Sample: Positive and Negative Aspects of Douglas' Life

Positive Aspects	Negative Aspects
Helped the HBC establish a trade monopoly in the Pacific Northwest from 1821-1858.	*Douglas was known to become "furiously violent when aroused," a tendency which brought Douglas into conflict with the Carrier Indians early in his career with the HBC, causing him to be transferred from Fort St. James in 1830.*
Established British rule west of the Rocky Mountains by creating the Colony of Vancouver Island and Colony of British Columbia for which he has been called "The Father of BC."	*He was opposed to allowing everyone to vote and believed that a good dictator was the best form of government. He instituted property qualifications for voters and for membership in the Vancouver Island Assembly so that only large landowners could qualify.*
The first wave of 25,000 newcomers arrived in Victoria on their way to search for gold on the Fraser sandbars. Douglas took the precaution of claiming the BC mainland and the minerals for the Crown.	*At the beginning of the Gold Rush in 1857 Douglas stopped foreign vessels from entering the Fraser River. The British Government reprimanded Douglas for these actions because it believed Douglas implemented these measures to protect the HBC monopoly.*
As governor of BC (1858-1863), Douglas was concerned with the welfare of the miners. He laid out reserves for the natives to eliminate the threat of warfare, recorded mining and land claims, settled mining disputes, and devised a land policy on the mainland which included mineral rights. His water legislation met the needs of the miners.	*Some of his old friends complained about Douglas' exercise of power, aloofness and showy manner. New Westminster merchants complained about having to pay customs duties. The effect was cumulative. Douglas's term as governor of Vancouver Island ended in 1864.*
Douglas organized the building of a 640 km wagon road financed by loans that followed the Fraser to distant Cariboo, where gold nuggets had been found. It was extended in 1865 to the booming gold town of Barkerville.	

Overview of the Murder of Peter Brown

Robin Fisher is a Canadian historian known for his work on Aboriginal history and is provost of Mount Royal University in Calgary.

A company employee, . . . a shepherd named Peter Brown, was killed by Indians in the Cowichan Valley. Apparently two Indians were involved; one was a Cowichan and the other was a member of the Nanaimo tribe. When he learned of the murder, Douglas was determined to capture the two individuals, but he was equally determined not to blame their tribes. For reasons of 'public justice and policy' he did not want to involve all the members of the tribes in the 'guilt' of two, nor did he want to provide the closely related Cowichan and Nanaimo with a reason to form an alliance against the whites. Douglas sent messages to the tribal leaders demanding the surrender of the murderers, but when these requests produced only evasive replies, he decided that 'more active measures' were required. So in January 1853 he assembled a force made up of 130 marines from the frigate *Thetis* and a small group of militiamen who called themselves the Victoria Voltigeurs. Accompanied by this force Douglas went first to the Cowichan Valley and then to Nanaimo and was able to capture the two Indians without loss of life. But the arrests were not a simple matter. When the Cowichan charged his force as a ceremonial test of its courage, Douglas had great difficulty in restraining his men from firing a volley. The Cowichan murderer was finally surrendered by his people, but the Nanaimo Indian was a man of some prestige in his tribe and was more difficult to secure. In the end Douglas had to take him by force of arms. Once captured, the two Indians were tried and hanged before the Nanaimo people. Douglas was highly satisfied with the operation. He considered, in the case of the Cowichan, that the surrender of the killer without bloodshed 'by the most numerous and warlike of the Native Tribes in Vancouver's Island' was 'an epoch [the beginning of a new period of history], in the history of our Indian relations.'

Douglas had successfully employed the fur-trading principle of selective, rather than indiscriminate, punishment. In fact, he was of the opinion that the success of the venture owed as much to the influence of the Hudson's Bay Company as it had to the use of intimidation. . . The Colonial Office considered Douglas's actions to be 'highly creditable.'

Source: Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890*. (Vancouver: University of British Columbia Press, 1977/1994), pp. 54-55.

Cole Harris is professor emeritus in geography at the University of British Columbia, and he has published widely on Canadian geography and history, earning accolades as Canada's pre-eminent historical geographer.

In November 1852, a white shepherd was killed a few miles from Victoria, and the killers were presumed to be two Native men, a Cowichan and a Nanaimo. Douglas, acting quickly to capture them so as to 'prevent further murders and aggressions which I fear may take place if the Indians are emboldened by present impunity [without punishment],' assembled a force of more than 150 men, largely drawn from a British frigate at Esquimault (sic), and embarked for Cowichan Bay in early January with a flotilla of small vessels and the HBC steamer *Beaver* . . . The Cowichan turned over a man. Douglas promised to give him a fair hearing at Nanaimo, and told the Cowichan that 'they must respect Her Majesty's warrant and surrender criminals belonging to their respective tribes on demand of the Court Magistrate and that resistance to the civil power would expose them to be considered as enemies.' There were similar intimidations at Nanaimo, but no one was turned over; the wanted man was captured after a long chase. Both were hurriedly tried on the quarterdeck of the *Beaver* before a jury of naval officers, and hanged the same day in the presence of most of the Nanaimo. The size and composition of the expeditionary force, the rhetoric of law and civil government, and the trial were new (there had not been trials since NWC days), but otherwise the assumptions and tactics of the Cowichan expedition were of the fur trade, even in the spies Douglas hired.

Source: Cole, Harris, *Resettlement of British Columbia: Essays on Colonialism and Geographical Change*. (Vancouver: University of British Columbia Press, 1997/2000), pp. 65-66.

#3

Overview of the Shooting of Thomas Williams

Hamar Foster is a University of Victoria law professor, specializing in colonial legal history, and Aboriginal history and law:

[In 1855] a Cowichan named Tathlasut was also tried by a jury of naval personnel, on a charge of attempting to murder a man [James] Douglas refers to as Thomas Williams, a white settler. Tathlasut was pursued by a military force three times the size of the one that had been sent after Sque-is and Siam-a-sit [the subject of Case Study #1], and, like them, he was convicted and hanged on the same day. On this occasion, however, it is clear not only that the Cowichans submitted because of Douglas' superior force, but also that some of them bitterly resented his actions and continued to feel aggrieved [wronged] long afterwards . . . Tathlasut had shot at Williams because the man had seduced, or attempted to seduce, his bride-to-be, and this was probably a lawful response to a gross [great] insult, especially by someone from a different nation.

. . . [Thomas Williams was also known as Tomo Ouamtomy or Tomo Antoine.] The son of an Iroquois voyageur and a Chinook mother, Ouamtomy . . . served the HBC and the colony in a number of capacities, notably on expeditions sent out to assess Vancouver Island's resources . . . Ouamtomy, together with J.W. McKay, whose name appears on a number of the land session treaties of the early 1850s, was the first HBC man to explore the Cowichan River in 1851. Sent there by Douglas, they located good land along the river, 'with a view to opening [it] to settlers.' But the Cowichan [people] were not happy about European incursions into their territory (like most Aboriginal nations in British Columbia, they have never ceded their title by treaty), and Ouamtomy's interference with Tathlasut's intended wife would have been doubly offensive. In any event, he was a rough man, and years after his dispute with Tathlasut – the outcome of which led to his being known thereafter as 'One-armed Toma' – he was charged with the murder of his own wife. Given all these factors, the Cowichan may not have regarded him as someone who automatically came under the protection of English law, and so resisted what they saw as the intrusion of British justice and military force into a lawful, perhaps even a privileged, act of vengeance against a wrongdoer from another nation.

. . . death was an extreme penalty for such an offence, whether or not the Cowichans accepted that Tathlasut was guilty of attempted murder rather than lawful retaliation. Moreover, it was extreme even in English law. As Judge Matthew Baillie Begbie pointed out in an 1869 case where an Indian had been convicted of attempting to murder a white man, by the mid-1850s the practice in England was not to carry out the death sentence 'unless life had actually been taken.' . . . The execution . . . was an emphatic statement about how the government would protect those it chose to define as settlers, whatever the reason for an attack upon them. . . . Sending over four hundred men to arrest Tathlasut for wounding Tomo Ouamtomy was therefore a new kind of excess . . .

Source: 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.

Overview of the Fraser River War

Lindsay Gibson is a former high school history teacher and Ph.D. student at the University of British Columbia where he studies in the Centre for the Study of Historical Consciousness.

The origins of the Fraser Canyon War can be traced to the 1850's when the Nlaka'pamux people of the Thompson and Fraser Rivers began selling gold to the Hudson's Bay Company (HBC). James Douglas wanted to keep the discovery of gold secret so that the HBC could profit from the gold trade, and to avoid the possibility of large numbers of American miners moving into the British-held mainland. Since the British had not formally colonized or populated the territory, Douglas worried that the United States would try to annex the land once American miners had moved in.

Douglas' worst fears came true in the mid-1850's when rumours of gold began to circulate and miners began to stream across the 49th parallel into the mainland. In July 1857, Nlaka'pamux people expelled gold miners because they were taking gold from their land, and because they worried that mining would have a negative effect on the annual salmon run that provided their principal food supply. In letters to the British Colonial Office Douglas expressed concern that the miners may try to attack and expel the Nlaka'pamux. Douglas urged the British government to take steps to establish its presence and authority in the region.

Between 1857-1858 between 25,000-30,000 Americans and Europeans poured into British Columbia from California and the Oregon Territory. As the miners gained more and more of a majority, they drove the Nlaka'pamux from the gold bars on the river. To the miners, the Fraser Canyon was an area inhabited by "savages" far beyond the reach and power of the government in Victoria. In June 1858 a conflict nearly erupted at Hill's Bar when a group of Nlaka'pamux outnumbered a group of miners and threatened to wipe them out. After visiting the area to investigate the conflict, Douglas concluded that the main cause was that the Nlaka'pamux were jealous of the large quantities of gold being taken by the miners from their territory.

To avoid further conflict, Douglas appointed two officials to represent the authority of the crown on the mainland. By July 1858 Yale was a lawless town of tents and shacks, with a population of 5,000 miners, traders, and gamblers. There were just three government officials in the Fraser Canyon: two revenue collectors and a justice of the peace at Hill's Bar. As a result, the miners managed themselves and their own dealings with Natives, organized meetings, elected officers on individual bars, and applied and administered their own rules.

Tension between First Nations groups and miners increased in July 1858. Twenty-five miners travelling through the Okanagan Valley to the Fraser Canyon stole and destroyed provisions at an Aboriginal camp, and then ambushed unarmed Aboriginals returning to camp the next day, killing an estimated 10-12 and injuring equally as many. The Nlaka'pamux had many problems with the miners harassing the women, trespassing on their land, excluding them from mining for gold,

destruction of their property, and overall mistreatment. The 1858 salmon run was significantly less than other years, which the Nlaka'pamux blamed on the mining operations.

The violence began when Nlaka'pamux sent downstream the headless bodies of two French miners who had allegedly attacked a Nlaka'pamux woman. The miners quickly organized six volunteer militias. Captain Snyder of the New York Pike Guard militia convinced the miners that the war should be one of pacification, not extermination. Snyder proposed using a large show of armed force to pressure the Nlaka'pamux into a peace settlement with the miners.

On August 9, the miners' militias left for Spuzzum where 3000 miners had set up camp after fleeing from the Nlaka'pamux. The militias began moving upstream and sent reports to the Nlaka'pamux at Lytton that they wanted to make peace. According to reports, on August 14 the miners fought hostile Nlaka'pamux, killing nine, wounding others, and taking three prisoners. As the troops were returning to Spuzzum, volunteer soldiers burned three Native villages. One miner reported that a company of miners found several Indian camps and "just killed everything, men, women, and children." The heaviest miner casualties may have occurred when miners camped out for the night panicked in the dark and began firing at each other.

Aboriginals from all over the upper Thompson assembled at Lytton to decide on their response to the miners militias. The Okanagan, Shuswap, Bonaparte, Savona and Kamloops bands promised to fight if war was declared. One of the chiefs named Spintlum made an eloquent speech that convinced many to pursue peace. If Spintlum had not urged peace it is probable that many First Nations from the Fraser Canyon and the interior might have gone to war.

Captain Snyder arrived at Lytton to meet with 27 chiefs gathered from throughout the traditional lands of the Nlaka'pamux. Snyder offered the chiefs an ultimatum: either accept peace or face the prospect of being driven from their lands. Some historians believe the chiefs had already decided to settle for peace before Snyder arrived. Snyder concluded several oral and written peace treaties with the chiefs representing over 2,000 Aboriginal people.

Although the British Government had created the Crown Colony of British Columbia on August 2, 1858, there was little formal government presence in the Fraser Canyon. After receiving reports about conflict in the Fraser Canyon, Douglas raised a force of 20 Royal Marines and 15 Royal Engineers. He set out from Victoria on August 30 and arrived at Yale on September 13.

Douglas immediately met with both Aboriginal people and miners to investigate the conflict. He reprimanded the miners for ignoring British law and authority in the region, but was assured by the miners that they would follow the Queen's law in the future. He met with the Nlaka'pamux and guaranteed them reserves in the Fraser Canyon and prohibited the sale of alcohol to all Aboriginal peoples. Douglas also ordered townsites to be drawn up for Yale and Hope, and appointed a chief of police and five constables. With his business in the Fraser Canyon complete, Douglas returned to Victoria on September 20.

Source: Lindsay Gibson, University of British Columbia, Unpublished account, February 2010.

Name: _____ **#5**

Investigating the Incident

Questions	Summary of Details
What happened?	
Who was involved?	
When did it happen?	
Where did it take place?	
Why did it happen?	
How was it resolved?	

Core Documents: the Murder of Peter Brown

Document #1: Douglas reports on the murder

Governor James Douglas describes the murder of Peter Brown in a despatch sent to the British Colonial Office.

"Our relations with the Native Tribes, continued in the most satisfactory state up to the 5th Inst., when an event occurred which I fear may lead to serious difficulties with the Cowegin [Cowichan] Tribe. The event of which I have reference is the foul and wanton [without justifiable reason] murder of Peter Brown a servant of the Hudson's Bay Company, by some Cowegin Indians, at one of the Company's sheep stations, about 5 miles distant from this place, under circumstances of great atrocity. In such cases we are naturally led to suspect the existence of some exciting cause, of some previous injury or provocation [reason for committing the murder], that has tempted the untutored [uneducated] mind of the Savage to commit a fearful crime, but after the closest investigation of that case I have not been able to discover any mitigating circumstance whatever, which can be urged in extenuation [excuses] of its guilt. The murder of Peter Brown may be therefore regarded in the light of a mere wanton [unjustifiable] outrage, as this unfortunate victim, of savage treachery was known to be a remarkably quiet and inoffensive young man, the only son of a respectable widow in Orkney."

Source: Despatch to London, Douglas to Pakington, 933, CO 305/3, p. 147; received 29 January 1853, [No. 8], Vancouver's Island, Fort Victoria, 11th November 1852.

Document #2: Douglas described his meeting with the Cowichan

Governor James Douglas describes his meeting with the Cowichan regarding the murder of Peter Brown in a despatch sent to the British Colonial Office.

"The expedition anchored off the mouth of the Cowegin [Cowichan] River, on the 6th of Jany and I immediately despatched messengers with an invitation to the several native Tribes, who inhabit the valley and banks of that river, to meet me, as soon as convenient, at some fixed point; for the purpose of settling the dif[f]erence, which had led me to visit their country, and at the same time giving them distinctly to understand that I should be under the painful necessity of assuming a hostile attitude, and marching against them with the force under my command, should they decline my invitation.

Their answer, accepting my proposal, and expressing a wish to meet me the following day, near the entrance of the river, was received on the evening of the same day. The disembarkation of the force was made early the following morning, and we took up a commanding position, at the appointed place, fully armed and prepared for whatever might happen. In the course of two hours the Indians began to drop down the river, in their war canoes, and landed a little above the position we occupied, and last of all arrived two large canoes, crowded with the friends and relatives of the murderer, hideously painted and evidently prepared to defend the wretched man, who was himself among the number, to the last extremity. On landing they made a furious rush towards the spot where I stood, a little in advance of the force, and their deportment [behavior] was altogether so hostile, that the marines were with difficulty restrained, by their officers, from opening a fire upon them. When the first excitement had a little abated, the felon, fully armed, was brought into my presence, and I succeeded after a great deal of trouble, in taking him quietly into custody; and sent him a close prisoner on board the Steam vessel."

Source: Despatch to London, Douglas to Pakington, 3852, CO 305/4, p. 1; received 1 April [No. 1], Victoria, Vancouver's Island, 21st January 1853.

Document #3: Exchanging a slave for a murderer

University of Victoria historian Daniel Marshall describes how the Cowichan used a slave as compensation for the crime in an excerpt from his book published by the Cowichan Tribes Cultural and Education Department.

"The threat of total annihilation backed by an incredible array of fire-power achieved Douglas' aim, as a Native by the name of *Sque-is* was handed over in due course. *Sque-is* maintained he was innocent, and it has only been in recent years that further research suggests that the name *Sque-is* in the *Hul'qumi'num* language is more correctly pronounced *Skwuyuth*, meaning slave or prisoner of war.

In past times, it was common practice that a slave, like any other possession, could be paid as compensation in this way. Perhaps the way the affair was played out allowed both sides to save face. The Cowichan First Nation acknowledged that a wrong had been committed and responded in the usual way by offering restitution, as they saw it, for a crime committed against a member of a foreign nation. Douglas, in accepting the slave – perhaps knowingly – could report to British authorities that British law and order had been upheld to the fullest."

Source: Daniel P. Marshall, *Those Who Fell from the Sky: A History of the Cowichan Peoples*. (Duncan, BC: Cultural & Education Centre, Cowichan Tribes), pp. 99-100.

Document #4: Douglas describes the action he took

Governor James Douglas describes the actions he took in apprehending Siamsit at Nanaimo in a despatch sent to the British Colonial Office.

"In consequence of that breach of faith, his Father and another influential Indian were taken into custody; in hopes of inducing them by that means, to yield to our demands; my earnest wish being, if possible, to gain our object without bloodshed, and without assailing the Tribe at large.

After two days of the most anxious suspense, it was again settled that the felon should be given up; and he was accordingly brought to within half a mile of the anchorage, but on seeing me repair to the spot; he fled to the woods and made his escape. It was then impossible to temporize [delay in acting] longer, without a loss of character, negotiation had been tried in vain, and I therefore decided on adopting more active [military] measures, and with that view, ordered an immediate advance towards the Nanaimo River, where their villages are situated. We accordingly pushed rapidly in that direction, but the boats had scarcely entered the River before their progress was arrested by the shallowness of the stream, about three quarters of a mile below the first village… We then moved up the river to the second village, which we found nearly deserted by its inhabitants, who had fled to the woods with their effects.

The murderer's father was Chief of this last village, consisting of many large houses and containing the greater part of thei[r] stock of winter food. They were now completely in our power, and as soon as I could collect a sufficient number of the inhabitants I told them that they should be treated as enemies, and their villages destroyed, if they continued longer to protect the murderer, who we were now informed had left the river and lay concealed in the woods near the sea coast, about three miles distant.
The pinnace [light sailboat] was immediately despatched with 16 seamen and 9 half whites, towards that point, where his place of refuge was soon discovered. After a long chase in the woods in which the half whites took the principal [leading role] part the wretched man was captured and taken on board the Steam vessel. The troops were withdrawn the same day from the River, without molesting or doing any injury whatever to the other natives."

Source: Despatch to London, Douglas to Pakington, 3852, CO 305/4, p. 1; received 1 April [No. 1], Victoria, Vancouver's Island, 21st January 1853.

Document #5: Pleading not-guilty

Hamar Foster is a University of Victoria law professor, specializing in colonial legal history, and Aboriginal history and law:

"[Some people may have] difficulty in seeing a jury of British sailors as the peers [unbiased equals] of Sque-is and Siam-a-sit, especially in the absence of any surviving explanation of why they killed Brown. At the very least, the fact that they pleaded not guilty suggests that there may have been some sort of justification [reason] for the deed [killing Peter Brown], even if retaliation by the British was expected.

Faced with this strange and new form of proceeding, the mother of Siam-a-sit begged Douglas to hang her husband instead, because 'he was old and could not live long… and one for one was Indian law.' In short, she recognized that the circumstances required that the blood debt be paid, and offered in satisfaction the life of a chief for that of a mere shepherd. But this proposal 'did not meet the ideas of the whites, backed by a British man of war with a file of marines.' English law required that the killer die, the actual perpetrator, not someone put forward in his place. . . English law, not Salish, would govern relations between the two peoples at Nanaimo. . . ."

Source: Hamar Foster, "'Queen's Law Is Better Than Yours': International Homicide in Early British Columbia," in Jim Phillips, Tina Loo, Susan Lewthwaite eds., *Essays in the History of Canadian Law*, (Toronto: Osgoode Society, 1994), p. 63.

Document #6: Douglas describes the aftermath of the trial

James Douglas reflects on the murder, trial and execution in a despatch sent to the British Colonial Office on January 21, 1853.

"I am happy to report that I found both the Cowegin and Nanaimo Tribes more amenable to reason than was supposed; the objects of the Expedition having, under Providence [care and guidance of God], been satisfactorily attained [achieved], as much through the influence of the Hudson's Bay Company's name, as by the effect of intimidation. The surrender of a criminal, as in the case of the Cowegin murderer, without bloodshed, by the most numerous and warlike of the Native Tribes on Vancouver's Island, at the demand of the Civil power may be considered, as an epoch [the beginning of a distinctive time in history], in the history of our Indian relations, which augurs [predicts] well for the future peace and prosperity of the Colony. That object however could not have been effected without the exhibition of a powerful force."

Source: Despatch to London, Douglas to Pakington, 3852, CO 305/4, p. 1; received 1 April [No. 1], Victoria, Vancouver's Island, 21st January 1853.

Document #7: Response by the Colonial Office

An official in the British Colonial Office in London offers an assessment of Governor Douglas' actions in a despatch sent to Douglas.

"I have to acknowledge the receipt of your Despatch of the 21st of January last reporting the measures which you had taken for effecting the surrender of the murderers of the late Peter Brown, and to acquaint you that Her Majesty's Government regard the conduct of you[r]self, the Naval Officers, and Seamen, and others engaged in the two expeditions against the Native Tribes, as highly creditable to all the parties concerned, and deserving of their entire approbation [official approval]."

Source: Despatch from London, Newcastle to Douglas, NAC, RG7, G8C/1, p. 117; received 16 April 1854, No. 4, Downing Street, 12 April, 1853.

Core Documents: the Shooting of Thomas Williams

Document #1: Douglas reports on the shooting

Governor James Douglas outlines his response to the shooting of Thomas Williams in a despatch sent to the British Colonial Office.

"Thomas Williams a British subject settled in the Cowegin [Cowichan] country, was brought here this morning in, it is feared, a fatally wounded state, having been shot through the arm and chest, by "Tathlasut" an Indian of the Saumina [Somenos] Tribe who inhabit the upper Cowegin District. Thomas Williams is one of that class of men known in this country as "squatters", that is persons who have not purchased and therefore have no legal claim to the land they occupy, and though I have always made it a rule to discountenance [disapprove] the irregular settlement of the country, yet it is essential for the security of all, that those persons should be protected.

I propose in the first place to demand the surrender of "Tathlasut" from the Chiefs of his Tribe, and should we not succeed in securing him by that means, the only alternative left, will be to march a force into the country for that purpose. The squadron being now here, a sufficient force can with the co-operation of Admiral Bruce be raised without difficulty, and I feel assured that he will render every assistance in his power.

I have only further to assure you that I will do every thing in my power to avoid collisions with the natives, and not push the matter further than is necessary to secure the peace of the country."

Source: Colonial Despatches, Douglas to Labouchere, 9709, CO 305/7, p. 92; received 23 October, No. 20, Victoria Vancouver's Island, 22th August 1856.

Document #2: Douglas describes apprehending the suspect

Governor James Douglas describes the measures he took to apprehend the suspect in a despatch sent to the British Colonial Office.

"The troops marched some distance into the Cowegin [Cowichan] valley, through thick bush and almost impenetrable forest. Knowing that a mere physical force demonstration would never accomplish the apprehension of the culprit, I offered friendship and protection to all the natives except the culprit, and such as aided him or were found opposing the ends of justice. That announcement had the desired effect of securing the neutrality of the greater part of the Tribe who were present, and after we had taken possession of three of their largest villages the surrender of the culprit followed.

The expeditionary force was composed of about 400 of Her Majesty's seamen and marines under Commander Mathew Connolly and 18 Victoria Voltigeurs, commanded by M^{r} M^{c}Donald of the Hudson's Bay Company's service. My own personal staff consisted of M^{r} Joseph M^{c}Kay and M^{r} Richard Golledge, also of the Hudson's Bay Company's service, and those active and zealous officers were always near me, in every danger.

In marching through the thickets of the Cowegin valley the Victoria Voltigeurs were, with my own personal staff, thrown well in advance of the seamen and marines, formed in single file, to scour the woods, and guard against surprise, as I could not fail to bear in mind the repeated disasters, which, last winter, befel the American Army, while marching through the jungle against an enemy much inferior in point of numbers and spirit, to the Tribes we had to encounter. . . .

I may also remark for the information of Her Majesty's Government that not a single casualty befel [occurred to] the expeditionary force during its brief campaign, nor was a single Indian, the criminal excepted, personally injured, while their property was carefully respected.

The expedition remained at Cowegin two days after the execution of the offender, to re-establish friendly relations with the Cowegin Tribe, and we succeeded in that object, to my entire satisfaction.

I greatly admired the beauty and fertility of the Cowegin valley, which contains probably not less than 200,000 acres of arable land. I shall however address you on that subject, in a future communication."

Source: Colonial Despatches, Douglas to Labouchere, 10152, CO 305/7, p. 94; received 8 November, No. 21, Victoria Vancouver's Island, 6th September 1856.

Document #3: The Cowichan's response to the trial

History professor Barry Gough, Fellow of the Royal Historical Society and Life Member of the Association of Canadian Studies, has written many critically acclaimed books about the history of the Pacific Coast for the past four decades.

"In the forenoon of the next day [after the capture], a court of six officers and six petty officers tried the offender. After a full and patient investigation of the known and substantiated details of the case, the court returned a verdict of guilty. The governor summarily ordered him hanged, and he was executed in the evening. The British took care to conduct the trial and execution on the very spot where the crime had been committed – at one of the majestic oaks that still grace Somenos fields. Captain Macdonald, who was present, recalled that the culprit was hanged before his tribe who, nonetheless, showed 'many indications that their approval was withheld [disagreed] and that they yielded only to force [of the military expedition].' For reasons unknown, the natives did not regard the capture, trial and punishment with the same measure of acceptance as the authorities."

Source: Barry Gough, *Gunboat Frontier: British Maritime Authority and the Northwest Coast Indians, 1846-90* (Vancouver: University of British Columbia Press, 1984), p. 66.

Document #4: Reaction from the Colonial Office

An official in the British Colonial Office in London offers an assessment of Douglas' response to the shooting of Thomas Williams in a despatch sent to Douglas.

"I have to acknowledge the receipt of your Despatches N^{os} 20 and 21 of the 22^{d} of August and the 6th of September last, reporting the capture and execution of an Indian found guilty of attempting the life of a British Settler in the Cowegin Country.

In the present instance I have no hesitation in approving your proceedings, which the peculiar and aggravated circumstances of the case appear to have justified, but I would remind you that the extreme measure of sending an Armed Force against the Indian Tribes must be resorted to with great caution, and only in a case which urgently demands the adoption of such a course.

With reference to what you say of the conduct of Commander Connolly, I have to inform you that I have sent copies of your Despatches to the Board of Admiralty."

Source: Colonial Despatches, Labouchere to Douglas, NAC, RG7, G8C/1, p. 497, No. 20, Downing Street, 13th November 1856.

Document #5: Douglas describes the trial

Governor James Douglas describes the trial and reaction of the Cowichan in a despatch sent to the British Colonial Office.

"I have to announce, for the information, of Her Majesty's Government my return, this day, from "Cowegin" [Cowichan], with the expeditionary force placed at my disposal by Rear Admiral Bruce for service in the Cowegin country.

….He was tried before a special court convened on the spot, and was found guilty of "maiming Thomas Williams with intent to murder," an offence which the statute 1st Victoria chapt. 83 section 2. considers felony, and provides that the offender should suffer death.

He was accordingly sentenced to be hanged, and the sentence was carried into effect, near the spot where the crime was committed, in the presence of his Tribe, upon whose minds, the solemnity [seriousness and formality] of the proceedings, and the execution of the criminal, were calculated to make a deep impression.

The Cowegin Tribe can bring into the field about 1400 warriors but nearly 1000 of those were engaged upon an expedition to Fraser's River, when we entered their country. About 400 warriors still remained in the valley, nevertheless no attempt was made, except a feeble effort, by some of his personal friends, to rescue the prisoner or to resist the operation of the law."

Source: Colonial Despatches, Douglas to Labouchere, 10152, CO 305/7, p. 94; received 8 November, No. 21, Victoria Vancouver's Island, 6th September 1856.

Document #6: Douglas justifies his actions

Governor James Douglas responds to the British Colonial Office's assessment of his response to the shooting of Williams in a despatch.

"2. I trust I may be permitted to make a few explanatory observations, in reference to the remarks in your Despatch on the subject of the expedition to Cowegin [Cowichan], with the view of more clearly showing, than was done in my report of the expedition, that the measure [act] of sending an armed Force against the Cowegin Indians was only resorted to, on the failure of all other means of bringing the criminal to justice . . .

3. . . . never was a signal [single] example more urgently demanded for the maintenance of our prestige [reputation] with the Indian Tribes than on that occasion. . . . the natives of this Colony were also becoming insolent [disrespectful] and restive [restless], and there exist the clearest proofs derived from the confession of his [Tathlasut's] own friends, to show that the Native who shot Williams, felt assured of escaping with impunity [without punishment]. He, in fact told his friends that they had nothing to fear from . . . the whites, as they would not venture to attack a powerful tribe, occupying a country strong in its natural defences, and so distant from the coast.

4. . . . Our demands for the surrender of the criminal were answered by a rush to arms, and a tumultuous [disorderly] assemblage [gathering] of the Tribe in warlike array. From thence arose the necessity of employing an armed force to support the requisitions [rules] of the Law, and the danger to be guarded against, in our efforts to apprehend the criminal, was a collision [battle] with the whole Tribe. To avert that calamity [disaster], if possible . . . I had . . . to impress on the minds of the Natives, that the terrors of the law [punishment for attempted murder] would be let loose [punished] on the guilty only, and not on the Tribe at large, provided they took no part in resisting the Queens authority nor in protecting the criminal from justice.

5. And further I took the field in person with the expeditionary force, directed all their movements, and adopted every other precaution, dictated by experience, to avert disaster and ensure success.

7. . . . I was not influenced by the love of military display in assuming the great responsibility involved in directing the Cowegin Expedition; but solely by a profound sense of public duty, and a conviction, founded on experience, that it is only by resorting to prompt and decisive measures of punishment, in all cases of aggression, that life and property can be protected and the Native Tribes of this Colony kept in a proper state of subordination.

8. I have further much satisfaction in reporting that the result of the expedition has produced a most salutary effect [improvement] on the minds of the Natives."

Source: Colonial Despatches, Douglas to Labouchere, 3887, CO 305/8; p. 24; received 29 April, No. 4, Victoria Vancouver's Island, 24th February 1857.

Core Documents: The Fraser River War

Document #1: Overview of Douglas' actions

Historian, retired museum studies professor and manager for BC Heritage John Adams has published several history books including "*Old Square-Toes…*" which he had been researching for ten years.

"Although Douglas' actions with respect to administration during the gold rush were vindicated [justified] in the end, the situation almost turned the other way. In August 1858 the governor of Vancouver Island had no legal or effective control over the formation of the quasi-military [miners] companies, comprised [made up] mostly of Americans, which waged war in the Fraser Canyon with native people. These companies negotiated at least ten 'treaties' with the aboriginal population, unsanctioned [not supported] by the British Crown. Although his authority had temporarily been usurped [taken], Douglas went to Yale in September and exhorted [urged] the American miners to obey the laws of Britain and 'pay the Queen's dues like honest men.'"

Source: John Adams, *Old Square-Toes and his Lady: The Life of James and Amelia Douglas*. (Victoria, BC: Horsdal & Schubart Publishers, 2001), pp. 123-124.

Document #2: Protecting Native people from American miners

Governor James Douglas describes the potential for war between the miners and the Aboriginals in a despatch sent to the British Colonial Office.

" … there is much reason to fear that serious affrays [bloody struggles] may take place between the natives and the motley adventurers [miners from many countries], who will be attracted by the reputed wealth of the country, from the United States possessions in Oregon, and may probably attempt to overpower the opposition of the natives by force of arms, and thus endanger the peace of the country.

I beg to submit, if in that case, it may not become a question whether the Natives are entitled to the protection of Her Majesty's Government; and if an officer invested with the requisite authority should not, without delay, be appointed for that purpose."

Source: Despatch to London, Douglas to Labouchere, 8657, CO 305/8, p. 108; received 18 September, No. 22, Victoria Vancouver's Island, 15th July 1857.

Document #3: Douglas' investigation

Donald Fraser was the Pacific Coast correspondent for the *London Times* and reported from the Fraser Canyon following the conflict that took place.

"The Governor is engaged endeavouring to trace the murders committed on the river. The information received goes to implicate white men. Indians complain that the whites abuse them sadly, take their squaws away, shoot their children, and take their salmon by force. . . .

A village orator appeals to the Governor for relief against the miners, who are intruding upon the Indian domain. The poor creatures! They were very modest in their demand. They only asked for a small spot to draw up their canoes, and to dry their fish upon, to be exempted from mining. Their request was granted by the Governor, and the boundaries marked by the sub-commissioner."

Source: Donald Fraser to *The Times* (London), 1 December 1858, p. 10. cited in G.P.V. Akrigg and Helen B. Akrigg, *British Columbia Chronicle, 1847-1871: Gold & Colonists*. (Vancouver, BC: Discovery Press, 1977), pp. 131-132.

Document #4: Douglas takes action to settle peace

University of British Columbia professors, G.P.V. and Helen Akrigg, wrote two widely-used B.C. histories, and they self-published a bestselling book, *1001 British Columbia Place Names*.

"On September 20th, having completed his investigation and satisfied himself that the peace was no longer in danger, Douglas started back to Victoria. From there, on October 12th, he wrote a report to Lytton, the Colonial Secretary, in London. Discreetly [wise in secrecy] he said hardly a word about the recent American-Indian 'war' fought on British soil. He did mention that there had been much unrest, which he attributed to the excessive use of liquor. He noted that he had enjoined [instructed] moderation in its use by the whites, and had prohibited [disallowed] its sale to the Indians. Further to moderate [reduce] the consumption of 'rotgut', he had set up for the saloons a licensing system which would cost them six hundred dollars each. At Hope he had found a number of persons wanting to settle on the land. He had ordered townsites laid out both at Hope and Yale and had arranged to the provisional occupancy of land, pending the establishment of a duly constituted government which could issue land titles… He mentioned that, in order to assure better governance for Yale, he had appointed a chief of police and five constables."

Source: G.P.V. Akrigg and Helen B. Akrigg, *British Columbia Chronicle, 1847-1871:*

Gold &
Colonists. (Vancouver, BC: Discovery Press, 1977), pp. 130-133.

Document #5: Assessment of Douglas' response

University of Victoria historian Daniel Marshall has written several academic books and publications about British Columbia and Aboriginal history.

"In the contest over land and resources the Native peoples of the Fraser River corridor were finally overwhelmed by enormous numbers of miners and weaponry, their monopoly control of gold forfeited, their claim to the land marginalized through modern day. Douglas, in advance of any authority from London, took immediate action in the war's aftermath and established the basis for colonial administration through appointment of gold commissioners and justices of the peace. Yet his message to the 'citizens of that great republic which like the mustard seed has grown into a mighty tree… that offshoot of England of which England is still proud' spoke more of ingratiating oneself [gaining favour] to a foreign army of occupation [the American miners in the Fraser Canyon] than any attempt to arrest the illegal practices of miners. Douglas in his official communiqués [despatches] to London did little to mention that British sovereignty [authority] and had been undermined [taken over] by a foreign population [miners] that took the law into its own hands. Neither did he comment on the degree to which massacres had occurred. In the final analysis Douglas's fledgling [new], unconstituted [not established] colonial authority, consisting of a handful of officials, was terribly dwarfed by the tens of thousands of foreign adventurers who claimed the land."

Source: Daniel P. Marshall, "No Parallel: American Miner-Soldiers at War with the Nlaka'pamux of the Canadian West," in John M. Findlay and Ken S. Coates, ed., *Parallel Destinies: Canadian-American Relations West of the Rockies*. (Seattle: University of Washington Press, 2002), pp. 64-65.

Name: _____ **#9**

Document #: _____

Reading Around a Document

	Response (What you think)	**Evidence** (Clues from the document)
Author: Report everything you can about the *author* of the document.		
Audience: Report everything you can about the intended *audience* for the document.		
Context: Report everything you can about *where* and *when* the document was created.		
Type of document: Report on the kind of document it is (diary? personal letter? legal document?).		
Purpose: Report everything you can about the likely reason for creating the document.		
Credibility: Report everything you can about whether the information in the document is reliable or not.		

Name: _____ **#10**

Evidence of Douglas' Behaviour

Case Study: _____

Criteria	Evidence that Douglas Deserved Knighthood	Evidence that Douglas Did Not Deserve Knighthood
Loyalty to the Crown		
Effective leadership		
Fair and even-handed manner		

Sample: Evidence of Douglas' Behaviour

Case Study: *The Murder of Peter Brown*

Criteria	Evidence that Douglas Deserved Knighthood	Evidence that Douglas Did Not Deserve Knighthood
Loyalty to the Crown	*-Intends to bring the Aboriginal criminals to justice and not punish their tribes. (Doc #2).*	
Effective leadership	*-Douglas was able to negotiate support from the navy to help bring the criminals to justice (Doc #2).* *-Apprehended the accused Cowichan murderer without a fight with the Cowichan people (Doc #3).*	*-by taking a naval force to the Cowichan he risked a war with the powerful Cowichan people (Doc #3).*
Fair and even-handed manner	*-Douglas investigates the case closely considering all possible reasons for the murder (Doc #1).* *-Met with the Aboriginals to negotiate before using military force (Doc #3).*	*-Considers aboriginals to be savage and uncivilized (Doc #1).* *-Concludes that the Aboriginals had no justifiable reasons for killing Brown although he did not speak to them before making this conclusion (Doc #1).*

Name: _____

Rating Douglas' Worthiness **#12**

❒ **Murder of Peter Brown** ❒ **Shooting of Thomas Williams** ❒ **Fraser River War**

Rate Douglas' behaviour for each criterion on the following scale:
3: No Reservations 2: Minor Reservations 1: Major Reservations

Criteria	Justify the Ratings with Evidence and Explanation
Loyalty to the Crown **Rating** **3 2 1**	
Effective leadership **Rating** **3 2 1**	
Fair manner **Rating** **3 2 1**	
Overall **Rating** **3 2 1**	

Name: _____ **#13**

Assessing the Evidence

	Outstanding	Very good	Competent	Satisfactory	In progress
Identifies relevant and important evidence	Identifies the most important and relevant information about each incident.	Identifies relevant information about each incident, including most of the important pieces of evidence.	Identifies some relevant information about each incident, but important pieces of evidence are omitted.	Identifies some relevant information about each incident, but many important pieces of evidence are omitted.	Identifies almost no relevant information about each incident.
Offers plausible ratings	The ratings are highly plausible and highly justifiable in light of the evidence and explanations provided.	The ratings are clearly plausible and justifiable in light of the evidence and explanation provided.	The ratings are plausible and somewhat justifiable in light of the evidence and explanations provided.	The ratings are plausible but are barely justifiable given the evidence and explanations provided.	The ratings are implausible and not justifiable given the evidence and explanations provided.
Comments/Explanation					

Name: _____

#14

Assessing the Report

	Outstanding	Very good	Competent	Satisfactory	In progress
Offers a plausible recommendation	The recommendation is highly plausible and highly justifiable in light of the reasons provided.	The recommendation is clearly plausible and justifiable in light of the reasons provided.	The recommendation is plausible and adequately justifiable in light of the reasons provided.	The recommendation is somewhat plausible but barely justifiable given the reasons provided.	The recommendation is implausible and not justifiable given the reasons provided.
Provides accurate and important information	Provides abundant factual information that is accurate and includes important details from all three case studies.	Factual information is sufficient, accurate and includes many important details from all three case studies.	Factual information is sufficient, mostly accurate and includes many important details from two of the case studies.	Factual information is adequate, mostly accurate and includes some important details from two of the case studies.	Factual information is very limited, seldom accurate and misses all the important details.
Communicates clearly	Is very clearly written and highly appropriate for the intended audience.	Is mostly clearly written and largely appropriate for the intended audience.	Is generally clear and often appropriate for the intended audience.	Some ideas are clearly expressed and may be somewhat appropriate for the intended audience.	Account is generally unclear and not at all suited to the intended audience.
Comments/Explanation					