

# THE FORT VICTORIA AND OTHER VANCOUVER ISLAND TREATIES, 1850-1854

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*BC Archives MS-0772*

Note: this document consists of high-resolution copies of the pages in the “Register of Land Purchases from Indians” and of additional pages recording other agreements made by the HBC in Nanaimo and Fort Rupert, known as the Fort Victoria, or Douglas, treaties. It also includes transcriptions of the text which include the introductory descriptions lacking in *Papers connected with the Indian land question 1850-1875* which were edited to add punctuation lacking in the originals and to make changes in capitalization, as well in the spelling of some names and locations.

Yet to come are transcripts and reproductions of correspondence related to the treaties, reproductions of published versions, and an examination of the history of the record – i.e., the “Register” – itself.

Frederike Verspoor  
Archivist  
30 January 2012

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## A note on published versions

A table entitled “Return of Treaties made by Hudson’s Bay Company with Indian Tribes, shewing Lands conveyed and sums paid” and containing excerpts from the main text of the agreements appeared in H.L. Langevin’s *Report on British Columbia* (Ottawa, 1872) under the heading of “Memorandum of treaties made with Indian tribes for purchase of their lands” (Appendix EE); full transcriptions of the first two were reproduced in Appendix DD. In addition to the agreements signed at Fort Victoria, those signed at Nanaimo and Fort Rupert were included in the table.

The “Memorandum” was also appended to the *Report of the Superintendent of Indian Affairs for British Columbia for 1872 & 1873* (Ottawa, 1873) with the addition of a preface disclaiming any Colonial Government acknowledgment “by any treaty, the pre-existing right of the Indian (as such) to the lands of the Province”. The table with the extracts of the Hudson’s Bay Company “treaties with natives of Vancouver’s Island” was included “to complete the history of the past treatment of the Indian tribes of the Province.” The text of the two treaties in Langevin’s *Report* was also appended.

The main text of each of the agreements was reproduced in *Papers connected with the Indian land question 1850-1875* (Victoria, 1875) in a section entitled “Conveyance of land to Hudson’s Bay Company by Indian tribes”. This published version has become the most well-known and commonly used. The transcribed texts of the agreements were edited with the addition of punctuation, which was lacking in the originals, and changes in capitalization, as well in the spelling of some names and locations. In addition the notes written by Douglas for eight of the agreements with a brief outline of the area and group involved were not transcribed.

The transcriptions provided here were done in 2010 by Frederike Verspoor and are based on the original texts. They are intended to be used in conjunction with the original texts and are not to be considered official in any sense.

## Treaties or purchases?

Although referred to as “land purchases” and sometimes “deeds of conveyance” at the time they were made, it is clear that they were negotiated in order to transfer title of part of the land from the indigenous inhabitants to the HBC which had been given control – by the British Crown – over Vancouver Island with the condition that the HBC make the land available for settlement. Langevin’s report in 1872 and in the Indian Superintendent’s report in 1873 use the term treaties in the general title and in the title of the table, although the latter report implies that the HBC was acting on its own. A few years later the word was absent from the section of the *Papers connected with the Indian land question* dealing with the HBC purchases. A 1964 judgment by the BC Court of Appeal,\* confirmed by the Supreme Court of Canada, deemed the Nanaimo agreement (see File 3) to be a treaty “as much an act of state as if it had been entered into by the Sovereign herself”, thereby reconfirming all the HBC land purchases “in their full status as treaties.”\*\*

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\* Reasons for judgments of the Honourable Messrs. Justices Davey, Sheppard, Norris, Lord [and] Sullivan [in an appeal by the Crown] in the case of Regina (Appellant) vs. Clifford White and David Bob (Respondents). (NW 970.5 B862ca)

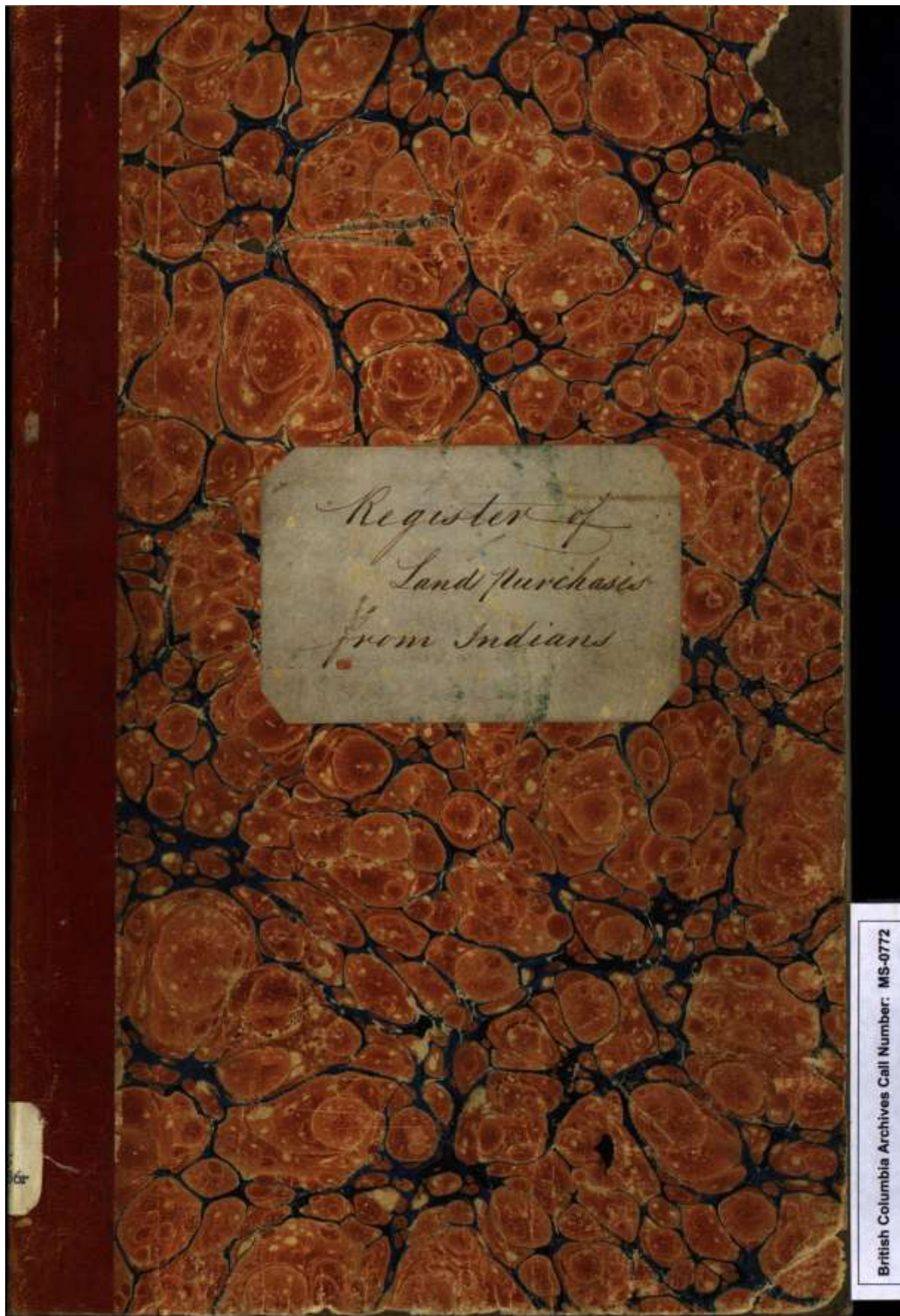
\*\*Duff, 3.

## MS-0772, File 1

**File 1** contains a foolscap size hardcover notebook with “Register of Lands Purchases from Indians” written on the front cover. The texts of agreements made by the HBC with 11 “tribes” or “families” in April and May 1850 and in February 1852 at Fort Victoria appear in the notebook together with signatories and witnesses.

Teechamitsa	p. 1-2	(p. 4-5 in current document)
Kosampson	p. 3-5	(p. 7-9 in current document)
Swengwhung	p. 6-8	(p. 11-13 in current document)
Chilcowitch	p. 9-11	(p. 15-17 in current document)
Whyomilth	p. 12-14	(p. 19-21 in current document)
Chekonein	p. 15-18	(p. 23-26 in current document)
Kakyaakan	p. 19-20	(p. 28-29 in current document)
Chewhaytsum	p. 21-23	(p. 31-33 in current document)
Soke	p. 24-25	(p. 35-36 in current document)
South Saanich	p. 26-27	(p. 38-39 in current document)
North Saanich	p. 28-31	(p. 41-44 in current document)

For an extensive commentary on the document and its contents as well as on the place names and their history see Wilson Duff, “The Fort Victoria treaties”, *BC Studies*, No. 3 (Fall 1969): 3-56.



Cover of notebook

Teechamitsa, 29 April 1850.

Know all men, we, the Chiefs and People of the Teechamitsa Tribe, who have signed our names and made our marks to this deed on the twenty-ninth day of April, one thousand eight hundred and fifty, do consent to surrender, entirely and for ever, to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situate and lying between Esquimalt Harbour and Port Albert, including the latter on the Straits of Juan de Fuca, and extending backward from thence to the range of the mountains on the Saanich Arm, about ten miles distant.

The condition of the or understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment, Twenty-seven pounds ten shillings sterling.

In token whereof, we have signed our names and made our marks, at Fort Victoria, 29 April 1850.

See-sachasis [and 10 others]

Done in the presence of  
Roderick Finlayson  
Joseph William McKay

Know all men, We the Chiefs and  
People of the "Teechamitsoa" Tribe who  
have signed our names and made our  
marks to this Deed on the Twenty ninth  
day of April, one thousand eight hundred  
and Fifty do consent to surrender  
entirely and for ever to James Douglas  
the Agent of the Hudson Bay  
Company in Vancouver Island that  
is to say, for the Governor, Deputy  
Governor and Committee of the said  
the whole of the lands situate  
and lying between Uscumalt  
Harbour and Point Albert in-  
cluding the latter, on the Strait  
of Juan de Fuca and extending  
backward from thence to the base  
of mountains on the Vanich  
some about ten miles distant.  
The Condition of or under-  
standing of this Sale is this,

That our Villages sites and in-  
 cluded fields are to be kept for  
 our own use, & for the use of  
 our children, and for those who  
 may follow after us; and the  
 land shall be properly surveyed  
 hereafter; it is understood however  
 that the land itself, with these  
 small exceptions becomes the entire  
 property of the white people  
 for ever; it is also understood  
 that we are at liberty to hunt  
 over the unoccupied lands,  
 and to carry on our fisheries  
 as formerly.

We have received a  
 payment Twenty Seven pound  
 Six Shillings Sterling.

In token whereof we  
 have signed our names and  
 made our mark at Fort Victoria 29 April 1850

- |    |              |                     |
|----|--------------|---------------------|
| 1  | Sic-sachasis | <sup>his</sup><br>X |
| 2  | Koy-hey-keno | X                   |
| 3  | Sic-why-moot | X                   |
| 4  | Kalsay-mit   | X                   |
| 5  | Koo-chapoo   | X                   |
| 6  | Thalamie     | X                   |
| 7  | Chamutotin   | X                   |
| 8  | Tootsulline  | X                   |
| 9  | Kogay-milt   | X                   |
| 10 | Kamstitchel  | X                   |
| 11 | Miny-iltin   | X                   |

Done in the presence of  
 Rodrick Fenington  
 Joseph William McKay



Kosampson, 30 April 1850

Purchase of land from Kosampson Tribe extending from the ~~narrow named~~ Dead Island in the arm of\* Camosun to the head of the arm embracing the lands on the west side north of that line to Esquimalt, beyond the arm 3 miles of the Colquits [sic] valley and the land on the east side of the arm enclosing Christmas Hill and Lake and the lands west of them.

Esquimalt Peninsula  
and Colquits Valley

Know all men, we, the Chiefs and people of the Kosampson Tribe who have signed our names and made our marks to this deed on the thirtieth day of April, one thousand eight hundred and fifty, do consent to surrender, entirely and for ever, to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situate and lying between the Island of the Dead, in the Arm or Inlet of Camosun, and the head of the said Inlet, embracing the lands on the west side and north of that line to Esquimalt, beyond the Inlet three miles of the Colquitz Valley, and the land on the east side of the arm, enclosing Christmas Hill and Lake and the lands west of the those objects.

The condition of or understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment, Fifty-two pounds ten shillings sterling.

In token whereof we have signed our names and made our marks at Fort Victoria on the Thirtieth day of April One thousand Eight hundred and fifty.

Hookoowitz [and 20 others]

Done in the presence of  
Alfred Robson Benson, M.R.C.S.L.  
Joseph William McKay  
Fort Victoria  
30 April 1850

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\*"Dead Island in the arm of" inserted to replace crossed out "narrow named".



the east side of the arm, enclosing  
Christmas Hill and Lake and the  
land west of those objects

The Condition of, or understanding  
of this Sale is this, that our Village  
lots and enclosed Fields are to be  
left for our own use, for the use of our children  
and for those who may follow after us;  
and the land shall be properly sur-  
veyed hereafter; it is understood how-  
ever that the land itself, with these  
small exceptions, becomes the entire  
property of the white people for-  
ever; it is also understood that we  
are at liberty to hunt over the unoc-  
cupied lands, and to carry on our  
fishery as formerly. We have  
received as payment Fifty Two  
pound Ten Shillings Sterling. In  
token whereof we have signed  
our names and made our mark  
at Port Victoria on the <sup>24th</sup> ~~25th~~  
April One thousand Eight hundred  
and fifty

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		Whay. uch	
1	Koo-koo-witz	X	10 See pay mit X
2	Koy-a-pally-mam	X	11 Guck hoo X
3	Spi-a quollac	X	12 Koo-quavis X
4	Soo-till too	X	13 See ill look X
5	Say-sinaka	X	14 Soo-kullac X
6	let-shaynum	X	15 Say-whoset X
7	Ko-guy-mut	X	16 Say see you X
8	Spaty-illth	X	17 Show wuc X
9	Ape-quit	X	18 Kool-quay-lang X

19 May - x  
20 Dec - x  
21 Oct - x

Done in presence of  
Alfred Robson Benson  
M.R.C. S. L.  
Joseph William McKay

Fort Victoria  
30 April 1850

British Columbia Archives Call Number: MS-0772

Kosampson, 30 April 1850. Page 3 of 3

Swengwhung, 30 April 1850

Purchase of land from the Tribe of Swengwhung extending from the Dead Island in the arm of Camosun, where the Kasampson lands terminate extending east to the Fontain [sic] ridge, which their line follows to its termination on the sea coast in the sandy Bay on the east side of Clover Point.

Victoria Peninsula  
south of Colquits

Know all men, we, the Chiefs and People of the Family of Swengwhung, who have signed our names and made our marks to this deed on the thirtieth day of April, one thousand eight hundred and fifty, do consent to surrender, entirely and for ever, to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situate and lying between the Island of the Dead, in the Arm or Inlet of Camosun [sic], where the Kosampson lands terminate, extending east to the Fountain Ridge, and following it to its termination on the Straits of De Fuca, in the Bay immediately east of Clover Point, including all the country between that line and the Inlet of Camosun.

The condition of or understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment, Seventy-five pounds sterling.

In token whereof we have signed our names and made our marks at Fort Victoria on the Thirtieth day of April One Thousand Eight Hundred and fifty.

Snaw-nuck [and 29 others]

Done before us at Fort Victoria this 30<sup>th</sup> day of April 1850

Alfred Robson Benson, M.R.C.S.L.

Joseph William Mckay

Purchase of land from the Duke of Swengwhung  
extending from the Lead Islands in the arms of  
James Bay, where the Hasampson lands terminate  
extending east to the Fortane ridge, where their line  
follows, but its termination on the sea coast on  
the sandy Bay on the east side of House Bay

Nidwin Peninsula  
south of Colgrove -

3

Know all Men, We the Chiefs and People  
of the Family of "Swengwhung" who have  
signed our names and made our marks to  
this Deed on the Thirtieth day of April  
one thousand eight hundred and Fifty  
do consent to surrender Entirely and  
for ever to James Coward the  
agent of the Hudson's Bay Company  
in Vancouver's Island that is to say,  
for the Governor Deputy Governor  
and Committee of the same the  
whole of the land situate and  
bounded

and lying between the Island of the  
Dead in the arm or Inlet of Comox,  
where the Nocompion land, terminate  
intending east to the Mountain ridge,  
and following it to its termination  
on the Strait of De Fuca, in the  
Bay immediately east of Uloer  
point, including all the country  
between that line and the Inlet  
of Comox. The Condition of  
or understanding of this sale is this,  
that our Villages Sites and Enclosed  
Fields, are to be kept for our own use,  
for the use of our children, and for  
those who may follow after us, and  
the land shall be properly surveyed  
hereafter; it is understood however  
that the land itself, with these  
small exceptions, become the entire  
property of the white people for  
ever, it is also understood that  
we are at liberty to hunt over  
the unoccupied lands, and to  
carry on our fisheries as former.

We have received as payment  
Twenty five pounds Sterling

In token

whereof we have signed our names,  
and made our mark, at Fort Victoria  
on the Thirtieth day of April One thousand  
Eight hundred and fifty

- |    |                 |   |                    |                                         |
|----|-----------------|---|--------------------|-----------------------------------------|
| 1  | Siaw-nuck       | X | head               |                                         |
| 2  | Towhämucca      | X | do                 | Done before us at                       |
| 3  | Tuskeynam       | X | 1                  | Fort Victoria this 30 <sup>th</sup> day |
| 4  | Tess            | X | 2                  | of April 1850                           |
| 5  | Kam             | X | 3                  |                                         |
| 6  | Squ-luttesut    | X | 4                  | Alfred Robson, Governor                 |
| 7  | Zuoth-laguc     | X | head               | W. R. G. P. L.                          |
| 8  | Kakay-päak      | X |                    | Joseph William McKay                    |
| 9  | Sye-ä-is        | X |                    |                                         |
| 10 | Ta-whicht-tit   | X | 5                  |                                         |
| 11 | Womay-its       | X | head               |                                         |
| 12 | lut-söös        | X | 6                  |                                         |
| 13 | Chätuch         | X | head               |                                         |
| 14 | Kacungue        | X | by his son Chätuch |                                         |
| 15 | Mustan          | X | head               |                                         |
| 16 | Quortaynachun   | X | head               |                                         |
| 17 | Wha-say-mewitch | X |                    |                                         |
| 18 | Mistay-nitth    | X | 7                  |                                         |
| 19 | Poksey-mut      | X | head               |                                         |
| 20 | Ta-lacit-ton    | X | 8                  |                                         |
| 21 | Wayana          | X | 9                  |                                         |
| 22 | Kolacksui       | X | head               |                                         |
| 23 | Silawutichun    | X | head               |                                         |
| 24 | Thuch-lay-kaluc | X | 10                 |                                         |
| 25 | Ka-qualuck      | X | 11                 |                                         |
| 26 | Whitcho         | X | head               |                                         |
| 27 | Kol-kollum      | X | head               |                                         |
| 28 | Ta-sack-ton     | X | son of Kam         |                                         |
| 29 | Sung-nitth      | X | head               |                                         |
| 30 | Whisey-ock      | X | 13                 |                                         |



Chilcowitch, 30 April 1850

Purchase of Land from the Tribe or Family of Chilcowitch commencing in the sandy Bay east of Clover Point where the Wheng-whung [sic] boundary terminates, to Point Gonzala [sic] and thence north to Minies Plain. a wooded Rocky District; and a part of the lands of Chaytlum.\*

Know all men, we, the Chiefs and People of the Family of Chilcowitch, who have signed our names and made our marks to this deed on the thirtieth day of April, one thousand eight hundred and fifty, do consent to surrender, entirely and for ever, to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situate and lying between the Sandy Bay east of Clover Point, at the termination of the Whengwhung [sic] line to Point Gonzales, and thence north to a line of equal extent passing through the north side of Minies Plain.

The condition of or understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment, Thirty pounds sterling.

In token whereof we have signed our names and made our marks at Fort Victoria on the thirtieth day of April One Thousand eight hundred and fifty.

Point [Gonzales]

Qua sun [and 11 others]

Done in the presence of  
Alfred Robson Benson, R.R.C.S.L.  
Joseph William McKay

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\* "The meaning of the last phrase is not clear. Chaytlum was the chief of the next group, the Chekonein, and apparently the highest chief of the Songhees. Perhaps at this point Douglas was encountering some of the confusion inherent in the attempt to assign precise and exclusive territories in such a situation." Duff, p. 13.

Purchase of Land from the Tschia or Family of  
Chilcowitch commencing on the sandy Bay east  
of Clouse Point where the Whang-whang boundary  
terminated to Sisset Goozahn and thence north to Whang-  
Klaan a wooded rocky hillside and a part of the  
lands of Chag-loom.

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Continued

Chilcowitch, 30 April 1850. Page 1 of 3

4. Know all men, We the Chiefs and People  
 of the Family of Chilcowitch, who have signed  
 our names and made our marks to this  
 Deed on the Thirtieth day of April one  
 thousand, eight hundred and fifty do consent  
 to surrender Entirely and for ever to  
 James Douglas the Agent of the Hudson's  
 Bay Company in Vancouver's Island that  
 is to say, for the Governor Deputy Governor  
 and Committee of the same the whole of  
 the lands situate and lying between the  
 Sandy Bay east of Viceroy Point, at  
 the termination of the Whenukuna line  
 to Point Gonzales, and thence north to a  
 line of equal extent passing through <sup>the 49th</sup> side  
 of mines Flain. The Condition of or  
 understanding of this sale is this, that our  
 village sites and enclosed fields are to be  
 kept for our own use, for the use of our  
 children, and for those who may follow  
 after us, and the lands shall be pro-  
 perty surveyed hereafter; it is understood  
 however that the land itself, with the  
 small exceptions becomes the Entire property  
 of the White people for ever; it is also  
 understood that we are at liberty  
 to hunt over the unoccupied lands,  
 and to carry on our fisheries as formerly

We have received a payment of  
 Thirty pounds sterling

In token

Chilcowitch

whereof we have signed our  
 names and made our marks at  
 Fort Victoria on the Thirtieth day  
 of April One Thousand eight  
 hundred and fifty

Powwagales

- |    |                 |   |
|----|-----------------|---|
| 1  | Dua sun         | X |
| 2  | Sa-malth        | X |
| 3  | Ty-la-cha       | X |
| 4  | Sa-chie-um      | X |
| 5  | Kolampitin      | X |
| 6  | Selquay mitchin | X |
| 7  | Ky-ay-ke-shin   | X |
| 8  | Chay-yea-hus    | X |
| 9  | Kick-pay-mull   | X |
| 10 | Yellase         | X |
| 11 | Dawate-waitus   | X |
| 12 | Sury-eth        | X |

Signed in the presence of  
 Alfred Robson, British  
 Mr. R. G. F. L.  
 Joseph William Mackay  
 Fort Victoria  
 30 April 1850

Whyomilth Tribe, 30 April 1850

Purchase of land from the Tribe or Family of Whyomilth extending from the north west corner of Esquimalth, say from the Island off the entrance of Saw mill stream and running west and north to the mountains, being bounded on one side by the lands of the Teechamitsa and on the other by the lands of the Kosampsum.

North West of Esquimalt  
Harbour

Know all men, we, the Chiefs and People of the family of Chilcowitch, who have signed our names and made our marks to this deed on the thirtieth day of April, one thousand eight hundred and fifty, do consent to surrender, entirely and for ever, to James Douglas, the agent of the Hudson's Bay Company in Vancouver Island, that is to say, for the Governor, Deputy Governor, and Committee of the same, the whole of the lands situate and lying between the north west corner of Esquimalt, say from the Island inclusive, at the mouth of the Saw Mill Stream and the mountains lying due west and north of that point this District being on the one side bounded by the lands of the Teechamitsa and on the other by the lands of the Kosampsum family.

The condition of or understanding of this sale is this, that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received, as payment, Forty five pounds Sterling.

In token whereof we have signed our names and made our marks at Fort Victoria on the Thirtieth day of April One thousand eight hundred and fifty.

Hal-whal-utstin [and 17 others]

Done before us this 30<sup>th</sup> day of April 1850 at Fort Victoria  
Alfred Robson Benson M.R.C.S.L.  
Joseph William McKay

Purchase of land from the Indians by Family of  
Whyomilth extending from the north west corner  
of Esquimalt bay from the Island off the  
entrance of Saw mill stream and running west  
and north to the mountains being bounded on  
one side by the lands of the Tlaxamitla and  
on the other by the lands of the Nassamproven -

North West of Esquimalt  
Island

Whyomilth land

Know All men, We the Chiefs and People of  
the family of Whyomilth who have signed  
our names and made our marks to this  
Treaty on the Thirtieth day of April one  
thousand eight hundred and Fifty do  
consent to surrender entirely and for  
Ever to James Douglas the Agent of  
the Hudson Bay Company in  
Vancouver Island that is to say  
for the Governor Deputy Governor and  
Committee of the same the whole  
of the lands Situate and being  
between the north west corner of  
Esquimaux Bay from the Island  
inclusive, at the mouth of the Saw  
Mill stream and the mountains  
running due west and north of that  
point this District being on the one  
side bounded by the lands of the  
Squamish and on the other by the  
lands of the Rosampson family.

The Condition of or understand-  
ing of this sale is this, that our  
Village Sites and enclosed Fields  
are to be kept for our own use  
for the use of our children, and  
for those who may follow after  
us; and the lands shall be  
properly surveyed hereafter; it  
is understood however that the  
land itself, with these small  
exceptions become the entire pro-  
perty of the white people for  
ever; it is also understood that

we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received for payment Five pounds Sterling.

In token whereof we have signed our names and made our mark at Port Victoria on the Thirtieth day of April One thousand eight hundred and fifty

- |    |                  |   |                                    |
|----|------------------|---|------------------------------------|
| 1  | Kel-whil-at-tien | x | hunter                             |
| 2  | Pä-quollak       | x |                                    |
| 3  | Kal-kay-mullet   | x | Done before us this                |
| 4  | Tu-ay-gualisus   | x | 30 <sup>th</sup> day of April 1850 |
| 5  | Chä-ih-mäch      | x | at Port Victoria                   |
| 6  | Tu-äl-sut        | x | Alfred Robson Beaman               |
| 7  | Tä-hoy-us        | x | M. R. C. L.                        |
| 8  | Tuik             | x | Joseph William McKay               |
| 9  | Serins           | x |                                    |
| 10 | To-huy-um        | x |                                    |
| 11 | Un-haing-tun     | x |                                    |
| 12 | Tu-tä-wantsut    | x |                                    |
| 13 | Tä-it-humilut    | x |                                    |
| 14 | Chil-thlap       | x |                                    |
| 15 | Tsil-quay-hun    | x |                                    |
| 16 | Cho-wä-us        | x |                                    |
| 17 | Say-thlanc       | x |                                    |
| 18 | Shä-luntem       | x |                                    |



Che-ko-nein Tribe, 30 April 1850

Purchase of land from the Tribe or Family known as the Che-ko-nein extending from Point Gonzala [sic] along the Boundary of the Chilcowitch and Kosampsom Tribes as far north as Cedar Hill and including all the ground east of that line to the Canal de Arro [Haro Strait] and Straits of De Fuca.

Know All men, We the chiefs and people of the Tribe or Family of the Che-ko-nein, who have signed our names and made our marks to this Deed, on the Thirtieth day of April one thousand, eight hundred and Fifty do consent to surrender Entirely and forever to James Douglas the agent of the Hudsons Bay Company in Vancouvers Island that is to say, for the Governor Deputy Governor and Committee of the same the whole of the lands situate and lying between Point Gonzales and Mount Douglas, following the boundary line of the Chilcowitch and Kosampsom families; the Canal de Arro and the Straits of Juan de Fuca, east of Point Gonzales.

The condition of, or understanding of this sale is this, that our village sites and enclosed Fields are to be kept for our own use, for the use of our Children, and for those who may follow after us and the lands shall be properly surveyed hereafter, it is understood however that the land itself, with these small exceptions becomes the entire property of the White people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received as payment Seventy Nine pounds ten shillings Sterling.

In token whereof we have signed our names and made our marks at Fort Victoria on the Thirtieth day of April One thousand, eight hundred and fifty.

Point [Gonzales] to Cedar Hill

Chayth-lum [and 29 others]

Done before us at Fort Victoria this 30<sup>th</sup> day of April 1850

Alfred Robson Benson M.R.C.S.L.

Joseph William McKay

Purchase of land from the Cheke or Canulo Indians  
as the Will-Kooncein extending from Point Gargale  
along the Boundary of the Chilcomit and Kasaanse  
Inlets as far north as Cedar Hill and including  
all the ground east of that line to the Canal de Torres  
and Strait of De Fuca -

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Che-ko-nein, 30 April 1850. Page 1 of 4

Know All men, We the Chiefs and people  
of the Tribe or Family of Che-ko-nein, who  
have signed our names and made our marks  
to this Deed, on the Thirtieth day of April  
one thousand, eight hundred and Fifty do consent  
to surrender Entirely and for ever to  
James Douglas, the Agent of the Hudson's  
Bay Company in Vancouver's Island,  
that is to say, for the Governor Deputy  
Governor and Committee of the Same  
the whole of the lands situate and  
lying between Point Gonzales and  
Lieutenant Douglas, following the boundary  
line of the Chilowitch and Robinson  
families; the Canal de Porro and the  
Strait of Juan de Fuca, east of Point  
Gonzales. The Condition of, or  
understanding of this Sale is this, that  
our Villages Sites and enclosed fields  
are to be kept for our own use, for  
the use of our Children, and for  
those who may follow after us,  
and the lands shall be properly  
surveyed hereafter, it is understood

however that the land itself, with these small exceptions, becomes the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received as payment seventy nine pounds ten shillings Sterling. Ten taken whereof we have signed our names and made our marks at Fort Victoria on the thirtieth day of April one thousand, eight hundred and fifty.

Printed copies to Cadan Kell

- |    |                  |                        |   |
|----|------------------|------------------------|---|
| 1  | Chaythlum        | x                      | 5 |
| 2  | Unhoyem          | x                      | 4 |
| 3  | Shil-at-thlac    | x                      | 5 |
| 4  | Koquaymitchstein | x                      |   |
| 5  | Kull-kom         | x                      |   |
| 6  | Skottusun        | x                      |   |
| 7  | Koquãamitchstein | x                      |   |
| 8  | Inuk-kum         | x                      |   |
| 9  | Pagh             | x                      |   |
| 10 | Sila-cha         | x                      |   |
| 11 | Kool-tyeth       | x                      |   |
| 12 | Tulk-hos         | x                      |   |
| 13 | Silahalch        | x                      |   |
| 14 | To-whay-mut      | x by his son vitchalch |   |

Che ko-nein and

- 15 Kukulke lichten X
- 16 Swallow X
- 17 Sulky mullit X
- 18 Kol ko-lacha X
- 19 Similanock X
- 20 Falmito-acha X
- 21 Maytag wa X
- 22 Soogwall nitth X
- 23 Hi-acca X
- 24 Jay ciet-um X
- 25 Tangle nitth X
- 26 Ka-miwen X
- 27 Holemitsten X and a ...
- 28 Soony ass X
- 29 Spickaw X
- 30 Skat laälh X by his Father Saak Nam.

Done before us at Fort  
 Victoria this 30<sup>th</sup> day of April  
 1850  
 Alfred Robson Benson  
 Mr. R. J. S. L.  
 Joseph William McKay

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Che-ko-nein, 30 April 1850. Page 4 of 4

Ka-ky-aakan, 1 May 1850

Purchase of land from the Tribe or Family of Ka k'y aakan extending from Point McGregor to the Inlet of Whoyung – embracing the whole of the Tract or District of Metchosin from the sea coast to the interior of the Island as far as the Snowy mountains.

Know All men: We the Chiefs of the Family of the Ka-ky aakan, acting for and with the consent of our People, who being here present have individually and collectively, confirmed and ratified this our act; now know that we who have signed our names and make our marks to this Deed on the first day of May one thousand eight hundred and Fifty do consent to surrender entirely and for ever to James Douglas the Agent of the Hudsons Bay Company in Vancouvers Island that is to say for the Governor Deputy Governor and Committee of the same the whole of the lands situate and lying between Point Albert and the Inlet of Whoyung on the Strait of Juan de Fuca and the Snowy covered mountains in the interior of the Island so as to embrace the whole Tract or District of Metchosin from the Coast to the said mountains.

The condition of, or understanding of this sale is this, that our village sites and enclosed Fields are to be kept for our own use, for the use of our children, and for those who may follow after us, and the lands shall be properly surveyed hereafter; it is understood however that the land itself, with these small exceptions becomes the entire property of the White people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our Fisheries as formerly.

We have received as payment Forty three pounds six shillings and eight pence.

In token whereof we have signed our names and made our marks at Fort Victoria on the First day of May One thousand eight hundred and fifty.

Quoite to káy sum  
Tlye-hum [Duff, p. 19 Tly-a-hum]

Descendants of the chiefs antient possessors of this Districts and their only surviving heirs – about 26 in number.\*

Alfred Robson Benson M.R.C.S.L.  
Joseph William McKay

52 blankets paid\*

---

\* Notes added by Douglas (Duff, p. 19). Note that “antient” is an archaic version of “ancient”.

Purchase of land from the Tribe or Family of  
Ka Ky aakan extending from Point St George to the  
Inlet of Whoocong. embracing the whole of the Coast or  
District of Whoocong from the sea coast to the exclusion  
of the Island so far as the saying manateens.

1 Know All men, We the Chiefs of the  
Family of Ka Ky aakan, acting for and with  
the consent of our People, who being here present  
have individually and collectively performed and  
ratified this our act, now know that we who  
have signed our names and made our marks to  
this Deed on the First day of May one thousand  
eight hundred and Fifty do consent to surrender  
entirely and for ever to James Douglas  
the Agent of the Hudson Bay Company  
in Vancouver's Island that is to say,  
for the Governor Deputy Governor and  
Committee of the same the whole of

the lands situate and lying between Point  
 Albert and the Inlet of Whorung on the  
 Strait of Juan de Fuca and the snow  
 covered Mountains in the interior of the  
 Island so as to embrace the whole Coast  
 of District of Mitchosen from the Coast to  
 the said mountains. The Condition or  
 understanding of this Sale is this that our Village  
 with and inclosed Fields are to be kept for our  
 own use, for the use of our children, and for  
 those who may follow after us, and the lands  
 shall be properly surveyed hereafter; it is understood  
 however that the land itself, with these small  
 exceptions becomes the entire property of the  
 white people for ever; it is also understood  
 that we are at liberty to hunt over the un-  
 occupied lands, and to carry on our  
 Fisheries as formerly. We have received  
 as payment Forty Three pounds six Shillings  
 and eight pence. In token whereof  
 we have signed our names and  
 made our marks at Port Victoria  
 on the First day of May One thousand  
 eight hundred and fifty.

Quits to his name	X	Descendants of the Chiefs
Flax name	X	entire possessors of the Districts and their only inhering heirs <small>about the number</small>

Alfred Robert Benson  
 Mr. R. G. S. L.  
 Joseph William MacKay  
 82 Havelock Street



Chewhaytsun Tribe, 1 May 1850

Purchase of Land from the Tribe of Family of Cheaihaytsun, extending from the Inlet of Whoyung, to the Bay of Chewhaytsun Sy-yousuing, and interiorly to the snowy mountains.

Metchosin\*

Sooke

Know All men, we the Chiefs, of the Family of Cheaihaytsun, acting for and on behalf of our People, who being here present have individually and collectively, ratified and confirmed this our act, now Know that we are who have signed our names and made our marks to this Deed on the First day of May, one thousand, eight hundred and Fifty do consent to surrender entirely and for ever to James Douglas the Agent of the Hudsons Bay Company in Vancouvers Island that is to say, for the Governor Deputy Governor and Committee of the same the whole of the lands situate and lying between the Inlet of Whoyung and the Bay of Syusung known as Soke Inlet, and the snow covered mountains in the interior of the Island.

The Condition of or understanding of this Sale is this that our Village Sites and enclosed Fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the lands shall be properly surveyed hereafter; it is understood however that the land itself, with these small exceptions becomes the entire property of the White people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received as payment Forty five pounds ten shillings.

In token whereof we have signed our names and made our marks at Fort Victoria on the First day of May, One thousand eight hundred and fifty.

Al<sup>h</sup>cháy-nook  
Wee-ta<sup>h</sup>-noogh  
Châ nas-káynum

Chiefs and representatives of the Family of Chewhaytsun who collectively have ratified the sale – about 30 in number.\*\*

54 blankets paid.

---

\* “probably [jotted] in error, meant for the previous treaty”. (Duff, p. 20)

\*\* Note added by Douglas. (Duff, p. 20)

Purchase of Land from the Tribe or Family of Chewhaytsu-  
sum, extending from the Inlet of Wharves to the  
Bay of ~~Wharves~~ <sup>by Wharves</sup>, and extending to the many  
mountains

Metchuic

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Some

8. Know All men, We the Chiefs, of the Family  
of Chewhaytsun, acting for and on behalf of  
our People, who being here present have individually  
and collectively, ratified and confirmed this our act,  
and know that we who have signed our names  
and made our marks to this Deed on the First  
day of May, one thousand, eight hundred and Fifty  
do consent to surrender entirely and for  
ever to James Douglas the Agent  
of the Hudsons Bay Company in  
Vancouver Island that is to say, for  
our Governor Deputy Governor and Com-  
mittee of the same the whole of the  
lands situate and lying between the  
Inlet of Whoyung and the Bay of  
Lyusung Measured as 5000 Acre, and

the snow covered mountains in the  
 interior of the Island. The Condition  
 of or understanding of this Sale is this that  
 our Village Sites and enclosed Fields are to  
 be kept for our own use, for the use of  
 our children, and for those who may  
 follow after us; and the Lands shall be  
 properly surveyed hereafter; it is understood  
 however that the Land itself, with these  
 small exceptions becomes the entire property  
 of the white people for ever; it is also  
 understood that we are at liberty to hunt  
 over the unoccupied lands, and to carry  
 on our fisheries as formerly. We  
 have received as payment Forty six  
 pounds ten shillings. In token  
 whereof we have signed our names  
 and made our marks at Port Victoria  
 on the first day of May, One thousand  
 eight hundred and fifty

M'chay-nook x	Chief and representative of the
Wu-ti-nough x	Family of Chewhaytsun who
Chi-nas-kay-num x	collectively have ratified the
	sale - about 30 in number
	55 March 1850

Soke [Sooke], 10 May 1850

Purchase of Land from the Tribe or family of Soak, extending from the Bay of Sy yousung to the Three Rivers ~~beyond~~ Two Bay beyond Thlo wuck.

Northwest of Soke ~~Harbor~~ Inlet

Know All men, We the Chiefs of the Family of "Soke" acting for and on behalf of our People, who being here present, have individually and collectedly, ratified and confirmed this our act, now Know, that we who have signed our names and made our marks to this deed, on the First day of May one thousand, eight hundred and Fifty, do consent to surrender entirely and for ever to James Douglas the Agent of the Hudsons Bay Company in Vancouvers Island that is to say, for the Governor Deputy Governor and Committee of the same the whole of the lands situate and lying between the Bay of Syusung or Soke Inlet, to the Three Rivers beyond Thlowuck or Point Shirringham on the Straits of Juan de Fuca and the snow covered mountains in the interior of Vancouvers Island.

The Condition of or understanding of this Sale is this that our Village Sites and enclosed Fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the lands shall be properly surveyed hereafter; it is understood however that the land itself, with these small exceptions, becomes the entire property of the White people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly.

We have received as payment Forty eight pounds six shillings and eight pence.

In token whereof we have signed our names and made our marks at Fort Victoria on the First day of May, One thousand, eight hundred and fifty.

Wanseea  
Tanasman  
Chysimkan [or Hysimkan, Duff, p. 20]  
Yokum

Chiefs commissioned by and representing the Soak Tribe here assembled.\*

58 blankets

Fort Victoria 10<sup>th</sup> May 1850\*\*

---

\*Note by Douglas. (Duff, p. 20)

\*\* See Duff, p. 20 re date.

Success of Land from the Tribe on family  
of Soke, returning from the Bay of Loosening  
to the River Howe Bay and Howe Bay Bay and 'Hlo-muck.

July  
North West North West

9 Know All men, We the Chiefs of the  
Family of Soke, acting for and on behalf of our  
People, who being here present, have individually  
and collectively, ratified and confirmed this our act,  
now know, that we who have signed our names  
and made our marks to this deed, on the  
First day of May one thousand, eight hundred  
and Fifty, do consent to surrender entirely  
and for ever to James Douglas the  
Agent of the Hudson Bay Company  
for Vancouver's Island that is to say,  
for the Governor, Deputy Governor and  
Committee of the same, the whole of

the lands situate and lying between the Bay of Juvung or Joke Strait, the Three Rivers beyond Ishluuch or Point Whitingham on the Straits of Juan de Fuca and the snow covered mountains in the interior of Vancouver's Island. The Condition or understanding of this sale is this that our Village Sites and enclosed Fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the lands shall be properly surveyed hereafter; it is understood however that the land itself, with these small exceptions, become the entire property of the white people for ever; it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly. We have received as payment 500 to wit four hundred and eight pounds; In token whereof we have signed our names and made our mark at Fort Victoria on the first day of May, One thousand eight hundred and fifty.

Wansee	X	
Tanasman	X	Chief commissioned by and representing
Abyssimkan	X	the First Tribe here assembled
Yokum	X	Second

Fort Victoria  
 10<sup>th</sup> May 1850

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Sooke, 10 May 1850. Page 2 of 2

South Saanich, 7 February 1852

Know All men that we the Chiefs and people of the Sanitch Tribe who have signed our names and made our marks to this Deed, on the 6<sup>th</sup> day of February 1852 do consent to surrender entirely and forever, to James Douglas the Agent of the Hudsons Bay Company, in Vancouvers Island that is to say for the Governor Deputy governor and Committee of the same, the whole of the lands situate and lying between Mount Douglas and Cowitchen Head\* in the Canal de Arro and extending thence to the line running through the centre of Vancouvers Island north and south.

The condition of, or understanding of this sale, is this, that our village sites and enclosed fields, are to be kept for our own use, for the use of our children, and for those who may follow after us, and the lands shall be properly surveyed hereafter; it is understood however, that the land itself, with these small exceptions, becomes the entire property of the white people for ever, it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly. We have received as payment Forty one pounds thirteen shillings and four pence. In token whereof we have signed our names, and made our marks at Fort Victoria, on the seventh day of February. One thousand eight hundred and fifty two.

Cedar Hill  
to [?]  
South Saanich

Whut say mullet Chief [and 9 others]  
paid 50 Blankets [next to 7<sup>th</sup> name, Kul quey-lum]

Fort Victoria 7<sup>th</sup> Feb<sup>y</sup> 1852

Witness to signatures  
Joseph William McKay Clerk HBC<sup>o</sup> Service  
Rich<sup>d</sup> Golledge, Clerk

300 Blankets\*\*

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\*Tluma-latchin written under Cowitchen Head; Indian name according to Duff, p. 21.

\*\* See Duff comment, p. 21.



" Know all men that we the Chiefs and people  
of the Saanich Tribe who have signed our names  
and made our marks to this deed, on the 6<sup>th</sup> day  
of February 1852 do consent to surrender entirely  
and forever, to James Douglas the Agent of  
the Hudsons Bay Company, in Vancouver  
Island that is to say for the Governor  
Deputy Governor and Committee of the same,  
the whole of the lands situate and lying  
between Mount Douglas and <sup>Stann & Letcher</sup> ~~Capitane~~ Head  
on the level de above and extending thence to the  
line running through the centre of Vancouver  
Island north and south.

The condition of, or understanding  
of this sale, is this, that our village sites and  
inclosed fields, are to be kept for our own use,  
for the use of our children, and for those who may  
follow after us, and the lands shall be properly  
surveyed hereafter; it is understood however, that  
the land itself with these small exceptions, becomes  
the entire property of the white people for ever, it  
is also understood that we are at liberty to  
hunt over the unoccupied lands, and to carry  
on our fisheries as formerly. We have received  
as payment Forty one pounds thirteen shillings and  
four pence. In token whereof we have signed our  
names, and made our marks at Fort Victoria,  
on the seventh day of February. One thousand eight  
hundred and fifty two.

Ceden Will  
 to South Saanich  
Consent to  
South Saanich

Whet sax mullet	his	chief
Comoy uks	mark	x
Kwull xolatchi	x	
Kaw Yelunsit	x	
Dill Kay mut	x	
Whey-chee ay.	x	
Kul quey-lum	x	paid 50 blankets
Ach chey. mult	x	
Gly yshak	x	
Pe-au lus	x	

Fort Victoria  
 7<sup>th</sup> Feb<sup>r</sup> 1852  
 saw Blanket

Witness to signatures  
 Joseph William MacKay  
 Clerk H<sup>is</sup> Service  
 Rich<sup>d</sup> Gallenp. Clerk

North Saanich, 11 February 1852\*

[?] to  
North Saanich

Know all men that we Chiefs and people of the Sanitch Tribe, who have signed our names and made our marks to this Deed, on the 11<sup>th</sup> day of February 1852, do consent to surrender entirely and for ever, to James Douglas the Agent of the Hudsons Bay Company in Vancouvers Island, that is to say for the Governor, Deputy Governor and Committee of the same, the whole of the lands situate and lying as follows viz - commencing at Cowitchen Head and following the coast of the Canal de Arro north west nearly to Sanitch Point or Quâ-nâ-sung from thence following the course of the Sanitch Arm to the point where it terminates and from thence by a [straight?]\*\* line across country to said Cowitchen Head the point of commencement; so as to include all the country and lands, with the exceptions hereafter named, within these boundaries.

The condition of or understanding of this sale, is this that our village sites and enclosed fields are to be kept for our own use for the use of our children and for those who may follow after us, and the lands shall be properly surveyed hereafter; it is understood however that the land itself with these small exceptions becomes the entire property of the white people for ever, it is also understood that we are at liberty to hunt over the unoccupied lands; and to carry on our fisheries as formerly. We have received as payment [left blank]

Hotutstun [and 48 others; numbered 1-49]

Is hamtun [and 30 others; numbered 1-32, 22 omitted]

Huy la' che [and 36 others; numbered 1-37]

Witness to signatures

Joseph William McKay Clerk HBC<sup>o</sup> Services

R Golledge Clerk

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\*For a recent examination of this treaty see: Raymond Frogner, "Innocent Legal Fictions": Archival Convention and the North Saanich Treaty of 1852" *Archivaria* 70 (Fall 2020): 45-94.

\*\*The word looks like "stone" or "store". Both Duff, p. 22 and *Papers*, p. 10 say "straight".

~~Cowichan~~  
North Saanich

" Know All men that we Chiefs and people  
of the Saanich Tribe, who have signed our names  
and made our marks to this Deed, on the 11<sup>th</sup> day  
of February 1852, do consent to surrender  
entirely and for ever, to James Douglas the  
Agent of the Hudsons Bay Company, in Vancouver  
Island, that is to say for the Governor, Deputy  
Governor and Committee of the same, the whole  
of the lands situate and lying as follows viz<sup>t</sup>  
commencing at Cowichan Head and following the coast  
of the Canal de Soos north westward to Saanich Point  
or Lae-nd-sung from thence following the course of  
the Saanich Arm to the point where it terminates and  
from thence by a straight line across country to Cowichan  
Head the point of commencement; so as to include all  
the country and lands, with the exceptions hereafter named,  
within those boundaries-

The condition of or understand-  
ing of this sale, is this that our small  
lots and enclosed fields are to be kept for  
our own use for the use of our children  
and for those who may follow after us,  
and the lands shall be properly surveyed  
hereafter; it is understood however that the  
land itself with these small exceptions, becomes  
the entire property of the white people for ever,  
it is also understood that we are at liberty  
to hunt over the unoccupied lands; and to

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North Saanich, 11 February 1852. Page 1 of 4

carry on our fisheries as formerly. We have  
 as received as payment

1. Atatut-tien	his mark	X	26. Sulksay-lum	his mark	X
2. She-hay-nook	X		27. Wha-se-sub	X	
3. Chis-Enaguan	X		28. Tapp-ugh	X	
4. To-a-whulack	X		29. Taw-wushun	X	
5. Ish-laying	X		30. Tey-kossun	X	
6. Whul-a-whamitch	X		31. To-a-woughten	X	
7. Ish-hay-mut	X		32. Wuit-a-kunsit	X	
8. Hay-lum	X		33. Wulay-ko	X	
9. Quatay-lum	X		34. Kamtium	X	
10. Chut-thack	X		35. Nay-mukh	X	
11. Is-hose-ay	X		36. Sa-wlsocks	X	
12. Wot-es-lanough	X		37. Is-wah-mut	X	
13. Quat-awitch	X		38. Se-hay-wan	X	
14. Kul-guy-mullet	X		39. Tapp-whul-ton	X	
15. Who-much-ton	X		40. Whay-an-sit	X	
16. Kam-cay-um	X		41. Hay-saluk	X	
17. Sha-sha-luck	X		42. Kul-hay-mut	X	
18. Kul-ey-mut	X		43. Shay-chill	X	
19. Takatun	X		44. Is-nimulset	X	
20. Sulksay-lum	X		45. Whung-gay-lum	X	
21. Kool-hay-much-ton	X		46. Taw-ey-ros	X	
22. Quay-misc	X		47. Kul-ha-lachoi	X	
23. Tapp-tuts	X		48. Tula-kun	X	
24. Tamiuch-alanutch	X		49. Chuy-e-uck	X	
25. Vich-setun	X				

Continued next page

1 So kamtuu	<sup>his mark</sup> X	1 Bouyla' che	X
2 Kul ka luctuu	X	2 Say luctuu	X
3 Chee kuuay	X	3 Wha. ukeeyo	X
4 Pla. stiltuu	X	4 Quataktuu	X
5 Sil a. malh	X	5 Wkey cheey	X
6 Su. elh lack	X	6 Ghata 9 <sup>th</sup> huu	X
7 Soo-wa' nuc	X	7 Alquacke	X
8 Spa. hung-	X	8 Kumbkumuu	X
9 Se. mast	X	9 Kapaswiteh	X
10 Ka' tos	X	10 Wey cock	X
11 Poo	X	11 Gut hay lum	X
12 Nishk	X	12 Se. naises	X
13 Kung. kungsook	X	13 Chamussit	X
14 Chul chenay	X	14 Tala. lass	X
15 Maoguang	X	15 Sa quay toing	X
16 Pla. mahus	X	16 La. teub	X
17 Islagh	X	17 Gowham	X
18 Pa. saynum	X	18 Locktan	X
19 Sechand	X	19 Tong rak	X
20 Katalacultas	X	20 Tulsut	X
21 Kowalacup	X	21 Kalshuna	X
23 Wa. ha	X	22 Kápool	X
24 Chawitsoat	X	23 Tee thlanugh	X
25 Zost whasut	X	24 Luis chà lich	X
26 Katchey mults	X	25 Ket kalachui	X
27 Mahamults	X	26 Whasaymil	X
28 Se. kay num	X	27 Quatin	X
29 Kolinoo <sup>th</sup>	X	28 Ahul nith	X
30 Whulay stalak	X	29 Chil quay is	X
31 Mawhuluh	X	30 Katurch	X
32 Su. a. kotan	X	31 Quasay lenugh	X
		32 Skalhoat	X
		33 Muntuu	X
		34 Kalalowha	X
		35 Pllay tllaktuu	X

(continued next page)

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36 Runkwaatche his mark  
37 Silsilus x

Witness to signatures

Joseph William McKay  
North West Service  
H. G. G. Clerk.

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## MS-0772, File 2

File 2 contains loose sheets recording land purchase agreements with the Queackar and Quakeolth at Fort Rupert, February 1851, and a list of goods, with their value, paid to purchase the lands. Duff (1969, p. 8) describes these pages as being “attached to pages inside the book [i.e. the Register of Land Purchases]”

Although excerpts containing the descriptions of the lands conveyed were transcribed and published as part of the “Memorandum of treaties” published in Langevin’s *Report* and the *Report of the Superintendent of Indian Affairs for British Columbia* (see introduction to File 1), the entire text of neither appears to have been transcribed and published.

Duff did not deal with these two land purchases.



Queackar Tribe, 8 February 1851\*

Agreement between the H. Bay Cop<sup>y</sup> and the Chiefs of the Queackar Tribe for the purchase of their lands 8<sup>th</sup> Feb<sup>y</sup> 1851

Know all Men, We, the Chiefs and People of the Tribe called Queackars who have signed our Names and made our marks to the Deed on the Eighth day of February one thousand Eight hundred and fifty one do consent to surrender entirely and for ever to James Douglas the Agent of the Hudsons Bay Company on Vancouvers Island that is to say for the Governor, Deputy Governor, and Committee of the same the whole of the Lands situate and lying between McNeills Harbor and Hardy Bay inclusive of these ports and extending two miles into the interior of the Island.

The condition of or understanding of this sale is this that our village sites and enclosed Fields are to be kept for our own use for the use of our children and for those who may follow after us and the Land shall be properly surveyed hereafter. It is understood however that the Land itself with these small exceptions becomes the entire property of the white People for ever it is also understood that we are at liberty to hunt over the unoccupied Lands and to carry on our Fisheries as formerly.

We have received as payment £64 sterling. In token whereof we have signed our names and made our marks at Fort Rupert Beaver Harbor on the Eighth day of February one thousand eight hundred and fifty one.

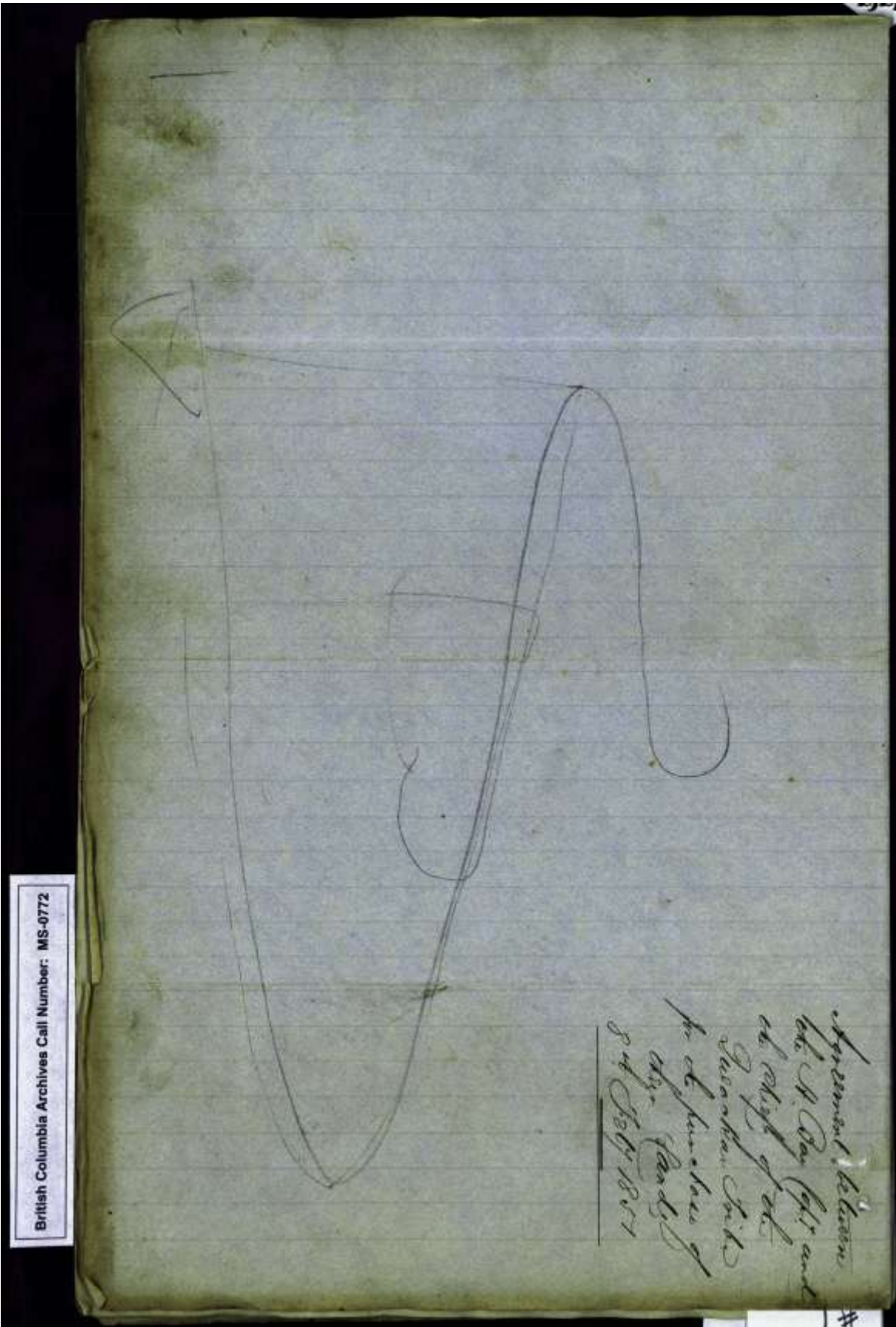
Witness	William Henry McNeill C.T. H.B.Co.
do	Charles Dodd Master Steamer Beaver
do	George Blenkinsop Clerk H.B.Co.

Land between McNeil Harbor & Hardy Bay  
Ft Rupert

Wale [and 11 others]

---

\* Note that text is continuous across the second and third pages.



British Columbia Archives Call Number: MS-0772

Wm. H. Day Esq  
at the City of  
Vancouver B.C.  
for the purchase of  
the "Panda"  
8th Feb 1851

Queackar, 8 February 1851. Page 1 of 3

Know all Men, We the Chiefs and People  
signed our names and made our marks to  
thousand Eight hundred and fifty one do  
Douglas the Agent of the Hudsons Bay  
for the Governor, Deputy Governor, and  
situated and lying between Mac Millan Hill  
and extending two miles into the interior of  
of this sale is they that our village sites  
for the use of our Children and for those who  
surveyed hereafter. It is understood however  
becomes the entire Property of the white People  
to hunt over the unoccupied Lands and to  
received as payment of 64 Sterling. In taken  
marks at Fort Rupert Borden Harbor on  
hundred and fifty one.

Witness William Henry Willitt G. J. W. B. Co;  
do Charles Dodd Master Assessor Borden  
do George Plunkingsop Clerk W. B. Co

~~Signed between~~  
~~Mr. [unclear]~~  
~~Mr. [unclear]~~

F. Rupert

of the Tribe called Queackar who have  
 this Deed on the Eighth day of February and  
 consent to surrender entirely and for ever to James  
 Company on Vancouver Island that is to say  
 committed of the same the whole of the Lands  
 above and Hardy Bay inclusion of the Ports  
 of the Island. The condition of or understanding  
 and enclosed Fields are to be kept for our own use  
 may follow after us and the Land shall be properly  
 that the Land itself and also small exception  
 for ever it is also understood that we are at liberty  
 carry on our Fisheries as formerly. We have  
 whereof we have signed our names and made our  
 the Eighth day of February one thousand eight

Wale	o	His mark
Koolish	o	do
Laatikis	o	do
Grakakologloo	o	do
Kaalakatta	o	do
Seswettie	o	do
Wamish	o	do
Haagonglass	o	do
Skroshau	o	do
Korttalass	o	do
Omiskinij	o	do
Normanock	o	do

Quakeolth Tribe, 8 February 1851\*

Agreement between the H. Bay Company and the Chiefs of the Quakeolth Tribe for the purchase of their Lands 8<sup>th</sup> Feb<sup>y</sup> 1851.

Know all Men, We, the Chiefs and People of the Tribe called Quakeolths who have signed our Names and made our marks to this Deed on the Eighth day of February one thousand eight hundred and fifty one do consent to surrender entirely and for ever to James Douglas the Agent of the Hudson Bay Company on Vancouvers Island that is to say for the Governor, Deputy Governor and Committee of the same the whole of the Lands situate and lying between MacNeills Harbor and Hardy Bay inclusive of these Ports and extending two miles into the interior of the Island.

The condition of or understanding of this Sale is this that our Village sites and enclosed fields are to be kept for our own use for the use of our children and for those who may follow after us and the land shall be properly surveyed hereafter. It is understood however that the land itself with these small exceptions becomes the entire Property of the white People for ever, it is also understood that we are at liberty to hunt over the unoccupied Lands and to carry on our Fisheries as formerly.

We have received as payment £86 sterling. In token whereof we have signed our Names and made our Marks at Fort Rupert Beaver Harbor on the Eighth day of February one thousand eight hundred and fifty one.

Witness	William Henry McNeill C.T. H.B.Coy [signed]
do	Charles Dodd Master Steamer Beaver
do	George Blenkinsop Clerk H.B.Co.

Wawattie [and 15 others]

---

\* Note that text is continuous across the second and third pages.

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Agreement between  
H. Cook, Captain  
the Chief of the  
Quakwaka'wakw  
for the purchase of  
the land  
of the  
8<sup>th</sup> Feb 1851

Quakeolth, 8 February 1851. Page 1 of 3

Know all Men, We the Chief and  
who have signed our Names and made our  
February one thousand eight hundred and  
for ever to James Douglas the Agent of the  
that is to say for the Governor, Deputy  
of the Land situate and lying between  
inclusive of these Ports and extending two  
condition of or understanding of this Sale is  
are to be kept for our own use for the use of  
and the Land shall be properly surveyed here  
itself with these small exceptions become the  
understood that we are at liberty to hunt or  
Fishing as formerly.

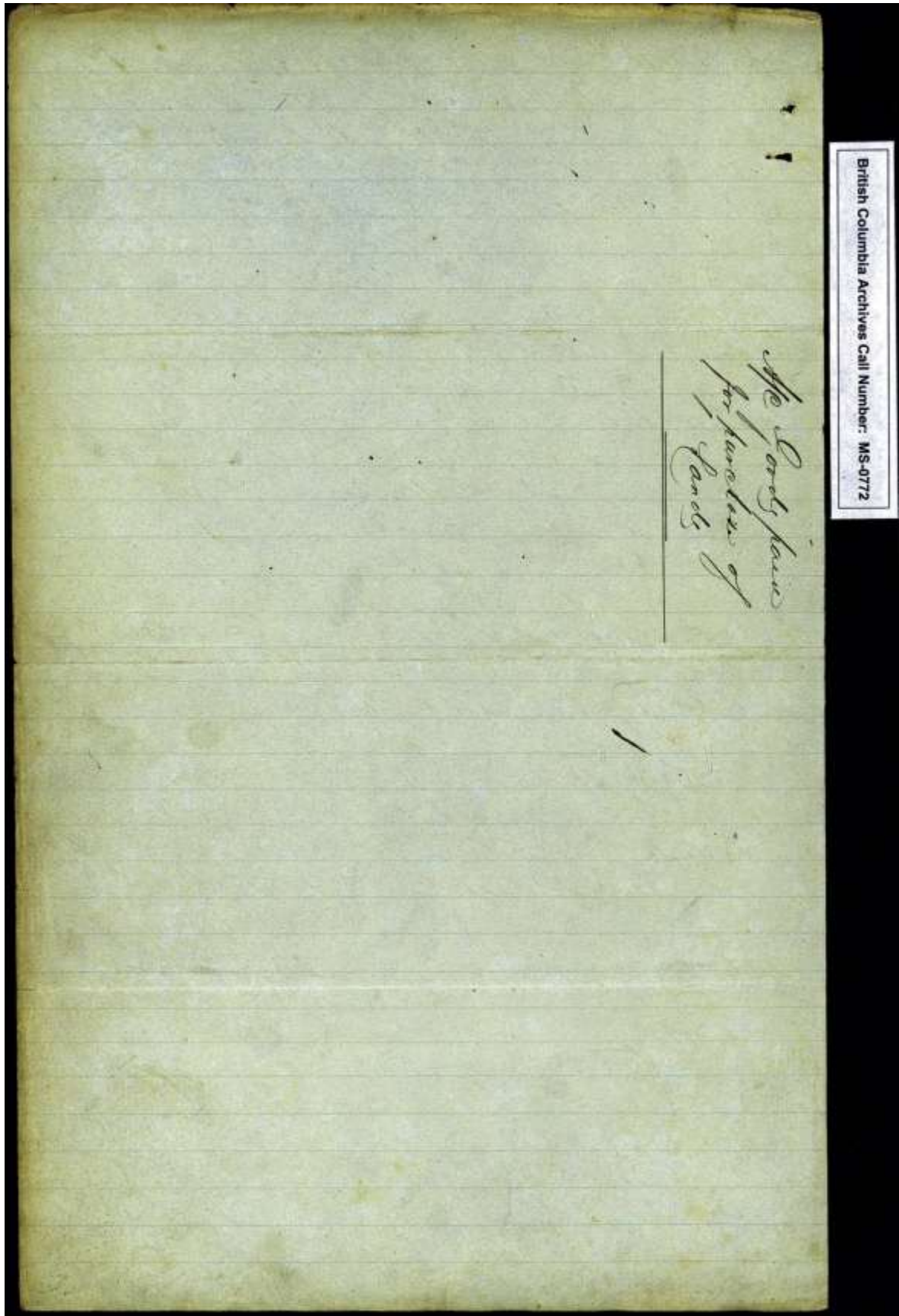
We have seen  
we have signed our Names and made our Treaty  
day of February one thousand eight hundred

Witness William Henry Murrell Esq. W. D. Gray  
do Charles Dodd Matta Awanawa  
do George Blenkinsop Clerk W. D. G.

People of the Tribe called Quakeolth  
 make to this deed on the eighth day of  
 fifty one do consent to surrender entirely and  
 Hudsons Bay Company on Vancouver Island  
 Governor and Committee of the same the whole  
 Mac Wills Harbor and Hardy Bay  
 only into the interior of the Island. The  
 they that our Village sites and enclosed fields  
 our Children and for those who may follow after us  
 after. It is understood however that the Land  
 entire Property of the white People for ever it is also  
 or the unoccupied Lands and to carry on our  
 and us payment of 86 sterling. In token whereof  
 at Fort Rupert Beach Harbor on the eighth  
 and fifty one.

Mawattis	0	Mark
Yackelen	0	do
Mr Pipes	0	do
Joe	0	do
Jim	0	do
Swash	0	do
Swanock	0	do
Thayonglasso	0	do
Sarguip	0	do
Poleto	0	do
Maaketest	0	do
Sackdeetie	0	do
Sunday	0	do
Mawthia	0	do
Sollamaw	0	do
Comenatz	0	do





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The Goods paid  
for purchase of  
Lands

A/C Goods paid for purchase of Lands

A/C Sundries paid for Lands purchased from the Quakeolth and Queackar Indians at Fort Rupert Beaver Harbor 8<sup>th</sup> Feb<sup>y</sup> 1851.

105	Blankets	3 1/2 pty	Red bar	4/6	57 3.
57	do	3	"	4/6	17 11 6
52	do	2 1/2	"	5/6	13 13.
42	do	2	"	4/6	8 13 6
2	do	2	"	4/6	9.
3	do	1 1/2	"	3/7	10 0
11 1/2	Scarlet	Baye		2/6	1 11 2
16	do	do		2/6	1 14 8
9 1/2	Printed	Colton		18/8	8 8.
30	corn	colton	Handker	3	1.
1	Indian	Gun	3 ft		19 14
8 1/2	J. P. J.	Gun powder		2/9	6.
28	A. J. J.	Shot		3	7.
14	Ball	do			5 6
164 yds	corns	red	Strands	2/6	24 10.
25	green	do		2/6	3 10 10
13	blue	do		3/6	2 1 2
145	corns	cotton	Shirts	4/6	5 1 3
50 lb	Leaf	Tobacco		7	19 2
1 do	best	Black	Gun flints		2
					\$ 150 0 0

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A/C Sundries paid for Lands purchased from the Quakeolth and Queackar Indians at Fort Rupert Beaver Harbor 8<sup>th</sup> Feb<sup>y</sup> 1851.

## MS-0772, File 3

File three contains two sets of loose sheets\* filled with signatures, essentially two versions or copies of the same land purchase agreement with the Sarlequun or Saalequun at Nanaimo in 1854. The three main differences in content between the two are that in one version the brief descriptive text is on the same sheet as and immediately precedes the start of the names of the signatories while the other has a slightly longer version of the description on a separate scrap of paper; in the former version there are penciled annotations beside the names; and in the former version James Douglas appears as one of the signatories, but not in the latter version. The latter version is reproduced first.

Unlike the preceding documents, there is no text other than the brief descriptive note and the names of the signatories. However, in a case heard before the BC Court of Appeal in 1964, it was determined that this document constituted a treaty and that Douglas intended the text to be the same as the others as far as Native hunting rights were concerned.\*\*

The signatures of the Sarlequun have not been transcribed.

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\* Duff (1969: 8) describes the "Fort Rupert and Nanaimo treaties" as being "written on separate sheets of the same paper [i.e. as in the notebook] and attached to pages inside the book." This is no longer the case.

\*\*R v. Clifford White and David Bob cited in Duff, p.6-7, 22. For a recent discussion of the role of the document itself in this case see Anne Lindsay, "Archives and justice: Willard Ireland's contribution to the changing legal framework of aboriginal rights in Canada, 1963-1973," *Archivaria* 71 (Spring 2011): 35-62.

Sarlequun Tribe, 23 December 1854\*

A Similar conveyance of country extending from Commercial Inlet, 12 miles up the Nanaimo River made by the Sarlequiun Tribe signed Squoniston & others [note attached to signature sheets]

[6 signature sheets signed Squoniston and [193] others]

[last sheet] Done at Nanaimo Colvile Town this 23<sup>rd</sup> day of December in the year of our Lord 1834, in presence of us, who in the presence of each other, have hereunto affixed our names

Signed Charles Edward Stuart H.B.Co. in charge  
Richard Golledge Hudsons Bay Co. Service  
George Robinson Manager of the Nanaimo Coll<sup>s</sup> [Collieries]

---

\* Version with description written on separate piece of paper, no annotations and lacking the signature of James Douglas.

A Summits conegame of country  
extending from former end miles  
to miles of the harras  
Prives made by the  
Sarlegium tube  
ofind Sponster  
Mean

British Columbia Archives Call Number: MS-0772

Sarlequun, 23 December 1854 [note with brief descriptive text]

Sarlequim Tribe	his
Squamiston	mark
Karlarlum	his
Shearlitsar	mark
L'chormit	his
Scharlsit	mark
Se waymullu	his
Shoshalum	mark
Markon	his
Manartlock	mark
Sharkshawltoo	his
Sowasut	mark
Schultson	his
Cupwailum	mark
Sowequetsit	his
Tanumuck	mark
Quiquibuck	his
Karlarpeltos	mark
Lummo	his
Seltocho	mark

forward

Sarlequun, 23 December 1854 [signatories]. Page 1 of 6

British Columbia Archives Call Number: MS-0772

Sarlequun Tribe continued

Sachamellth	his mark
Quotlumkon	his mark
Shushup	his mark
Hossier	his mark
Lscharces	his mark
Tovarck d	his mark
Tua-akum	his mark
Shutstus	his mark
Schummel	his mark
Spilakee	his mark
Clalikum	his mark
Haywaykun	his mark
Swe lan	his mark
Harl kemit	his mark
Skai kun	his mark
Skutleth	his mark
Shearlemshoo	his mark
Sucilston	his mark
bowarkun	his mark
Kulloyan	his mark
Siamelton	his mark
Simoyor	his mark
Harquetston	his mark
Squalth	his mark
Squith	his mark
Squimellth	his mark

Suatin Chief	his mark
Quosquoston Chief	his mark
Quolquatsid	his mark
Sarchamult	his mark
Kowchin	his mark

forward.

Sarlequun, 23 December 1854 [signatories]. Page 2 of 6

Sarlequun Tribe Continued

Book Shen	his
Selamulth	mark
Duorn	his
Seiketston	mark
Kanaimen	his
Wilksen	mark
Seamarton	his
Kulquaiwo	mark
Safockton	his
Hainakum	mark
Hoidsahin	his
Kick	mark
Watsark	his
Tsilkalum	mark
Tufeyon	his
Tootskin	mark
Kuntain	his
Shait	mark

Claret Chief	his
Methemarclopi	mark
Clarselack	his
Whunamelson	mark
Ticut	his
Book	mark
Starkelanock	his
Shyack	mark
Halkemich	his
Sopelston	mark
Hartsock	his
Tulwatschal	mark
Haywaycomb	his
	mark
	forward

Sarlequun, 23 December 1854 [signatories]. Page 3 of 6



Souktin	his
Quorpaluck	mark
Kilpoo	his
Lampton	mark
Sillardston	his
Samulth	mark
Seit-serman	his
Horilock	chief
Siltwilken	his
Wailoket	mark
Church	his
Pappark	mark
26 Bloclowetsir	his
	mark

Yousmulth	chief
Duai-alston	his
Swiniquilt	mark
Karlschen	his
Lause	mark
Konyer	his
Schametson	chief
Wajelston	his
Stowitow	mark
Shilquairum	his
Ajes	mark
Stamelluck	his
Scummi	mark
Shudd	his
Kit-lewhich	mark
Selewherson	his
Silwhorom	mark
Scampton	his
	mark

forward.

Tukarlanou	his
Filcharm	mark
Tarnock	his
Katlamun	mark
Quinton	his
Welark	mark
Lockqueyer	his
Waitsuf	mark
Quorchier	his
Quimilp	mark
Islous	his
Quiamun	mark
Talsetlis	his
Kelhouse	mark
Shilquaitum	his
Telkoth	mark
Shilchalum	his
Munalth	mark
Swilwanulough	his
buloulets	mark
Swy	his
Salthche	mark
Myark	his
Le saqlaitsha	mark
Kaytelthu	his
barholock	mark
Quound	his
Seawell	mark
Sagrowas	his
Simough	mark
Sarlem chip	his
	mark

for mark

Isleiston	his mark
Kaipkanun	his mark
Tarselock	his mark
Quemlarnough	his mark
Hortshus	his mark
Shilayulun	his mark
Startlemieson	his mark
Karhayer	his mark
Spiloston	his mark
Seayaton	his mark
Sarsqueston	his mark
Isloquiset	his mark
Tarsack	his mark
Wenwoncher	his mark
Kuloulats-har	his mark
Clouethlalun	his mark

Done at Nanaimo Colvile Town  
 this 23<sup>rd</sup> day of December in the year  
 of our Lord 1854, in presence of us,  
 who in the presence of each other,  
 have hereunto affixed our names

Signed Charles Edward Stuart. *Agent in charge*  
 Richard Colledge *of Nanaimo*  
 Hudson Bay Co. *servant*

George Robinson. *Manager of the*  
 Nanaimo Co.

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Sarlequun Tribe, 23 December 1854\*

Country extending from Commercial Inlet 12 miles up the Nanaimo River

[signed] Squoniston [and [193] others]

[5 additional signature sheets]

[last sheet – some text runs into following sheet] Done at Fort Nanaimo or Colvile Town this 23<sup>rd</sup> day of December in the year of our Lord 1854, in presence of us who in the presence of each other, have hereunto affixed our names

Signed Charles Edward Stuart Hudson's Bay Compy in charge of Fort Nanaimo

Richard Golledge Hudson's Bay Compys Service

George Robinson Manager of the Nanaimo Coll<sup>s</sup> [Collieries]

James Douglas Governor Vancouver Island

---

\*Version with the brief descriptive text on the same sheet as and immediately preceding the names of the signatories, penciled annotations beside the names and James Douglas as a signatory.

Country east of the former water table  
 12 miles up the Nass River

Sarleguun Tribe

- |    |               |      |        |
|----|---------------|------|--------|
| 18 | Squoniston    | hid  | 8 Nils |
|    | Karlartum     | mark | 8 Nils |
|    | Shearlitsar   | hid  | 8 Nils |
|    | Schornit      | mark | 8 Nils |
|    | Schaulsit     | hid  |        |
|    | Se way mullth | hid  |        |
|    | Sheshalum     | mark |        |
|    | Marthen       | hid  |        |
|    | Manartlock    | mark |        |
|    | Markshawltoo  | hid  |        |
|    | Sowasut       | mark |        |
|    | Schulten      | hid  |        |
|    | Entumitum     | mark |        |
|    | Seisequidset  | hid  |        |
|    | Nanumuck      | mark |        |
|    | Duquiduck     | hid  |        |
|    | Karlarpeltoo  | mark |        |
|    | Lummos        | hid  |        |
| 20 | Seitsetschoo  | mark |        |

Continued

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Sarleguun, 23 December 1854. Page 1 of 6

## Sarlequun Tribe continued

Ischa-melth	his
Duet-lum-kon	mark
Kush-up	his
Mossier	mark
L'scharces	his
Toc-arch-el	mark
Kia-a-kun	his
Shick-tus	mark
Schummel	his
Tot-a-kiet	mark
Blab-i-kun	his
Hay-way-kun	mark
Swe-lan	his
Karl-ke-mit	mark
Shai-kun	his
Kais-lith	mark
She-arte-mult-hos	his
Swe-lak-ton	mark
Cow-ar-kun	his
Kul-lo-yon	mark
Siamel-ton	his
Simoyer	mark
Marquets-ton	his
Squalth	mark
Squith	his
Squimelth	mark

Suatin chief	his	21/12/54
Duos-quot-ton Chief	mark	21/12/54
Dud-quait-sur	his	
Sarche-mult	mark	
Niw-chun	his	
	mark	

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Sarlequin Tribe Continued

Coock-shoh	his
Sela-multh	mark
Quorm	his
Seik-eston	mark
Kanaimen	his
Wiltson	mark
Seamarton	his
Kul-quai-wo	mark
Sal-ock-ton	his
Skain-a-kin	mark
Hoits-a-kin	his
Kick	mark
Watsark	his
Hil-ka-lum	mark
Puk-e-yon	his
Tsoo-kin	mark
Kun-tain	his
Skuit	mark
Clarsit Chief	his
Mettle-mardelup	mark
Clarse-lack	his
Mhun-armetson	mark
Tiute	his
Coock	mark
Starkelanoek	his
Shy-ack	mark
Halkemich	his
Sopelston	mark
Harlock	his
Tulwatschud	mark
Hayway comb	his

6  
6  
6

Sarlequin, 23 December 1854. Page 3 of 6

Skoutin	his	
Duor pal uck	mark	2
Kid. Joss	mark	ad. p. 10
Sampton	his	
Til tar labston	mark	
Seamulth	mark	
Tid's e man	mark	
Horsilock Chief	his	ad. p. 10
Tal Asil Ken	mark	
Whil's kel	his	
Church	mark	
Tap kart	his	
Ho clou de er	mark	
	his	
Yquamulth Chief	mark	ad. p. 10
Dui ab's ton	his	ad. p. 10
Sunniquilt	mark	6
Hart's kel	his	6
Lause	mark	
Copayer	his	
Schamelson Chief	mark	ad. p. 10
Waislelston	his	
Howitons	mark	
Shil quailum	his	6
Aies	mark	
Seam's buch	his	
Scummi	mark	
Thuss	his	
Kid's buch	mark	
Sidewickson	his	
Til whorm	mark	
Sampton	his	
	mark	

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Sarlequun, 23 December 1854. Page 4 of 6



Subarlanou	his	
Silcharm	mark	
Pitarnock	big	
Kallalum	mark	Kallalum
Lunitom	big	2
Mc bark	mark	1
Loek-que-ye	mark	
Waisul	big	
Quorchier	mark	5
Quinilp	big	
Tilsus	big	
Ducamun	mark	
Tabset-lis	big	
Kil-korso	mark	
Dorshilquailum	big	
Pelkolth	mark	
Schilchalum	big	6
Munalth	mark	
Svilwanar longh	big	
Cul-culots	mark	
Looy	big	
Sardthche	mark	
Ayarké	big	
Le-saylaitcha	mark	
Kay-sel-thou	big	
Blar-kol-ock	mark	
Quonna	big	
Seawill	mark	6
Sactewas	big	
Limough	mark	
Sarklem	his	
Chief	mark	
		6 Sarklem Chief

No further  
 change to name  
 shall be made  
 except by mutual  
 consent of both  
 parties  
 and shall be  
 subject to the  
 approval of the  
 British Government  
 and the Government  
 of the said  
 Province  
 and shall be  
 subject to the  
 approval of the  
 British Government  
 and the Government  
 of the said  
 Province  
 and shall be  
 subject to the  
 approval of the  
 British Government  
 and the Government  
 of the said  
 Province

Done at Victoria this 23rd day of December 1854  
 In presence of  
 the undersigned  
 British Agents  
 and the undersigned  
 Agents of the  
 said Province

James Douglas  
 Governor of the Province  
 and  
 Richard Goldie  
 Agent of the Province

Charles Roberts  
 Agent of the Province  
 and  
 Richard Goldie  
 Agent of the Province

Sarlequun, 23 December 1854. Page 6 of 6