

References

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Douglas Treaties: 1850-1854

By the time the colony of Vancouver Island was established in 1849, British administrators had developed a colonial policy that recognized aboriginal possession of land. In 1850 the Hudson's Bay Company, which was responsible for British settlement of Vancouver Island as part of its trading license agreement with the Crown, began purchasing lands for colonial settlement and industry from aboriginal peoples on Vancouver Island.

Between 1850 and 1854, James Douglas, as chief factor of Fort Victoria and governor of the colony, made a series of fourteen land purchases from aboriginal peoples. The Douglas Treaties cover approximately 358 square miles of land around Victoria, Saanich, Sooke, Nanaimo and Port Hardy, all on Vancouver Island.

Treaty negotiations by Douglas did not continue beyond 1854 due, in part, to a lack of funds and the slow progress of settlement and industry in the 1850s.

Douglas' policies toward aboriginal peoples and land were generally consistent with British principles. Those of his political successors, however, proved to be not as consistent.

The fourteen Douglas treaties are similar in approach and [content](#). An area of land was surrendered "entirely and forever" in exchange for cash, clothing, or blankets. The signatories and their descendants retained existing village sites and fields for their continued use, the "liberty to hunt over unoccupied lands" and the right to "carry on their fisheries as formerly."

Douglas' land purchases have consistently been upheld as treaties by the courts (R. v. White and Bob, 1964; R. v. Bartleman, 1984; Claxton v. Saanichton Marina Ltd., 1989). In 1987 the Tsawout Band successfully obtained a permanent injunction restraining the construction of a marina in Saanichton Bay on the grounds that the proposed facility would interfere with fishing rights promised to them by their 1852 treaty.

The following is a list of the signatory tribes and their present-day names:

Saanich, Victoria, Metchosin and Sooke areas

- Teechamitsa now called Esquimalt Band
- Kosampson now called Esquimalt Band
- Whyomilth now called Esquimalt Band
- Swengwhung now called Songhees Band

- Chilcowitch now called Songhees Band
- Che-ko-nein now called Songhees Band
- Ka-ky-aakan now called Becher Bay Band
- Chewhaytsum now called Becher Bay Band
- Sooke now called Sooke Band
- Saanich (South) now called Tsawout and Tsartlip Bands
- Saanich (North) now called Pauqhachin and Tseycum Bands

Note: Due to the methodology used to determine present-day names, it is not definitely determined that the descendants from the three tribes in Esquimalt territory are present-day Esquimalt Band members.

Nanaimo

- Saalequun now called Nanaimo Band

Port Hardy Area

- Queackar now called Kwakiutl (Kwawkelth) Band
- Quakiolth now called Kwakiutl (Kwawkelth) Band

Members of the Malahat Band, descendants of the South Saanich, share hunting and fishing rights with the Tsawout and Tsartlip Bands. The Nanoose Band has a similar relationship with the Nanaimo Band, as do the Nimkish (Nungis) with the Kwakiutl (Kwawkelth). Members of the Comox and Gwa'sala-Nakwaxda'xw Bands are also descendents of the Queackar and Quakiolth.

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