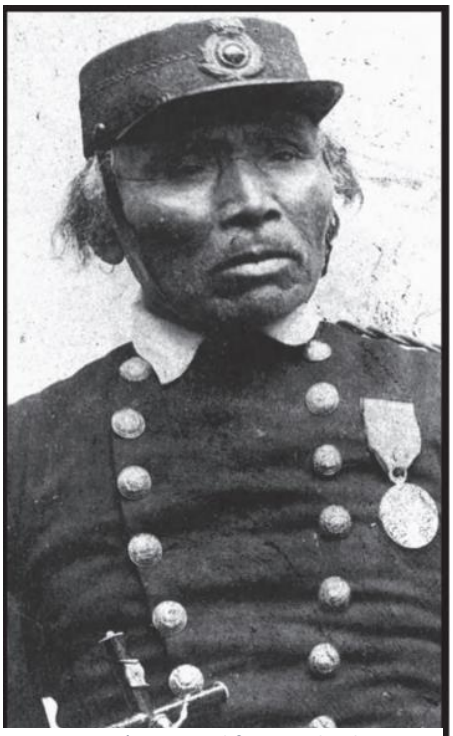

Figure 6 Loxe' Retrieved from Lackenbauer et all 2010 117

[207] Ibid.
[208] Cryer and Arnett 2007; Lackenbauer, P. Whitney, John Moses, R. Scott Sheffield, and Maxime Gohier. *A Commemorative History of Aboriginal people in the Canadian military*. National Defence, 2010.
[209] Thom, *Coast Salish Senses of Place: Dwelling, Meaning, Power, Property and Territory in the Coast Salish world*. Also, Interview with Francine Alphonse (Loxe'altenaunt)
[210] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island.*
[211] Lackenbauer et al, *A commemorative history of Aboriginal people in the Canadian military*.

would have been a young warrior. He was likely about 30 years old when this expedition took place and would have recognized Tth'asiyetun with respect as an Elder.[212] These conclusions are drawn mainly from Loxe's future activities. In 1856, three years later, he would aid James Douglas with the capture of Tathlasut for the attempted murder of Thomas Williams, which will be covered in the next chapter.[213] Eventually, he would be awarded a medal from the Governor General of Canada "for helping to prevent interracial violence" and act as a constable for the colonial government.[214] With a similar outlook on the HBC as Tth'asiyetun and living so close to him, it is entirely plausible that he would follow Tth'asiyetun's lead and learn from him.

Meeting on Qwum'yiqun' Hill

The messengers sent out to communicate with these villages on the 6th of January returned that evening with agreements made to hold a conference the following day near the mouth of the Cowichan River.[215] At 8:30 the next morning, Douglas, the marines, and the Voltigeurs left for the appointed place. Tth'asiyetun and his people were waiting on shore to receive Douglas.[216] They escorted Douglas off the soft ground to a "pretty rising oak-ground"- Qwum'yiqun' Hill.[217] A camp was set up, and Tth'asiyetun recommended that Douglas conceal some of his numbers further back from the river "as he expressed a fear that the Camegins (referencing Lhumlhumuluts') would be afraid to

[212] Speaking with Jared Williams and Harvey George, they both found this possibility interesting.
[213] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island.*
[214] Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890,* plate 9.
[215] Douglas, Private Papers of James Douglas, First Series, BCARS
[216] Ibid.
[217] Ibid, 33.

come if they saw so large a force."[218] It is likely that the people of Qwum'yiqun' were also present and associated with Tth'asiyetun. Now that Douglas and his men were set up, they awaited the people of Lhumlhumuluts' arrival.

Forty-five minutes later, the sounds of drums and chanting arose from the river. Canoes began to appear. The warriors from Lhumlhumuluts' arrived and had "a very imposing appearance as they pulled slowly towards us."[219] Kinship ties and village loyalties informed the people of Lhumlhumuluts' to protect the accused, and they came ready to fight. This encounter was not predictable to them. Had Douglas come and attacked immediately, the people of Lhumlhumuluts' would have fought back. They did charge toward Douglas and his men with frightening effects.[220] Douglas had, however, given the expedition an express order not to fire, and only the disciplined nature of the leadership and men of the Royal Navy prevented a disastrous reaction to this initial presentation.[221]

The warriors of Lhumlhumuluts' did not attack either. They must have noticed that the villages of T'eet'qe' and Qwum'yiqun' were not supporting them but standing with the Europeans. According to Moresby, they did take up positions along the hillside, on higher ground, and aimed with their guns.[222] Equal discipline and control were displayed

[218] Ibid, 33. It is unclear why Douglas referred to Lhumlhumuluts' as the Camegins, though he does refer earlier in the dispatches to this specific village. Perhaps that is how Tth'asiyetun referred to them at that point.
[219] Douglas, Private Papers of James Douglas, First Series BCARS, 34.
[220] Moresby *Two Admirals*: *Admiral of the Fleet Sir Fairfax Moresby (1786-1877) and His Son, John Moresby, a Record of Life and Service in the British Navy for a Hundred Years.*
[221] Douglas, Private Papers of James Douglas, First Series.
[222] Moresby, *Two Admirals*: *Admiral of the Fleet Sir Fairfax Moresby (1786-1877) and His Son, John Moresby, a Record of Life and Service in the British Navy for a Hundred Years.*

through the actions of the Lhumlhumuluts' warriors, who could have triggered a disaster as easily as the Royal Navy. The situation must have been tense.

Douglas, likely due to his knowledge of Coast Salish customs and protocol, had also brought several items as gifts, which he had displayed before him, signalling that he wanted to talk, not fight. Reading the situation, the Lhumlhumuluts' leader restrained his men.

Fortunately for all involved, tensions settled quickly. Moresby recounts that three chiefs then approached Douglas. Two of these people were likely Tth'asiyetun and Loxe', the third being a leader from Lhumlhumuluts.' Moresby recounts a speech given by Douglas; however, given Moresby's romantic bent and the unlikely ability of Moresby to translate Chinook Jargon, this quotation is suspect as to its accuracy. Undoubtedly, Douglas addressed those involved and explained, as best he could, the benefits of the Queen's Law.

What we do know is that Sque-is was not the son of the Lhumlhumuluts' leader, though he was still likely a person of high status, given his association with Siam-a-sit, who was the son of Chief Tche-hetum. Negotiations took place over two hours, and evidence, or at least arguments, must have been presented.[223] Much more was said than Moresby's quote, "Hearken, o chiefs…give up the murderer…or I will burn your lodges and trample out your tribes".[224]

During this time, Sque-is, son of Them-them-a-liked, was produced to give his defence in which he declared himself innocent of the charge. Douglas promised a fair

[223] Ibid.
[224] Ibid, 130.

trial as ordained by law but had “little doubt as to the part he took in the act.”[225] Douglas had little doubt as to who the guilty party was. It seems likely that it was Sque-is who had been the former employee at the sheep station that Douglas mentioned in his letter to the Company Headquarters rather than Siam-a-sit. Perhaps also, Sque-is had in his possession one of the guns or blankets stolen from the sheep station; this would indicate to others his involvement.

Given these possibilities and the probable social pressure from Tth’asiyetun and Loxe’, the leader of Lhumlhumuluts’ handed over Sque-is to Douglas. Douglas, who was culturally fluent from his long experience, concluded the encounter with gifts to those involved.[226] With this, he asserted that peaceful relations were restored between all parties involved, as was customary in Coast Salish conflict resolution.[227] This conclusion would likely have seemed suitable to everyone involved and who had witnessed the interaction.

Another critical aspect of the speech that Douglas recorded in his private journals is his promises to the Quw’utsun that day. Douglas would state that he said:

> "I informed them that the whole country was a possession of the British crown, and that Her Majesty the Queen had given me a special charge, to treat them with justice and humanity and to protect them against the violence of all foreign nations which might attempt to

[225] Douglas, Private Papers of James Douglas, First Series BCARS, 37.
[226] Adams, *Old Square Toes and his lady: The Life of James and Amelia Douglas.*
[227] Barnett, H. G. *The Coast Salish of British Columbia* (Eugene: University of Oregon, 1955).

molest them, so long as they remained at peace with the settlements."[228]

What Douglas was doing here was essentially offering the Quw'utsun people the protection of the Navy. This act was implicit in the Navy's duty to protect the Queen's citizens and the Colonial Government's claim to sovereignty. It may seem abstract now, and the Navy never had to make good on that promise; however, it is easy to imagine that an offer of protection from the Navy would have been welcome. Douglas may have meant protection from the Americans and not necessarily other tribes, but that is a distinction lost to time. Most important, though, is how much this was understood or that Douglas' claims "that the whole country was a possession of the British Crown" were accepted at that time will never be known.[229]

Quw'utsun Legal Orders and Social Obligations

While the Quw'utsun had no written code of laws, as Douglas pointed out, they certainly had a clear sense of conflict resolution.[230] Requiring restitution for an act of violence was not uncommon. Often, this could be made as payment of goods, but sometimes that was not enough.[231] The decision was ultimately up to the Siem (leader), who would have to balance the needs of their people with the demands of other parties.

[228] Douglas, Private Papers of James Douglas, First Series BCARS 34.
[229] Douglas, Private Papers of James Douglas, First Series BCARS 34. See also Egan, Brian. 2008. From Dispossession to Decolonization: Towards a Critical Indigenous Geography of Hul'qumi'num Territory. PhD Thesis. Carleton University.
[230] Douglas, Report of a Canoe Expedition Along the East Coast of Vancouver Island.
[231] Miller, B. G. "Folk Law and Contemporary Coast Salish Tribal Code." *American Indian Culture and Research Journal* 19, no. 3: (1995), 141–164.

These events were always informed by the social relations, obligations, relationship to land, and power dynamics of those involved.[232]

This conflict mediation brings up questions about the interests of those involved. Douglas' interests have already been stated and are well documented in the historical record. With allies in the community such as Tth'asiyetun and Loxe' the dynamics of this encounter would certainly be influenced in the favor of Douglas and his intentions with this mission. If Loxe' was present, I suspect he was learning from the actions of Tth'asiyetun and supporting someone he respected. Tth'asiyetun, however, is an excellent lens to look through as his extensive relations are well recorded.

From the start, Tth'asiyetun showed great interest and regret with this incident as noted by Douglas in his dispatch to Pakington.[233] According to Douglas, Tth'asiyetun "expresses the utmost regret, that such an unhappy event should have taken place, as he people are not disposed to quarrel with the whites to whom they are under so many obligations."[234] It seems he felt his trading position with the HBC was threatened since the accused was someone close to his home. Perhaps he saw an opportunity to strengthen his position by mediating this conflict. Perhaps it was due to a sense of responsibility for an occurrence within his sphere of influence. The village of T'eet'qe'[235] was located so close to Lhumlhumuluts', just across the river, it is likely that Tth'asiyetun had a personal stake in the well-being of that village. Perhaps he had close relations with their chief, and he did not want to see them drawn into conflict with the HBC,

[232] Morales, Sarah. "Locating Oneself in One's Research: Learning and Engaging with Law in the Coast Salish World." *Canadian Journal of Women and the Law* 30, no. 1: (2018), 144–167.
[233] Douglas to Pakington 11 November 1852, CO 305:3, no. 933, 147.
[234] Ibid.
[235] Rozen, Place-names of the Island Halkomelem Indian People.

especially with such an armed force behind it. These relations are not recorded, though Tth'asiyetun's close attention to this matter does indicate many possibilities. From the extent of his social relations, it is easy to see why Tth'asiyetun would involve himself. He was responsible for a great many things and very likely the main reason why Douglas was able to apprehend Sque-is peacefully.

Douglas and his expedition remained in Cowichan Bay for another day while they took on firewood. On January 9, 1853, they proceeded up the coast, past Maple Bay and what is now called Sansum narrows (named in 1858) after 1st Lieutenant Arthur Sansum, the commander of the marines and sailors on this expedition.[236] The accounts left by Douglas and Moresby differ in how the events in Nanaimo played out. It is clear, however, that this part of the expedition was less of a diplomatic success and required more coercive action.

The Expedition Travels to Snuneymuxw Territory

The change in Douglas' approach may also have been due to intelligence received from Joseph McKay, who had interacted with Siam-a-sit and knew he did not plan to give up peacefully. Douglas notes that Siam-a-sit was "regarded as a hero of the tribe" and would not be handed over.[237] This time, Douglas did not have someone like Tth'asiyetun to help negotiate and bring about the desired conclusion. However, Douglas did know that the Snuneymuxw were not "so numerous or warlike" as the Quw'utsun.[238] Perhaps all these factors played into the evolution of this event.

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[236] Walbran, *British Columbia Coast Names, 1592-1906: Their Origin and History: to Which Are Added a Few Names in Adjacent United States Territory.*
[237] Douglas to Pakington 21 January 1853, CO 305:4, no. 3852, 1.
[238] Douglas, Report of a Canoe Expedition Along the East Coast of Vancouver Island.

On January 10, 1853, messages were sent out for the accused, Siam-a-sit, to be brought to the ship, and a message was received that they would do so the following day. Douglas must have suspected something as he drew orders for Joseph McKay, along with Lieutenant Moresby, the pinnace, five marines, and the Voltigeurs in a canoe to conceal themselves near the mouth of the river and await the delegation's arrival.[239] If the suspect was not with them, two shots would be fired, and they were then to rush to the village to search for and seize Siam-a-sit if possible. McKay records in the Nanaimo journal that an "Indian [was] captured today by a reconnoiting [sic] party under command of Lieut. Moresby."[240] It is unclear whom they captured. It was not Siam-a-sit.

It seems the delegation did not arrive until the 12th of January, and they did so without Siam-a-sit but brought "a quantity of furs," attempting to reconcile the situation with payment as restitution.[241] This practice was customary in many situations; however, it was always the aggrieved party's choice to accept it.[242] Instead, they seized Tche-hetum, the father of Siam-a-sit and another important man, hoping to induce the capture and delivery of the accused. This tactic did not work, and according to Moresby, they were released having received pledges for the delivery of Siam-a-sit and fur robes given as a guarantee.[243] Once again, the agreement was not honoured, and Douglas resigned to sending a force to capture Siam-a-sit "a proceeding that may be attended with bloodshed, and I therefore consider it proper and necessary to exhaust every other

[239] Douglas, Private Papers of James Douglas, First Series BCARS, 34.
[240] McKay Journal 11 January 1853
[241] Douglas, Private Papers of James Douglas, First Series BCARS, 38.
[242] Barnett 1955.
[243] Moresby 1909.

means previous to a resort to that disagreeable alternative."[244] This action would be delayed as heavy snowfall would land on the 13th of January.

On the 13th was another development. McKay records in his journal that WunWunShin, regarded as the principal Nanaimo Chief, "promised to deliver into the hands of justice the Nanaimo murderer."[245] WunWunShin appears several times in those journals as another man of influence who seems to have positioned himself to benefit from dealings with the HBC and required payment for activities on his lands.[246] It appears he successfully captured Siam-a-sit; however, on his approach to the *Beaver* on January 14th, Siam-a-sit managed to escape and run away.[247]

[244] Douglas, Private Papers of James Douglas, First Series BCARS, 39.
[245] McKay Journal 13 January 1853.
[246] Peterson 2002.
[247] McKay Journal 14 January 1853.

Figure 7 Map of Wentuhuysen Inlet and Snuneymuxw villages. Retrieved and cut from https://vault.library.uvic.ca/concern/generic_works/51eb8a3f-1035-45db-bbad-821ecdd4a1dc?locale=de

On the 14th of January, the force was dispatched, and the first village along the Nanaimo River was taken without a defence.[248] Unfortunately, Douglas' personal diary ends there as the subsequent pages are lost to time. What remains must be gleaned

[248] Douglas, Private Papers of James Douglas, First Series BCARS.

from Moresby's account. Upon taking the village, Douglas, Sansum, and Moresby encountered an unusually large longhouse. They were invited inside and held counsel again. As Moresby recounts, the leaders and other influential men in the longhouse agreed that the accused should be apprehended, but the "young men have hidden our brother. They have taken him far away, and our eyes have not followed their track. We cannot do what we would, for the young men are strong and we are weak".[249] As mentioned before, Moresby's writing style is suspect, especially his quotes. However, it is not hard to imagine that the community leaders were willing to cooperate, and it was the young man who understandably did not wish to be caught.

It seems likely that this longhouse belonged to WunWunShin, and he hosted his guests well with salmon and other foods, much to the delight of Moresby. The following day, on January 15th, Douglas and his force moved further along the river to the location of Tche-hetum's village.[250] Taking the village, Douglas threatened to destroy it all if they continued to protect Siam-a-sit.[251] This escalation was unusual for Douglas, but he was past due to return and out of time. The village conceded to this threat, and the location of Siam-a-sit was given to be about three miles away up the coast. The pinnace was immediately detached with 16 seamen and 9 of the Voltigeurs. After a short chase, Siam-a-sit was captured at what is now called Chase River and brought to the *Beaver*.[252]

[249] Moresby, *Two Admirals*: *Admiral of the Fleet Sir Fairfax Moresby (1786-1877) and His Son, John Moresby, a Record of Life and Service in the British Navy for a Hundred Years,* 133.
[250] Ibid.
[251] Douglas to Pakington 21 January 1853, CO 305:4, no. 3852, 1.
[252] Douglas to Pakington 21 January 1853, CO 305:4, no. 3852, 1; Walbran 1971.

The trial of Sque-is and Siam-a-sit was held on the *Beaver* on January 17, 1853. Moresby recounts the outpouring of grief as Siam-a-sit's mother and wife appeared alongside the *Beaver*, begging for their release. Smyth cites that the mother asked the court to take the chief instead "as he was old and could not live long, the other was young, and one for one was Indian law," but this source could not be independently verified.[253] Dramatics aside, Sque-is and Siam-a-sit were found guilty and sentenced to death. They were executed at what is now known as Gallows Point on Newcastle Island in Nanaimo harbour, marking the first trial and execution by hanging of Indigenous men in British Columbian history.[254]

There are no records of the proceedings, and I hesitate to recount Moresby's colourful reminiscences. Though Moresby claims that the men admitted their guilt and their involvement seems straightforward, it is doubtful they truly understood what process they were caught up in. The execution "took place in the presence of the whole Nanaimo Tribe" to create an impression amongst them,[255] though it is not clear if they all canoed over to the island. Moresby's account has them "all [move] towards the woods and [vanish] slowly into the gathering gloom," which does not make sense either, considering the topography. Regardless, Douglas felt he needed to make a spectacle so that further murders would not take place and to show the miners that they would be protected.[256]

[253] Smyth, Murder at Christmas Hill: Sir James Douglas and the Peter Brown affair [Squeero and Siam-a-sit in the murder of Peter Brown].
[254] McKay Journal 17 January 1853.
[255] Douglas to Pakington 21 January 1853, CO 305:4, no. 3852, 1.
[256] Douglas to Pakington 21 January 1853, CO 305:4, no. 3852, 1.

It is interesting to note that on the day before the trial of Sque-is and Siam-a-sit and their execution on January 17th, Douglas took time to hold an audience with the miners in Nanaimo.[257] McKay records that this was to discuss wages lost from Fort Rupert on account of disobedience, but it is likely that Douglas also wanted to assure them that they were safe and to inform them of his actions to protect them. HBC employees would often refuse to work if they felt unsafe, and successful mining operations were critical to the development of the Colony.

Summary and Conclusion of the First Expedition

The murder of Peter Brown on November 5, 1852, was the first occurrence of an HBC employee being killed within the area of the fort and the first time the Queen's Law was extended beyond the immediate area of the fort to become entangled with Coast Salish legal orders on Vancouver Island.[258] Douglas knew this act was risky and had to be handled with care. The three primary reasons he took this risk were first, with the presence of *H.M.S Thetis,* he had the material and manpower to carry out the task. Second, Douglas was confident he knew the perpetrators by name, and most importantly, he had the support of Tth'asiyetun. Take away any of these conditions, and it is doubtful he could have attained what he set out to do.

Despite the many calls from Douglas for Royal Navy ships to remain near the fort, in these early years, they rarely did so. The only reason the *Thetis* was tasked to the area at all was to counter and monitor the presence of American miners heading to

[257] McKay Journal 16 January 1853.

Haida Gwaii, not for any threat from the Indigenous population. Other than minor conflicts with the HBC, relations with the local Coast Salish populations were generally positive, and the British did not seek to impose the military in these emergent connections. Entangling the Queen's law with local legal orders was rare and restricted to murders (and as we see in the next chapter attempted murders) of settlers.

The case of murder was much more than a minor disagreement and required a much stronger response from the view of the Queen's Law. Douglas knew who had committed the act. One of the offenders had previously worked at the shepherd station. He also knew the second man's name well before the expedition left, as evidenced by Douglas's letter to McKay.[259] How they knew his name is unclear. Perhaps the shepherd Skea knew the names, or that is information Tth'asiyetun brought to Douglas as Tth'asiyetun's sphere of relations also extended to the Snuneymuxw.[260]

Tth'asiyetun was a strong leader with many connections, including the HBC, and a history of resolving conflicts; given that the accused were known and Coast Salish understandings of justice, punishment for an offence such as murder was well within reason. McKay's Nanaimo journals have many instances of Indigenous people killing each other in retaliation for offences. One such killing was apparently sanctioned by Tth'asiyetun, as his nephew killed a man and took his wife and child prisoner after visiting the Snuneymuxw.[261] Managing the conflict between the HBC and the people of

[259] McKay Journal 12 November 1852
[260] McKay Journal September 17, 1852. "Tsau si ai the Cowichin Chief."
[261] Ibid. See McKay Letters 20 September 1852 and 30 September 1852 for the correspondence between Douglas and McKay on this incident.

Lhumlhumuluts and understanding Douglas' demands for justice would have made sense, possibly even expected.

Undoubtedly, the sailors' and marines' excellent leadership and discipline contributed, but it is more likely that the deciding factor was the help of Tth'asiyetun's intervention with his influence. This aspect had never been explored in any meaningful way. The recorded actions of Tth'asiyetun (previously) and Loxe' (future activities) support the thesis that these men were more than superficial observers.

How the coal mines in Nanaimo fit into this story is more of a side note. Would Douglas have carried out this expedition if the coal had not been found in Nanaimo? Though that question cannot be answered, I argue that the three reasons above enabled the expedition. Coal was a vital resource, and it is brought in here as it was mentioned repeatedly in the Colonial Dispatches. The strategic and economic value of coal to the Colony and the Royal Navy cannot be overstated. As mentioned before, fully one-third of the population of the Colony by 1855 was in support of that resource extraction. While never stated as influencing this expedition, the scale of this operation speaks to its importance.

The events in Nanaimo proved to be more complex and time-consuming, likely due to the loss of assistance from Tth'asiyetun. What is neglected from all other narratives of this incident, including the primary sources, is the presence of HBC company men in Nanaimo and pre-existing relations with the Snuneymuxw. Indeed, this would be a factor in the undertaking and conclusion of this expedition. It appears that the Snuneymuxw leader Wunwunshin did play some role, but the only records are those hinted at in Joseph McKay's journals.

Adding these details to the events' narrative changes how we see them. Unlike black-and-white stories of heroic justice or colonial oppression, we can see how leaders from different cultural communities worked together to resolve a conflict that could have escalated into much more.

Two final points must be mentioned in concluding this chapter. These details repeated by some sources as important during these events strike me as inconsistent with how I have come to understand the histories. I will spend a few lines addressing why we should rethink them.

First is the accusation that Peter Brown was killed in retaliation for insulting the women who accompanied them. Moresby notes this as being the reason for his killing, and this has been cited and repeated in several narratives.[262] The issue with these elaborations by Moresby and others who have read him is that they ignore and contradict a crucial point that Moresby makes just a few pages on in the same recollection: that “the [women] were not there with them at the time.”[263] Perhaps the men lied to protect their women, fearing they may also be accused. Douglas does mention the presence of two women in his letter to Capt Kuper, just as the initial report from Moresby, however not further mention is made by Douglas.[264] This contradiction was why I chose to stick to the primary sources, holding Moresby cautiously and verifying other secondary narratives that build from this troublesome source.

[262] See Arnett 1999 and the particularly biased Swanky 2012
[263] Moresby, *Two Admirals*: *Admiral of the Fleet Sir Fairfax Moresby (1786-1877) and His Son, John Moresby, a Record of Life and Service in the British Navy for a Hundred Years*, 135
[264] Letter enclosed with Douglas to Pakington 11 November 1852, CO 395:3, no. 933, 147.

The second important point to mention is that, in some Quw'utsun oral histories and the social imagination,[265] is that the murderer was not handed over but rather a *Skwuyuth*, the Hul'q'umi'num' word for slave. While challenging to verify today, it is one interpretation of the name written by the British as Sque-is.[266] It is recognized that a slave could be considered a proper payment as restitution for an offence, and this may be what happened. However, James Douglas stated he knew the person who worked at the station, and as mentioned before, it is unlikely it was Siam-a-sit, the son of a Chief, who was the labourer.

[265] Norcross, *The Warm Land*, 15. The author suggests that Tathlasut was replaced with a slave. These stories have blended in some details through secondary sources.
[266] Marshall, *Those Who Fell from the Sky: A History of the Cowichan Peoples,* 99-100.

Chapter Four

1853-1856 Movement and Conflict

After the arrests and executions of Siam-a-sit and Sque-is, relations between the colonial government and the Quw'utsun peoples reached a state of normalcy that would last for several years. Development of the coal fields in Nanaimo would continue to grow, as would the presence of Fort Victoria, the HBC, and the Royal Navy. New issues would demand attention from James Douglas and his Colonial Government between 1853 and 1856.

Reviewing the historical sources detailed below, I identify four vital issues that would become prevalent over the next few years. Tasked with the security of the Colony, Douglas would constantly court the British authorities to establish a permanent military presence out of the Esquimalt harbour, and this need would be substantiated by other pressing issues that the Colony faced. American expansionism would continue to challenge Indigenous and British interests as more and more settlers arrived on the Northwest Coast, pushing into the Puget Sound and the San Juan Islands. Between March 1854 and February 1856, hostilities broke out between Russia and an alliance involving France, Britain, and the Ottoman Empire in what became known as the Crimean War.[267] While far removed from this war, Russia did have a presence in the North Pacific, and Britain launched several punitive expeditions against ports such as Petropavlovsk on the Kamchatka Peninsula.[268] The last issue was the changing

[267] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*.
[268] Gough and Anderson, *Britannia's Navy on the West Coast of North America, 1812-1914.*

movement patterns of Indigenous populations. Sometime after gold was discovered in Haida Gwaii, the Haida and other tribes from as far as Alaska began to travel down the inner straits and into the Salish Sea. Slowly at first, they would eventually arrive in the thousands, often raiding Indigenous villages and American settler communities that they determined to be opportunistic. Each of these issues will be discussed briefly as they are essential factors in understanding the perspectives of James Douglas and possibly why he handled things the way he did.

From the early days of the settlement the harbour in Esquimalt was noted as perfectly suitable for ships of war to take refuge from the open ocean.[269] While there was a desire for soldiers on the ground, the costs of maintaining such a force would be incumbent upon the HBC.[270] Douglas always felt the cost would not meet the actual requirement, and so the policing of the colony would fall to the Voltigeurs.[271] That said, if he could convince the Royal Navy to be present, he would have their power to project authority at his disposal, and the Admiralty would pay for the costs. In addition, the Colony could profit from supplying the Royal Navy with its materials for repair and sustenance, thus adding to its capital capacity.[272] To this end, Douglas suggested that a naval supply station be built in Esquimalt on 20 acres he had set aside for that purpose.[273] This idea would be rejected at first.[274]

[269] Schafer, Documents Relative to Warre and Vavasour's Military Reconnoissance in Oregon, 1845-6.
[270] McKelvie and Ireland, The Victoria Voltigeurs.
[271] Ibid.
[272] Douglas to Grey 3 October 1854, CO 305:5, no. 10700, 116.
[273] Douglas to Pelham-Clinton 28 February 1854, CO 305:5, no. 4064, 33.
[274] Douglas to Grey 3 October 1854, CO 305:5, no. 10700, 116.

In the early 1850s, the American presence in Puget Sound increased. As the Americans consolidated their territory at the expense of the local Indigenous populations, several 'Indian Wars' would break out, causing misery and destruction for both sides. Douglas was familiar with how the American settlers would occupy these lands, having firsthand felt it during his time in Fort Vancouver. On November 8, 1855, Douglas reported he was pleased that the relations on Vancouver Island would produce a peaceful and quiet environment in which to be productive. Nevertheless, he would lament "the deplorable state of American Oregon, which is now involved in a disastrous war, with the native Tribes of that country, who appear to be animated with a rancorous hatred of American domination."[275]

Douglas would further state:

> "I am of opinion that there must have been some great mismanagement on the part of the American authorities, or it is hardly credible that the natives of Oregon, whose character has been softened and improved by 50 years of commercial intercourse with the establishments of the Hudson's Bay Company, would otherwise exhibit so determined a spirit of hostility against any white people".[276]

Douglas is showing here his determination to, at least from his perspective, herald the mutual benefits of entangled legal orders rather than an all-out effort to dominate, benefiting both the British and local Indigenous peoples with the advantages of peaceful relations and trade.

Responding to this letter, Henry Labouchere, the Secretary of State for the Colonies, would comment:

[275] Douglas to Molesworth 8 November 1855, CO 305:6, no. 380, 152.
[276] Ibid.

> “In the vast extent of territory with which the H.B.Co. have to deal, not one case of serious hostile collision with the native races has become known to this department in my time. On the other hand, the opposite side of the geographical line, which politically divides their territory from that of the US has been the scene of constant wars, massacres, & violence- not in Oregon only, but on the Eastern side of the Rocky Mountains also. The discipline & uniformity of action which the system of close corporation enforces seem to constitute the only means of maintaining peaceful relations between Europeans & natives for any length of time. This being so, it seems a little hard that they should be drawn, by calls for their assistance, into the quarrels of their Yankee neighbours, in which one can have little doubt that the Yankees are really the aggressors.”[277]

This quote highlights the contrasting positions and methods employed by these colonizing agencies and how much of a difference these made in the relationships and their development with the Indigenous populations. Yet, the consequences of the American actions would worry James Douglas as he felt they could easily spill over what was an imaginary border to Coast Salish peoples and cause issues via the kinship ties of the Coast Salish people.[278] Douglas would have to choose between helping fellow Christians and agitating relations within the Colony or letting them fend for themselves and hope that victory over the Americans would not lead to attacks upon the British if they fell. In the end, Douglas chose to help the Americans, hoping that the reputation and respect for the HBC would be enough to reduce hostilities.[279]

Despite the assistance the Colonial Government of James Douglas provided the Americans, they continued pushing their hand against the British. The Americans would impose heavy tariffs on British goods, stifling the economic development of Fort Victoria. They would send tax collectors to the British-owned farms and fisheries on San Juan

[277] Ibid. In minutes.
[278] Miller, B.G., The" really real" border and the divided Salish community. *BC Studies: The British Columbian Quarterly*, 112 (1996), 63-79.
[279] Ibid.

Island, which they claimed as theirs and appropriated British property on that principle.[280] Without any military support, the Douglas could only delay and object to the steps taken by the Americans while requesting political solutions be made by the British to ensure the continued survival of the Colony.

In March of 1854, Britain and France joined the Crimean War, providing more challenges and threats to the Colony. While these threats would never materialize, they would still have a long-standing effect on the Colony. It was during the threat of a possible Russian attack that Douglas pushed for the development of a Naval station in Esquimalt. Rejected at first, the plans would gain approval in September of 1855 for constructing a storehouse and hospital after the failed attack on Petropavlovsk in late August 1854.[281]

Following the fateful attack on Petropavlovsk by the British in which Rear-Admiral Price had shot himself in despair, the fleet would return to Esquimalt on October 3, 1854, for repairs and refreshments but lacked needed hospital facilities.[282] Over 209 casualties had been taken in the attack.[283] However, the wounded had to wait almost two weeks in Esquimalt Harbour before the fleet could continue to San Francisco, undoubtedly losing more men along the way.

Rear-Admiral Bruce would assume Command of the Pacific Station and commenced a plan to revisit Petropavlovsk in July of 1856, asking that the facilities be ready for his return. The construction of these Naval stores and a hospital would ensure

[280] Douglas to Pelham-Clinton 17 May 1854, CO 305:5, no. 6359, 81.
[281] Gough and Anderson, *Britannia's Navy on the West Coast of North America, 1812-1914.*
[282] Ibid, 153.
[283] Ibid, 152.

a more continuous presence of British Warships on the southern tip of Vancouver Island in the future.

Finally, there was a significant change in the movements of Northern Tribes such as the Haida, Tlingit, and Tsimshian.[284] While it is difficult to ascertain how early these groups started to come so far south, there was increased traffic to Haida Gwaii by the HBC and American miners after discovering gold in 1851. Undoubtedly, the Haida were made aware of Fort Victoria, and at some point, they decided to visit the Fort themselves, and economic opportunities drew them down in more significant numbers.

The term economic opportunities should be used loosely, though it does cover the activities in which these groups involved themselves. Raiding, slave-taking, and even mercenary work would occupy one part of the spectrum, while on the other hand, some would come for trade and labour for hire.[285]

The northerners arrived in relatively small numbers in 1853. However, in the summer of 1854, over 2000 Tsimshian and Tlingit arrived at Fort Victoria and were angry due to the murder of one of their leaders at Fort Nisqually. The following year, 2000 more Haida arrived in the area. [286] They would arrive in the spring and leave in the late summer. Along their travels, they would live off the land, much like European armies, collecting fresh supplies and taking targets they felt opportune.

It is not easy to summarize such complex circumstances over several years. However, one example taken from the Colonial Dispatches is striking. On 20 August

[284] Assuming the HBC could properly identify these groups.
[285] Wadewitz, Lissa K. “Rethinking the ‘Indian War’: Northern Indians and Intra-Native Politics in the Western Canada-U.S. Borderlands.” The Western Historical Quarterly 50, no. 4: (2019), 339–361.
[286] Douglas to Russel 21 August 1855, CO 305:6, no. 10048, 109.

1856, James Douglas reported to Henry Labouchere that “a gang of Queen Charlotte Islanders, who had been several months resident here,” had “attacked and nearly destroyed a native “Cowegin” [Hul’q’umi’num’] village situated about 50 miles north of this place”.[287] The men had been killed, and the women and children were taken.

The Hul’q’umi’num’ communities, which were often all marked as Cowichan, have within their oral histories a story found in Beryl Cryer’s collection titled “Last fight of the Tl’eeltxw,”[288] which was thought to be on what we call Gabriola Island and is about 50 miles north of Victoria. Though many of the stories Beryl Cryer recorded recall events from the 1850s, we cannot be sure. The story tells of the Tl’eeltxw village being surprised by the Yukw’ulhta’x, who outnumbered the people from Tl’eeltxw, who were Hul’q’umi’num’ speakers, three to one. The people at Tl’eeltxw fought bravely, but it was a lost cause. This event would stir the anger of the Qwu’utsun so much that every village sent three or four canoes full of warriors to punish the Yukw’ulhta’x.[289]

In the Colonial records, James Douglas noted that there were still some 300 Northern Indians camped out near the Fort. Armed warriors from Quw’utsun arrived in a large force at Fort Victoria to attack the remaining northerners. According to Douglas, they restrained themselves due to “their respect for Her Majesty’s Government, and the dread of giving us offence.”[290]

This situation put Douglas in a difficult spot. He could not allow the Quw’utsun warriors to attack those that remained. They were not the ones responsible for the

[287] Douglas to Labouchere 20 August 1856, CO 305:7, no. 9708, 82.
[288] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul’q’umi’num’ Coast Salish of Kuper Island and Vancouver Island*, 208.
[289] Ibid, 210
[290] Douglas to Labouchere 20 August 1856, CO 305:7, no. 9708, 82.

attack, though the Quw'utsun warriors saw them as valid targets. Douglas feared he could not let them leave in such a large number as they might, in their agitated state, "commit numberless depredations on the less powerful native Tribes of Vancouver Island, who might be surprised and cut off in detail."[291]

To solve this problem, Douglas decided to have the HBC Steamer *Otter* escort the 300 northerners in 15 large canoes as far as the river de Grullas (possibly the Englishman River), about 150 miles to the north, which appeared to satisfy both the Quw'utsun and the northerners.[292]

Just a few days later, Rear-Admiral Bruce would arrive in port on *H.M.S*. *Monarch*, followed the next day by Captain Houstoun on *H.M.S. Trincomalee* with *H.M.S*. *Alarm* and *Brisk* to arrive several days later. These ships were returning after the end of the Crimean War and stopped at Fort Victoria for supplies and rest. Due to the recent issues at the fort, Rear-Admiral Bruce prolonged his stay until the first week of September to protect the Colony.

The arrival of these ships would have fateful consequences, for on 22 August 1856, Thomas Williams would be brought to the fort in what was thought to be "a fatally wounded state."[293] Identified as a squatter with no legal claim to the land they lived on, this man had been residing in the upper Cowichan District, possibly near Qwum'yiqun'.[294] Citing the need to protect settlers, even irregular ones, for the security

[291] Ibid.
[292] Ibid.
[293] Douglas to Labouchere 22 August 1856, CO 305:7, no. 9709, 92.
[294] Later, Tathlasut would be hanged near where the crime took place: close to Qwum'yiqun' Hill. Perhaps it was someone from Qwum'yiqun' who brought him to the fort.

of all, the shooting of Thomas Williams would trigger a second expedition into the Cowichan Valley supported by the Royal Navy.[295]

On the 22nd of August 1856, James Douglas reported to the Secretary of State for the Colonies, Henry Labouchere, that a "British Subject" by the name of Thomas Williams, had been shot through the arm and chest by Tathlasut, a S'amunu man of high standing. This event would have serious consequences for both Tathlasut and the Quw'utsun peoples.[296]

Conflicting and Incomplete Sources

There are few primary sources for information available on what transpired during this second expedition up to the Cowichan Valley. Once again, the Colonial Dispatches provide much of the detail as Douglas describes his actions and rationale to the Secretary of State for the Colonies. This information includes a report on the day of Thomas Williams' arrival at the fort on 22 August 1856,[297] a second report written on 6 September 1856, the day Douglas returned, and mention in the 20 October 1856 dispatch reporting on the general situation of the Indigenous populations within the limits of the Colony. While tailored for the Colonial Secretary, these three dispatches provide the colonial perspective and Douglas' description of the situation.

The second primary source is a diary entry of Lieutenant Palmer of the Royal Navy, which he wrote while encamped upon Qwum'yiqun' Hill. From this source, we can get a sense of what it was like for the Officers and men as they carried out their orders

[295] Douglas to Labouchere 22 August 1856, CO 305:7, no. 9709, 92.
[296] Ibid.
[297] Douglas to Labouchere 22 August 1856, CO 305:7, no. 9709, 92.

and their feelings about what they were doing. Unfortunately, this entry is incomplete and ends before Tathlasut was captured; however, it is still valuable for its insight into the cultural differences these men encountered and how they felt about it.

The last primary source available is the oral story shared with Beryl Cryer by the daughter of Loxe', Stockl-Whut (also known as Kathleen).[298] This story was recorded at Stockl-Whut's home on Qwum'yiqun' Hill, near where the Stone Church was built. Here, the story is told from a daughter's perspective, offering insight into Loxe's feelings at the time and afterwards. While Stockl-Whut's story contradicts that of William John Macdonald, as recorded in Walbran's description of Macdonald Point,[299] Macdonald's reminiscence is suspect. Though he was the Captain of the Voltigeurs at the time, he appears to have embellished his memories much as Admiral Moresby did, and his memories are confused in his book.

There are several secondary sources which tackle this event and do so well. Barry M. Gough's *Gunboat Frontier: Britain Maritime Authority and Northwest Coast Indians, 1846-90* uses several primary sources unavailable to the present author; however, these include statements and descriptions of people not present and who were repeating what they were told. [300] Chris Arnett's *The Terror of the Coast: Land Alienation and Colonial War on Vancouver Island and the Gulf Islands*, 1849-1863, included interviews and conversations with knowledgeable and experienced Qwu'utsun

[298] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island*, 162.
[299] Walbran, *British Columbia Coast Names, 1592-1906: Their Origin and History: to Which Are Added a Few Names in Adjacent United States Territory,* 310.
[300] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*.

members, including Loxe' (Dennis Alphonse) and was the first time Indigenous voices were included in the narrative.[301]

Each of these has its distinctive tone; Gough concentrates on the use of power by the Royal Navy to force the capture of Tathlasut and credits Captain Houstoun with personally seizing him.[302] Arnett focuses on the oppressive nature of the event and relies on Stockl-Whut's account, which states that it was Loxe' who captured Tathlasut.[303] Given these contradictory accounts, among others,[304] I decided to describe this event through primary sources in conjunction with inference from ethnographic sources to add context as a meeting of cultural understandings rather than rehashing what others have said.

Squatters in the Valley

Shortly before the 22nd of August, Tathlasut, a young man from S'amunu (Somenos), had taken it upon himself to punish a foreigner who had interfered with the woman promised to him as a wife. Thomas Williams was not necessarily a welcomed visitor in Quw'utsun territory.[305] He had been an employee at Craigflower Farm several years previously; however, sometime before this incident, he had left and travelled up to the Cowichan Valley, probably with John Humphreys, with whom he had worked the farm. John Humphreys would later be recognized as the first white settler, marry a

[301] Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863.*
[302] Also see Walbran, *British Columbia Coast Names, 1592-1906: Their Origin and History: to Which Are Added a Few Names in Adjacent United States Territory,* 310.
[303] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island,* 164.
[304] Lambert, Andrew D. *Trincomalee: The Last of Nelson's Frigates* (US Naval Institute Press, 2002), 99.
[305] Oral history cited in Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863*, Chapter 3 August Jack states he was unliked.

Quw'utsun woman, and integrate himself well into the community.[306] Unfortunately, Thomas Williams transgressed cultural expectations as far as Tathlasut was concerned.

Though it seems clear that Tathlasut did try to kill Thomas Williams, and the wound was severe, Williams did not die. He apparently had friends nearby as his wounds were patched by a medicine man with cedar bark, and he survived transportation down to Fort Victoria.[307]

Thomas Williams was not the first nor the last settler to be attacked by Indigenous people for a transgression into their lands; however, the accused was often unknown. However, in this case, likely due to the 'friends' who brought Williams to Fort Victoria, Tathlasut was immediately identified as responsible.

Tathlasut, it would later be stated, "felt assured of escaping with impunity."[308] While this statement from Douglas seems to position Tathlasut as a knowing criminal, it is unlikely that was the case. Whether or not the punishment Tathlasut carried out was consistent with customary practices for such a transgression,[309] he evidently felt it was right and had no reason to believe that it would lead to the outcome it did. Had the Royal Navy not recently arrived, the colonial authority of Fort Victoria would not have been capable of responding and never had Europeans been so far inland into Quw'utsun territory.[310] It is not unreasonable to think that Tathlasut likely felt assured of

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[306] Norcross, *The Warm Land,* 1.
[307] Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863,* Chapter 3.
[308] Douglas to Labouchere 24 February 1857, CO 305:8, no. 3887, 24.
[309] As suggested by Hamar Foster. "'The Queen's Law Is Better Than Yours': International Homicide in Early British Columbia," In Jim Phillips et al. eds. *Essays in the History of Canadian Law: Crime and Criminal Justice* (Toronto: University of Toronto Press, 1994), pp. 63-66.
[310] All contact had been restricted to near the shore up to this point. Given the reports made after the incident and the surprise of the fertile ground inland, at least no official reports had been made prior.

his choice, either ethically or practically, as a village leader and likely had the support of his local family group.

The Expedition makes way.

Douglas, in his dispatch reporting the incident, described his plan.[311] Acknowledging that Williams had no right to live in the Cowichan District, he also stated that "it is essential for the security of all, that those persons should be protected."[312] First, he would demand that Tathlasut be surrendered. If that did not succeed, he would ask the recently arrived Rear-Admiral Bruce to support, with a large force of men, an expedition into Quw'utsun territory to apprehend him.

The Royal Navy had an obligation to carry out justice in a case like this, where the accused was identified and the victim was a British citizen. The Colony of Vancouver Island's legal institutions were not well established then, and Douglas could not bring Tathlasut to justice under the Queen's Law without the Royal Navy's assistance.

On 30 August 1856, the Hudson Bay Steamer *Otter* began to tow *H.M.S. Trincomalee*, Captain Wallace Houstoun commanding, up to Cowichan Bay. The wind-powered ships of the Royal Navy could not navigate the narrow straits and fast tides, and a coal-powered steamship had to assist. Rear-Admiral Bruce had detached 437 sailors and two twelve-pound guns to assist Douglas and his 18 Voltigeurs under

[311] Douglas to Labouchere 22 August 1856, CO 305:7, no. 9709, 92.
[312] Ibid.

Captain William MacDonald.[313] They would arrive and anchor at 6 pm that night under a 5-knot tow from the improved steamer.

H.M.S. Trincomalee Arrives

Upon their arrival, some Quw'ustun came alongside the ship to speak with the expedition and "professed great friendship."[314] They had been expected as Douglas had sent word about his intention, though it is unlikely such a large force was expected. Never had so many of King George's men been in the area. It is likely that Loxe' was among those who went out to meet the ship. The expedition would have looked to speak with a leader, and it seems Loxe' would step up. Loxe' was probably in his mid-thirties at this time, perhaps younger, but he was a warrior and leader. Having lived and learned from the examples of Tth'asiyetun, he would prove to be a capable leader for many years to come.

The following day at high tide, about 1 pm, they would land the force and march up to Qwum'yiqun' Hill, which, at the time, had a clear view all around. Today, the land surrounding Qwum'yiqun' Hill (which is where Stone Church now stands) is overgrown with trees and bushes. However, historically, the Quw'utsun people purposely cleared the land to provide early warning of invaders from the sea.[315] It was a duty to keep it clear so that things could be seen from great distances and give plenty of warning. This

[313] Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863*, though Lt Palmer's diary states 423 officers and men
[314] Palmer, Lieutenant George Palmer's Diary.
[315] Personal Communication, Jared Williams

open land would prove to aid the expedition as well. Lt Palmer noted, “This hill commanded the whole county with gunshot.”[316]

That night, the men of the Royal Navy stood on edge. While they were experienced men who had seen combat at sea, they were out of their environment and in the land of the Quw’utsun people. They stood sentry with apprehension. Lt Palmer “kept a sharp lookout for any lurking Indians.”[317] At 2 am, there was a challenge with no reply. The camp, including Douglas and several officers, arose to investigate, but it was only a dog. The bemused Palmer remarks, “Lo and behold it was [a dog]; this was our first adventure.”[318]

They would wake early at 4:30 am to carry out the morning routine and be ready for inspection at 8:30 under a light rain. They would stay for the day on Qwum’yiqun’ Hill, which they would call Mount Bruce in honour of the Rear-Admiral.[319] The village of Qwum’yiqun’ was not on top of the hill; it was all along the sides and base.[320] It is possible that this expedition set up camp on top of a Camas field, which would have been clear and inviting to the expedition and essential to the people of Qwum’yiqun’.[321] Lt Palmer does not mention any Quw’utsun people near the camp, but Loxe’s village was close, and the expedition must have been quite the spectacle for them to behold with so many men and several large guns emplaced.

[316] Palmer, Lieutenant George Palmer’s Diary.
[317] Ibid.
[318] Ibid.
[319] See figure 4.
[320] Personal Communication, Jared Williams
[321] Palmer, Lieutenant George Palmer’s Diary.

Douglas sent messengers out to S'amunu to demand that Tathlasut be brought to the camp, so they waited for a response that would come the next day. "Two of the chiefs" came the next morning to say that they could not "give the man up."[322] He still had support from friends who would not allow it, but the leaders who spoke with Douglas desired to keep things peaceful. No names are given in any of the accounts regarding who these two men are, but Loxe' may have been one of them.

The March Inland

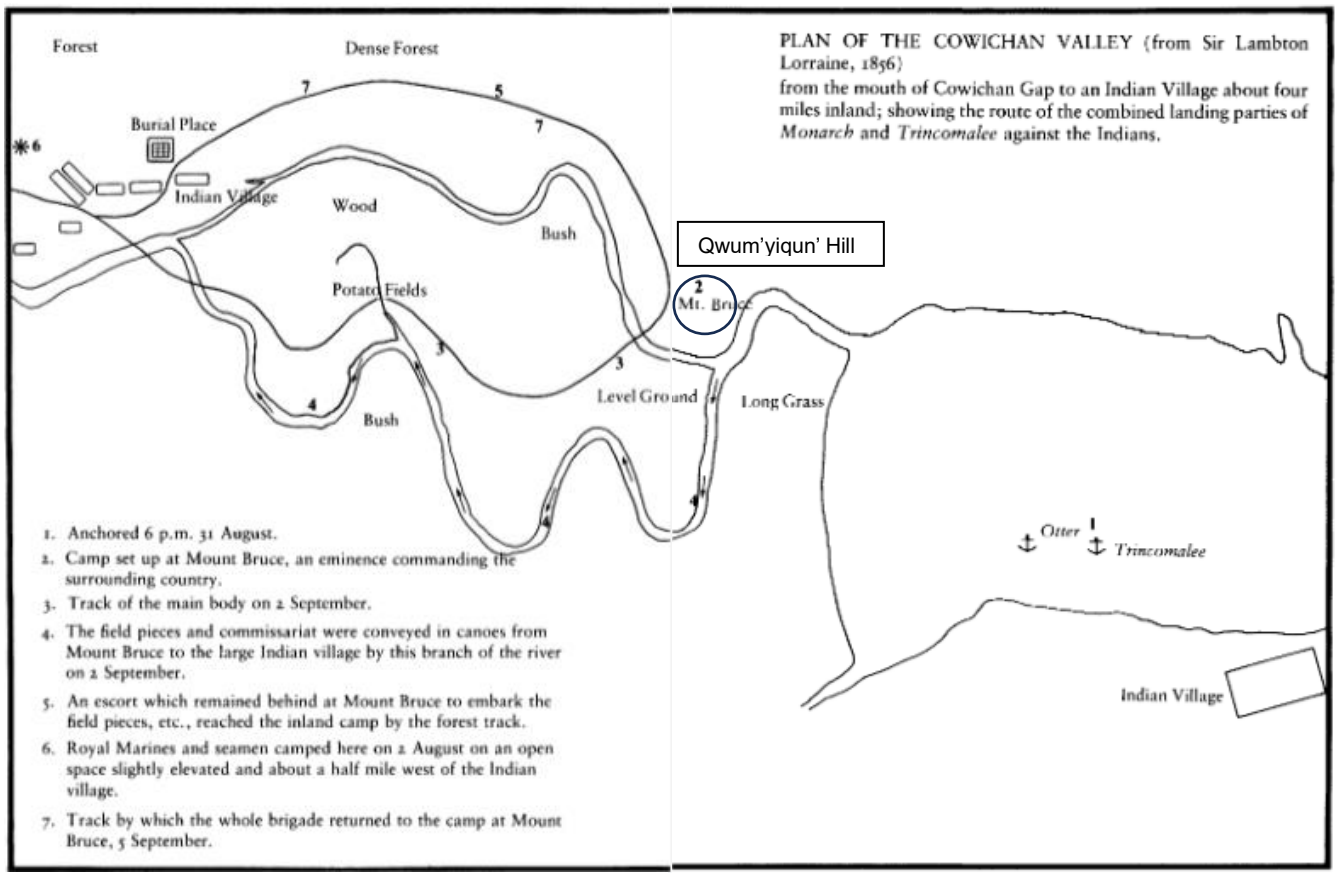

Figure 8 Map of 1856 expedition marching routes. Retrieved from Gough 1984.

[322] Ibid.

The expedition packed up their camp and marched inland to S'amunu. They would separate the guns and send them upriver via canoe while the men would march, hacking their way through the dense brush. Lt. Palmer's description is worth repeating here. Keep in mind, this is a British Naval Officer's impression from someone to whom cleanliness and order are paramount and then consider the other side, where the intent of warriors would be to appear as menacing and armed with powers attained from spirits through ritual:

> "We passed an Indian village about 3 pm – all the braves turned out, armed with long guns (flint locks) and knives. They were a dirty looking lot, but most of them fine looking, active men, faces all covered with different colours and their long hair, ornamented with the white down of birds, gave them a savage and hideous appearance. They looked steadily at us as we marched past the lodges, counted us all, but never betrayed by the movement of a muscle their uneasiness". [323]

There were 400 or so men left to defend the Quw'utsun homes as the rest, about 1000, were away on an expedition to the Fraser River.[324] I have to wonder if Douglas was mistaken here and if the men had left to punish the Yukw'ulhta'x for destroying the village of Tl'eeltxw on Gabriola just a few weeks earlier.[325] At any rate, the force under Douglas' command outnumbered the Quw'utsun defenders, and only a small number of them, Tathlasut's entourage, considered resisting the expedition.

The sailors knew they were at a disadvantage, and Lt Palmer realized that the Quw'utsun could have if they:

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[323] Palmer, Lieutenant George Palmer's Diary.

[324] Douglas to Labouchere 6 September 1856, CO 305:7, no. 10152, 94.

[325] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island*, 210.

> "had they been so pleased, have caused us serious annoyance as our road was so bad, our field pieces worse than useless on the march, and our ignorance of the county, combined with our limited experience of bush fighting, all gave them a decided advantage over us had they been disposed to have come to warlike measures."[326]

Palmer credits Governor Douglas' reputation among the Quw'utsun as the reason for the peaceful conduct. Douglas had promised peace with all but Tathlasut and those who might interfere with his capture.[327] Given the experience of just a few years earlier with the capture of Sque-is for the killing of Peter Brown, Douglas was a man of his word and was on friendly terms with the leaders of the coastal villages at least.

Even if the Quw'utsun people had not been so inclined to retain friendly relations with the colonial government, they had to have been aware of the tragic fighting south of the colony through kinship ties. As mentioned before, American settlers had been pushing north into Puget Sound, fragmenting the tribes in the area to pick a side and fight, causing much devastation to the populations.

Douglas' Intentions for Peaceful Relations

Douglas took great pains to avoid a similar conflict in the Colony of Vancouver Island. Douglas later remarked that the expedition was necessary "to support the requisitions of the Law, and the danger to be guarded against…was a collision with the whole Tribe."[328] He would do this "by striving to impress on the minds of the Natives, that the terrors of the law would be let loose on the guilty only, and not the Tribe at large, provided they took no part in resisting the Queen's authority nor protecting the

[326] Palmer, Lieutenant George Palmer's Diary.
[327] Douglas to Labouchere 6 September 1856, CO 305:7, no. 10152, 94.
[328] Douglas to Labouchere 24 February 1857, CO 305:8, no. 3887, 24.

criminal from justice."[329] This was why Douglas personally took to the field. He knew many of the Quw'utsun leaders through years of intercourse, and he did not want people strange to the formalities and customs of the Coast Salish to blunder into a conflict. He would cite "disastrous warfare" along the coast of Africa, New Zealand, American Oregon, and Governor Blanshard's "fruitless expedition" against the Newitee[330] as outcomes to be avoided.

The Royal Navy was a well-disciplined force that would obey and follow Douglas' lead just as they had done in the previous expedition.[331] Quw'utsun oral history cited by Arnett, which they quoted from Pickford and paraphrased from an interview with Chris Canute, tells of *H.M.S. Trincomalee* bombarding houses. [332] This action seems unlikely as the coastal villages were peaceful, the dispute was inland away from the ship, and Douglas' desire to not start a war. They likely did display the power of the guns after the execution of Tathlasut and before bringing them back to the ship. Whether to intimidate or impress, we do not know.[333]

The Capture of Tathlasut

Regardless, on 3 September 1856, Tathlasut was taken into custody. How this occurred is a matter of conflicting stories. In Walbran's account, who had received a personal letter from Macdonald, it was Captain Houstoun of *H.M.S. Trincomalee* that

[329] Ibid.
[330] See Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90* for a description of this terrible course of action
[331] James Douglas held the rank of Vice-Admiral since 1851 along with his appointment to governor.
[332] Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863.*
[333] Gough, *Gunboat Frontier British Maritime Authority and Northwest Coast Indians, 1846-90*, 236, n 31 This information is from a lady named Annie Deans who provides third-hand knowledge likely from Macdonald.

"personally seized him."[334] Stockl-Whut's oral history claims that her father, Loxe', had captured Tathlasut.[335] Given Douglas' statement that "the natives themselves having been prevailed upon to seize and deliver him into our hands," it was likely Loxe' who captured Tathlasut and not Captain Houstoun. Rather than invite open conflict with the HBC and the Royal Navy and risking houses not involved, it seems clear that the Quw'utsun leaders would aid in Tathlasut's capture.

[334] Walbran, *British Columbia Coast Names, 1592-1906: Their Origin and History: to Which Are Added a Few Names in Adjacent United States Territory*, 310.
[335] Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island*, 164.

Figure 9 Image retrieved from Arnett 1999. The site of the trial and execution of Tathlasut is near Quamichan Village. It is located at the present-day intersection of Quamichan and Maple Bay Roads (Ch 3, note 27)—photo by Chris Arnett.

They would conduct a trial on the spot that day for "maiming Thomas Williams with intent to murder," he was found guilty and sentenced to be hanged.[336] The

[336] Douglas to Labouchere 6 September 1856, CO 305:7, no. 10152, 94.

sentence was carried out in front of the Quw'utsun near where the act was committed. Douglas admits this was done purposefully, calculating to make a deep impression through "the solemnity of the proceedings, and the execution of the criminal."[337] The proceedings would have been carried out by the Royal Navy, with Douglas as the chair, in a formalized way that may have been perceived as similar to a ritual. Absent of anger for the accused, as though an unseen force (the Queen's Law) was responsible for the verdict and not the court.

The Quw'utsun had not seen the court proceedings in the previous expedition. Those had taken place at Gallows Point near Nanaimo. This spectacle was the first time they had experienced the British legal system, and we do not know what was made of it. Macdonald stated they showed "many indications that their approval was withheld and that they only yielded to force."[338] While that may have been true, Macdonald also tended to exaggerate his position, and death by hanging was not something the Quw'utsun people had seen before, and it would have been shocking regardless.

Restoring peaceful relations and the Aftermath

Douglas would remain in Quw'utsun territory for two more days as the sailors withdrew and Douglas "re-established friendly relations with the Cowegin Tribe."[339] Douglas was fluent in Coast Salish customs and protocols. Unlike the settlers who would follow and claim Douglas "bribed" the Indigenous leaders rather than punish

[337] Ibid.
[338] Walbran, *British Columbia Coast Names, 1592-1906: Their Origin and History: to Which Are Added a Few Names in Adjacent United States Territory,* 310.
[339] Douglas to Labouchere 6 September 1856, CO 305:7, no. 10152, 94.

them,[340] he knew that gifts and acknowledgement for witnessing what had transpired would be within cultural expectations.

Prior to this expedition, knowledge of the valley's interior was unknown. Douglas would remark that he "greatly admired the beauty and fertility of the Cowegin valley, which contains probably not less than 200,000 acres of arable land."[341]

With this knowledge, settler interests in the area would begin to rise. There had been indications of the Quw'utsun peoples' willingness to enter into an agreement like the previously signed Douglas Treaties, yet this was never carried out. In 1858, the Fraser River gold rush would rapidly change the dynamics of the Colony. By 1859, settlers under the pre-emption system would begin to push into the Quw'utsun lands and other Hul'q'umi'num' territories without permission, treaty, or regard for Indigenous land tenure or sovereignty systems. The Royal Navy would continue to patrol the area, a constant reminder of the colonial power that could be extended should any of the Quw'utsun resist with violence. Future naval actions were significantly different, guided by a legislative government rather than by James Douglas.[342]

[340] The British Colonist 13 June 1859. Retrieved from https://archive.org/details/dailycolonist18590613uvic/mode/2up?view=theater
[341] Douglas to Labouchere 6 September 1856, CO 305:7, no. 10152, 94.
[342] Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863.*

Conclusion

Interviews and thoughts

While researching this thesis, I spoke with several Quw’utsun members who were both knowledgeable and concerned with the history of the Quw'utsun people. It is with those interviews in mind that this conclusion is written. The issues and points they brought up helped me understand better the contexts of these events as they are understood today within the community. What was most striking for me as an emerging scholar of these local histories was that they were just as interested in what I had learned as they were of sharing elements of oral history they held that related to these people, times, and events. The expeditions of 1853 and 1856 are details of history that have not been framed in a particular and intricate way within the current community memory. However, the famous names, places, and social and cultural principles are foundational knowledge. Likewise, as an active member of the military community with personal connections to the naval base that is still in Esquimalt, I would say our own Navy does not grasp the details of these events and their longstanding implications.

While my initial impetus for this study was to understand aspects of Quw’utsun history related to the Royal Navy, the Royal Navy has dropped into the background when it comes to telling this story. As my study developed, it became clear that the most substantial insights would be shifting the lens toward the Quw’utsun people and how they handled this relationship at that time.

This shift was not the original plan but came about as my knowledge and expertise grew. The change in focus was particularly highlighted for me when reading Ritchie and Miller’s paper on Coast Salish leadership and relations, which opened up an

entirely new perspective on these events.[343] It emerged as a part of the process, and I allowed the research to carry me in that direction.

Always More to a Story

The development of Indigenous/Military relations on the Northwest Coast is still an understudied area of historical knowledge and is crucial to understanding these early years. There are mentions in several sources, and both Gough and Arnett have done work on this area, yet detail remained hidden from them, and as Cruikshank pointed out, time and new information have led to a reassessment of this history.[344]

This paper began with a historical macro analysis of the Northwest Coast. To understand the case studies and their contexts, we needed to know why the HBC and the Royal Navy were on the southern tip of Vancouver Island. Why did they choose this place? Why did it matter to them? This analysis was done while considering who lived here when they arrived, how those interactions unfolded, what conflicts surrounded these interactions, and how the Indigenous populations managed the colonial powers, not just the other way around.

This paper is positioned as a story of the past. Many details came to be known but could not be included in this paper. There could be additional information that might dramatically change the readers' understanding, much like the one piece of information that changed mine. Therefore, I remind the reader that this is not a complete history but a story, researched and cobbled together from a colonial history that is also incomplete.

[343] Ritchie and Miller, Social Networks and Stratagems of Nineteenth-Century Coast Salish Leaders.
[344] Cruikshank, Oral Tradition and Oral History: Reviewing Some Issues.

In time, with new information, this history will inevitably be told again from the perspective of a different researcher.

Particular and Specific

The micro-histories in this paper were examined and presented as historical and particular. These events only happened as they did due to the unique combination of those involved. The historical particularism that Boas spoke of is not limited to understanding a culture but is also crucial to understanding how cultural groups came to interact with each other. For the Quw'utsun people, the cultural changes after contact were primarily brought about through interactions with the HBC, Royal Navy, and missionaries. At first, and during the time under investigation of this study, these changes were in a way that the Qwu'utsun people could and did control. That control would diminish and lead to the erosion of the Quw'utsun peoples' ways of being shortly after these events as more and more settlers flooded the area. However, the first thirty years were different.

Three Decades of Learning

Thirty years. That time frame has been mentioned several times in this paper as a frame of reference. That is how long it has been since the Royal Commission on Aboriginal Peoples was first called to order. It is the breadth of my adult life and military career, and it is the time from the Quw'utsun peoples' first contact with Europeans till the second expedition. It is the amount of time James Douglas spent working with many Indigenous populations and his adult life up till that point. When he led that first

expedition, he was 49 years old, just a little older than this author. Thirty years is both a long and short amount of time for change.

Revitalizing Memories of the Church and Before

When conducting the interviews for this paper, it became apparent that the details of these events are not well known beyond what had been written about them before. Loxe'altenaut (Francine Alphonse) is the Great-great Granddaughter of Loxe' and carries the feminized version of that hereditary name.[345] When asked what she could recall for stories about Loxe' she spoke about the farmland they managed and the butter they crafted and sold to help build the Stone Church in 1868-9. The building of the Church, which still stands today,[346] was a significant event on Qwum'yiqun' Hill, not only for Loxe' and his descendants but also for the Qwu'utsun people themselves. This church and the others that followed became a focal point of community activity. Quw'utsun would come from all over to sing the hymns that had been translated into Hul'q'umi'num' with assistance from Tomo Antoine.[347] The vital point to notice here is that the teachings given by the priests had been translated in a way that the Quw'utsun could understand culturally, more or less. Even though the Christian ideals were very different, they were transmitted to them in their language. They would only be exposed to the ideals of the Church through those hymns and prayers and for the most part were not given the broader context of the Reformation, religious wars of persecution, or the Doctrine of Discovery that had paved its way there.

[345] Francine Alphonse. Personal Communication. 08 May 2023
[346] https://heritagebc.ca/francophone-historic-place/old-stone-church-and-cemetery-cowichan-bay-duncan
[347] Norcross, *The Warm Land,* 29.

Names, Wives, and Morals

That is not to say the missionaries did not work to change the Quw'utsun people through this process- they wanted to Christianize them. Names were difficult for the Europeans, so like the place names they would give names to the Qwu'utsun people that they could say and remember. At first, they would give a new Christian name, and the traditional name would become their last name, but their descendants would take on these names as their last names. For example, Jean-Baptiste Glasetatem (Clasetem), Joe Tzalpaymoult and Canute Lemo were noted as helping to build Stone Church. [348] The Joes and Canutes still live near where Stone Church was built. There are also George, Gabriel, Antoine, Peter, Charlie, and Alphonse, to name a few. Traditional names have never truly left, and they are resurging today.

The missionaries also introduced monogamy as a Christian expectation. Tth'asiyetun and Loxe' had several wives representing relationships and kin obligations. Loxe' would be the first to give up this practice under advisement and pressure from the missionaries.[349] This change in social relations would have ramifications not explored here, but it was at Qwum'yiqun' Hill that these changes occurred.

Last and most importantly, the moralizing of newcomers regarding the inter-tribal conflict would inflict values of shame on the Quw'utsun people or at least associate feelings of shame with the values of the Christian sanctity of life on those amenable to adapting to European influence. When confronted with a spirit that would preach peace and love, I am not sure how that would not be seen as attractive to one who possessed

[348] Ibid, 30.
[349] Personal Communication, Jared Williams

leadership abilities based on care for their people. Often, that is how Loxe' is remembered, one who cared for his people and did his best to lead them through troubling times of significant change. Stories of his warrior past were not remembered by descendants whom I spoke with, yet the stories of how he helped to build the Stone Church and learned to farm were. That said, Beryl Cryer recorded several instances of Loxe' and his capabilities as a warrior, so while Francine's generation did not share those stories today, in the 1930s they were still part of how he was publicly remembered.

Loxe' and Xulqalustun, a prominent leader of the day from Peneluxutth' on Penelakut Island, whose story will have to be the subject of another study, [350] seemed to be particularly affected by the teachings of the Church. Loxe', on the other hand, was significant in this paper, and he and his family group first welcomed the missionaries into the valley and Qwum'yiqun' in particular. However, no other telling of this story considered this connection to be significant to the expedition of 1856. I can not help but think that this connection was crucial, especially with his likely earlier experience with Tth'asiyetun's management of the 1853 expedition.

Legacy of the Stone Church

Since the Stone Church was built on Qwum'yiqun' Hill, the Church has come to elicit ambivalent feelings from many Quw'utsun people. On the one hand, it is a piece of history that connects the people of Qwum'yiqun' to the past and the memory of Father Peter Rondeault. On the other hand, it is a reminder of the hurt felt by Indigenous

[350] See Cryer and Arnett, *Two Houses Half-Buried in Sand Oral Traditions of the Hul'q'umi'num' Coast Salish of Kuper Island and Vancouver Island*.

peoples everywhere through the residential school system, the broken promises, and many other forms of mistreatment and colonial imposition at the hands of the Church and government since that time.

There is a piece of folklore that connects the Stone Church to the expedition of 1856. When *H.M.S. Trincomalee* arrived in Cowichan Bay, the cannons were fired at Mt Tzouhalem to announce their presence.[351] Local stories suggest that these cannonballs would later be recovered and used to break apart the rocks forming the Stone Church.

Throughout this research, I visited the Stone Church several times to be at the place where this history unfolded and listen to what that place might want to tell me. The structure still stands, a testament to the colonizing power brought to those lands all those years ago. Yet, it is falling apart. I could not help but think of it as a metaphor. Much like the structural violence committed by the *Indian Act* that still stands today, holes are beginning to appear in the wake of the RCAP and the TRC calls to action. The legislative structures are still here but are also slowly falling apart.

I wonder what role the Royal Canadian Navy could play today. Speaking with Jared atop Qwum'yiqun' Hill, we discussed the floods and how the members of the Canadian Armed Forces helped prepare Lhumlhumuluts' Big House for the coming rains

[351] Wagner, Thomas. Cowichan Bay from 1850 to Now… (give or take a few years). (2004). Retrieved from: https://www.oocities.org/cowbaybook/book/. In Norcross 1975, the cannonball is recovered from a village Douglas razed (30), however, it is unlikely Douglas destroyed any village considering his desire not to set off a war nor punish anyone except the offender.

in 2021.[352] It was a small sign that we are working together yet still very much within the grasp of the *Indian Act* and other colonial structures.[353]

Last Warrior Chief or First Chief of the Cowichan

Tth'asiyetun would be the first Coast Salish Warrior Chief,[354] though tribal conflicts would continue for many years.[355] Having already established himself before the European presence, he would raise himself further through trade and relations with the HBC. He would position himself so that the HBC would see him as the first preeminent Chief of the Quw'utsun. We cannot say whether this is due to European misunderstandings of the Quw'utsun organization or Tth'asiyetun stepping up to and conforming with European expectations of a single leader and adopting that role. Either way, Tth'asiyetun would heavily influence how history would unfold in this initial cultural exchange.

Academic attention to Tth'asiyetun started with his overwhelming presence in the Fort Langley Journals, which were analyzed for their ethnohistoric value in 1998.[356] Angelbeck and McLay's 2011 paper on the Battle of Maple Bay oral histories recognized his contributions to the event.[357] In 2018, Harvey George, Tth'asiyetun's great-great-grandson, contributed a more personal relation and understanding through the oral

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[352] https://www.cowichanvalleycitizen.com/news/cowichan-tribes-recovering-from-flood-preparing-for-more-827739

[353] Jared Williams. Personal Communication. 20 June 2023. Jared prepared a feast for the assisting members of the CAF during this event.

[354] Harvey George titles his 2018 thesis *Hul'q'umi'num' Stories of Tth'asiyetun: The last Coast Salish warrior chief*; however, I would suggest that Tth'asiyetun was the first chief of the Quw'utsun.

[355] The Royal Navy would concentrate efforts to the north in the 1870s and beyond. Determining when raiding stopped completely was beyond the scope of this paper and could be investigated in more detail later.

[356] Maclachlan and Suttles, *The Fort Langley Journals, 1827-30,* Appendix D.

[357] Angelbeck and McLay, The Battle at Maple Bay: The Dynamics of Coast Salish Political Organization Through Oral Histories.

histories of his family.[358] Lastly, Ritchie and Miller's 2021 paper on the social networks of Coast Salish Leaders would add to the expanse of relations managed by this great leader 'Soseiah.'[359] What had been missing in these papers was Tth'asiyetun's management of the murder of Peter Brown. Arnett mentioned the name in his 1999 book, but no further analysis was given about who 'Thosieten' was or why they mattered.[360] It was connecting these sources that altered the course of this thesis.

Speaking with Harvey George, arguably the most knowledgeable of Tth'asiyetun's life, he was not familiar of the involvement in the Peter Brown affair.[361] Understandably so, the various spellings of names and the only connection being a brief mention in Arnett's book or locked away in the BC Archives "Private Papers of James Douglas," its discovery was serendipitous to use a word that befits anthropological research.[362]

Knowledge and understanding of Tth'asiyetun's contribution to the history of the Quw'utsun people have yet to reach beyond these few academic sources, and perhaps someday, it will work into the provincial education system or the broader community. Examining who Tth'asiyetun was and acknowledging his role in the affair helps show that the Qwu'utsun people were active participants in resolving a conflict and keeping it from escalating into a much more severe event.

The Impact of Place Names Today

[358] George, *Hul'q'umi'num' Stories of Tth'asiyetun: The last Coast Salish warrior chief.*
[359] Ritchie and Miller, Social Networks and Stratagems of Nineteenth-Century Coast Salish Leaders.
[360] Arnett, *The Terror of the Coast: Land Alienation and the Colonial War on Vancouver Island and the Gulf Islands, 1849-1863*.
[361] Harvey George. Personal Communication. 03 April 2023
[362] Thank you, Dr. Thom!

Place names were another point of concern. Speaking with Jared Qwustenuxun Williams, he lamented the loss of Quw'utsun history associated with land and his concern for its effects on the Quw'utsun people and their youth. When they see a map, they can plainly see the impact of the Royal Navy and the inscribed names given as they surveyed the coast. There are few indications on any standard map that the land was once theirs, save the name of the looming Mt Tzouhalem. Even that is troublesome. Ts'uwxilum, though legendary, was not a heroic figure.[363] He was banished to live apart from the Quw'utsun for his practice of killing men to take their wives for his own rather than through relationship building. He would lose his life on Peneluxutth' in 1849, attempting to take another wife.[364] However, with so few Quw'utsun place names left on colonial maps, it is latched onto.

Rather than Hul'q'umi'num' place names, all will see the names attached to the 1853 expedition: Thetis Island, Chase River, Sansum Narrows, Gallows Point, McKay Reach, and Moresby Island. Also, many names are associated with the 1856 expedition: Trincomalee Channel, Wallace Island, Houston Passage, [365] and MacDonald Point. Furthermore, Prevost Island, Prevost Passage, and Prevost Harbour after Captain James Charles Prevost, known for his involvement in settling the San Juan boundary issue.[366] Most notably, Prevost Mountain is the name used to over-write Swuqus, the landing place of Stutsun, who had fallen from the sky and an immensely

[363] Orca Cove Media produced a movie about this legendary figure. For more information see https://orcacovemedia.com/project/tzouhalem/
[364] A journal entry in the Fort Victoria Journals dated December 10, 1849, speaks of a woman killing a famed "Kawitchin slave-kidnapper" possibly indicates this legends end. http://www.fortvictoriajournal.ca/1849-december.php
[365] Houston is often interchanged with Houstoun in the sources
[366] Walbran, *British Columbia Coast Names, 1592-1906: Their Origin and History: to Which Are Added a Few Names in Adjacent United States Territory*, 400.

significant place of Quw'ustun origins.[367] The names and deeds of the Royal Navy were inscribed upon their lands. What the Quw'utsun people and youth think when they see these names, I cannot say, but it is a reminder of what was taken from them and whom it was taken by: the overwhelming presence of the Royal Navy is what is seen and remembered.

Legacies of Leadership

The Royal Navy provided the martial support requested by James Douglas in the interests of the British Government. Sporadic at first, it would establish a base in the Esquimalt harbour as geopolitical needs proved the location to be vital to asserting British sovereignty against not only the American settler advances but also projecting their power against the Russians in the Crimean War. In addition, the colonial government would use the Royal Navy to extend the Queen's Law to the Indigenous communities. While several events led to violence committed against these populations, the expeditions in 1853 and 1856, under the leadership of Douglas, were largely peaceful affairs that could have gone much worse. This result was due to James Douglas's choice to entangle the Queen's Law with Coast Salish legal orders and customs, starkly contrasting the approach the American government and military took to the South.

However, this paper shows that not just James Douglas should receive credit for the lack of violence. The Quw'utsun leaders who met with Douglas to manage affairs within their communities equally deserve that recognition. They were undoubtedly

[367] Marshall, *Those Who Fell from the Sky: A History of the Cowichan Peoples.*

influenced by European trade and religious ideas, but they did so on their terms. Tth'asiyetun had a long-standing relationship with the HBC, and he helped Douglas resolve a conflict within his sphere of influence.

Tth'asiyetun was a strong and successful leader, and it stands to reason that if he helped Douglas, it was likely because he felt it was the right thing to do, not because he was bribed or coerced. Loxe' was also a strong and successful leader who cared for his people. Most other analyses suggest that Loxe only helped Douglas because, at best, he was threatened into submission, or at worst, he was a collaborator for the colonial power. Despite the much stronger military presence of the second expedition, what if, through his life experiences and understanding as a leader who cared, he did what he thought was right? When researching the other narratives of these events, I get the sense that his decisions are coloured by the pain and marginalization that would be forced upon the Quw'utsun people in the following years.

Presentism often influences how people see the past. Considering these expeditions and the people involved, based on only what they could have known up to that point, changes the analysis. Tth'asiyetun had a good relationship with the HBC that had developed over 25 years before the 1853 expedition. Loxe' knew Tth'asiyetun well and likely looked up to him as a successful leader and Elder. There were standards in the community for the qualities of a good leader, and Loxe' had a role model in Tth'asiyetun. This conclusion is made due to the future actions of Loxe' who was recognized for his efforts in preventing violence. Figure 6 shows a picture of Loxe' in his constable uniform, holding a cross. Sometime after these events, he would be entrusted

to maintain the peace by the colonial government. A position such as that would only have been held if he had kept the government's trust and especially that of his people.

By 1856, it had only been thirty years since the Quw'ustun peoples first met with the HBC, and a lot had changed. They knew the HBC and their interactions up to that point had been by-in-large positive, and they likely accommodated the HBC and Royal Navy in a compromise. The Quw'utsun people could have resisted and fought. Despite the technological advantage of the Royal Navy, they had the upper hand, yet they chose to cooperate with them in the interests of peace.

Final Thoughts

Understanding the particular histories of Indigenous/Crown relations means investigating the unique circumstances that Indigenous populations faced as their traditional territories were integrated into British Colonial systems. For the Hul'q'umi'num' speakers and the Quw'utsun, interactions with the HBC and the Royal Navy were critical to this story.

This story has been reconstructed by reviewing the historical records and incorporating ethnohistorical and ethnographic texts. This microhistory of the relationship between the Quw'utsun people and the Royal Navy that operated out of what is now known as Canadian Forces Base Esquimalt has revealed how influential the Royal Navy was in this development. Through the expeditions in 1853 and 1856, this paper also highlighted the changes in leadership, religion, and conflict management that impacted the Quw'utsun ways of knowing, doing, and being in this world.

Tth'asiyetun's long relationship with the HBC and their interpretation of him as a chief would influence his and the Quw'utsun peoples' political structures as this institutional role was introduced. Loxe' would take up that mantle as a chief of the Quw'utsun shortly after Tth'asiyetun and be remembered as a strong, wise, and caring leader as these colonial systems were imposed upon the Quw'utsun people.

Missionaries would enter the valley and be welcomed by the people of Qwum'yiqun as early as 1851. The hymns would be translated into their language, and the churches built there would become essential gathering places for the surrounding villages. These missionaries would preach their Christian values and morals, work to change legal systems, social relations, unions, names, and understandings and practice of warfare.

Finally, the HBC and the Royal Navy would introduce the Queen's Law and entangle concepts of conflict resolution with Quw'utsun legal orders and understanding. The Queen's Law would be imposed upon them, and though the understanding of written laws was new, the concepts of justice were well-known and established.

These events were greatly influenced by Tth'asiyetun, Loxe', James Douglas, and the sailors of the Royal Navy. Tth'asiyetun had a long-standing relationship with the HBC and many entangled social relations throughout the Salish Sea. Loxe', while his activities before 1856 are obscured, would become an integral part of this story and a respected leader in 1856 and the turbulent times that followed. James Douglas would prove himself to be exceptionally fluent in intercultural relations due to his long experience working on the Northwest Coast and desire to avoid open conflict leading to bloodshed and war that was found in America to the South. Douglas, however, could not

have accomplished what he set out to do without the assistance of the Royal Navy. The power and discipline provided to Douglas would support the application of the Queen's Law and be instrumental in bringing the landscape into colonial control.

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