The **Illegal** Formation of 'British Columbia'

British Columbia is unique in Canada in that virtually no treaties were made in the occupation & settlement of the province, contrary to the *1763 Royal Proclamation*. This law required the British to make treaties & gain the legal surrender of Native land prior to any settlement or trade.

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**A Brief History of Illegal Settlement & Occupation**

In accordance with the *1763 Royal Proclamation*, treaties were made in Britain’s westward expansion through Ontario & the prairies, resulting in the Numbered Treaties (i.e., Treaty No. 6). Although made under duress & deception, these treaties fulfilled British law requiring the surrender of Native title to land.

Between 1850-54, James Douglas—governor of the BC colony—made a series of treaties (known as the Douglas Treaties). These were all on Vancouver Island, at Victoria, Nanaimo and Fort Rupert (14 in total), and traded little more than 358 sq. kilometers of land for money & materials.

In 1867, Canada was formed as a state, under the *Constitution Act, 1867* (also known as the *British North America Act*).

In 1871, BC joined the new confederation.

In 1875, the BC provincial government passed the *Public Land’s Act*, designed to open land for settlement & increase European immigration. The federal government issued the *1875 Duty of Disallowance*, striking down the *BC Land’s Act* because of the province’s failure to make treaties legally surrendering Native land.

In response, BC threatened to withdraw from Canada. The next year, the federal government passed the *1876 Indian Act*, asserting government control over all Native peoples, including those in BC. Through this, both Canada & BC illegally assumed jurisdiction over sovereign Indigenous nations across the province.

Aside from a portion of Treaty 8 in the north-east portion of the province (made in 1899), the Douglas Treaties are the only treaties made in the occupation of BC, a violation of the *1763 Royal Proclamation*, which was re-affirmed in the *1982 Constitution Act*.

This history reveals the illegal nature of the BC and Canadian governments, and their assumed jurisdiction over sovereign Indigenous peoples & lands. For these reasons, these colonial governments have neither the legal nor moral authority to govern.

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**BC is Occupied Territories—This Land is Not for Sale!**

Summer 2006
War on the Coast

The first Europeans on the northwest coast was a 1741 Russian expedition that sailed to southern Alaska...

Soon, gangs of armed Russians were taking Aleut families hostage and forcing hunters to gather sea otter skins...

In 1763, Aleuts revolted and destroyed 4 of 5 Russian ships. In retaliation, many Aleut villages were massacred.

In 1774, a Spanish expedition sailed to Haida Gwaii. In 1775, a Spanish boat crew was killed by Quinault warriors on 'Washington's' coast.

In 1778, a British naval force under Capt. Cook arrived at Nootka Sound on South Vancouver Island, claiming the lands for the British Empire.
FOR SEVERAL DECADES THE FUR TRADE WAS THE MAIN CONCERN OF EUROPEAN AND U.S. SHIPS ENTERING THE REGION.

IN 1786, THE BRITISH SHIP SEA OTTER WAS ATTACKED BY NUU-CHAH-NULTH WARRIORS WHO TRIED TO SIEZE IT...

THIS TRADE DECIMATED THE SEA OTTER POPULATION. SHIP'S CREWS USED FORCE AT TIMES TO ENSURE COMPLIANCE, EVEN TAKING HOSTAGES.

THE ATTACK WAS REPelled BY THE CREW WITH GUN-FIRE. AS MANY AS 50 WARRIORS WERE KILLED.

THROUGHOUT THE 1780'S AND '90'S MORE EUROPEAN AND U.S. SHIPS WERE ATTACKED. IN 1794, THE RESOLUTION WAS CAPTURED AND DESTROYED BY HAIDA WARRIORS, WHO KILLED THE ENTIRE CREW...

IN 1802, A RUSSIAN FORT AT SITKA WAS DESTROYED BY AS MANY AS 1,000 TLINGIT WARRIORS. THE TLINGIT WERE WELL-ARMED THRU TRADE AND DETERMINED TO DEFEND THEIR LANDS...

War on the Coast
In 1803, the U.S. ship Boston was attacked by Nuu-Chah-Nulth warriors, who killed 25 of 27 crew members.

The 2 survivors were forced to identify the severed heads of the crew. They were enslaved for 2 years...

Relations remained tense between the Tlingit + Russians (until 1867).

In 1811, the U.S. ship Tonquin was attacked by Nuu-Chah-Nulth in Clayoquot Sound. A few surviving crew members rigged explosives + escaped. The explosion killed as many as 100 Nuu-Chah-Nulth.

In 1804, the Russians returned to Sitka with a large naval force...

For 6 days the Tlingit resisted until they ran low on ammo. + expected reinforcements failed to arrive...

By the 1820's, the Hudson's Bay Company was the main colonial power in the region...

The H.B.C. had numerous forts + ships. In 1828, a Klallam village in Washington was destroyed by a company gunboat + militia...

War on the Coast
In 1843, Fort Victoria was built by the H.B.C. on Vancouver Island, becoming a main centre of trade.

In 1849, Vancouver Island was named an official colony, with the H.B.C. acting as government.

At this time, Royal Navy gunboats were based in Victoria and patrolled along the coast to enforce colonial rule.

The gunboats served as military and police forces...

They were well-armed with up to 50 cannons and rockets as well as royal marines.

At the same time, settlement and selling land became a main concern of the government...

The Kwakiutl are still head-hunting?

Yes, sir...

For 30 years, Royal Navy gunboats were used to impose British colonialism and to bring the coast tribes under control.

In 1850, the Newiti—A Kwakiutl group—were accused of killing settlers, near Fort Rupert...

A gunboat was sent but the Newiti refused to cooperate. Marines were sent ashore; they found the village empty and burned it down.

War on the Coast
In July 1851, a gunboat returned. Newitti warriors opened fire, and the village was bombarded...

The people took cover in the forest. Marines went into the village and burned canoes and the houses...

The Newitti turned over 3 dead, claiming these were the suspects.

In 1856, gunboats were again sent against the Salish at Cowichan Bay, who were seen as a threat. The death of a settler was used to launch a massive raid...

That same year, Tlingits destroyed another fort, while Haidas and Nuu-Chah-Nulth looted more ships.

In the winter of 1852-53, the 'Cowichan Crisis' occurred after a settler was killed.

A gunboat went to Nanaimo and arrested 2 Salish warriors. The village was forced to assemble and witness their executions.

500 marines with 2 cannons were deployed. The Cowichan submitted and a warrior was hung the next day in front of the village.
Earlier that year, in January 1856, some 1,000 Salish warriors (Nisqually + Yakima) led by Owhi + Leschi, attacked Seattle...

They were betrayed by informants + retreated under fire from U.S. Marines. 200 Salish may have died.

In 1858, 2 U.S. ships were attacked + destroyed at Haida Gwaii, with another the next year by the Nuu-Chah-Nulth...

In 1860, a gunboat was sent to Quadra Island to pacify the Lekwiltok-Kwakiutl. Cannon fire destroyed the people's houses...

In 1862, a smallpox epidemic began in Victoria. Colonial authorities forced hundreds of natives out.

In 1863, 2 settlers were killed on Salt Spring Island. A large naval force of 4 ships was sent against the Lemalchi (part of the Cowichan).

Infected, they returned to their villages, spreading the disease. An estimated 1 in 3 died in 2 years. The epidemic occurred as more settlement + immigration were sought.

The Lemalchi resisted. After their village was bombed they evaded Marines for a month. Several warriors were caught + executed.
In September 1863, a gunboat was sent to Port Simpson after settlers were killed.

Tsimshian villages were raided and several chiefs taken prisoner. The suspects were surrendered.

In 1864, another ship was attacked + its crew killed by Nuu-Chah-Nulth.

In 1865, a customs official was killed by Nuxalk warriors at Bella Coola.

Gunboats were sent against the Ahousat, part of the Nuu-Chah-Nulth. 9 Ahousat villages were destroyed + at least 15 killed...

In December 1865, a Kwakiutl village near Ft. Rupert was raided by a gunboat. The Kwakiutl resisted + their houses + canoes were bombed.

In early 1868, Oowikeeno warriors attacked + destroyed a trade ship.

In June 1868, Kwakiutl attacked a ship but were repelled by a new repeating rifle. 15 were killed...

In 1869, 2 years after purchasing Alaska from the Russians, U.S. ships bombed Tlingit villages at Kake + Wrangell...

In one attack, 29 houses were destroyed.

War on the Coast
In May 1867, a vessel was shipwrecked. There were no survivors, although headless corpses were later found.

The Hesquiat were suspected, and several warriors taken prisoner. 2 were hung in front of the village.

In 1872, Owkeeno warriors attacked and destroyed the George S. Wright near River's Inlet (it was shipwrecked).

In 1877, a gunboat went to River's Inlet and took 2 prisoners. 2 Nuxalk were identified as taking part.

At Kimsquit, the Nuxalk refused to surrender the suspects and their village was destroyed by cannon.

The Kimsquit bombing was the last use of Royal Navy firepower on the coast of 'British Columbia'.

By 1881, there were some 23,000 settlers in 'BC', 25,000 natives (from a population of 200,000 in 1780).

In 1882, the Tlingit village of Angoon was destroyed by U.S. naval bombardment after a settler was killed.

Due to disease, division, and colonial firepower, Coast tribes were unable to resist. They were forced onto reserves and subject to assimilation.

War on the Coast
**NO JUSTICE ON STOLEN LAND**

**British Columbia is unique in Canada in that almost no treaties were made during its colonization...**

The 'Douglas Treaties'

*Vancouver Island*

- Fort Rupert (2 in 1851)
- Nanaimo (1 in 1854)
- Saanich (2 in 1851)
- Victoria (9 in 1850)

Total: 358 sq. km

**In 1899, a portion of north-east B.C. was included as part of Treaty No. 8. Otherwise, B.C. is unceded territory.**

By their own laws, the British were legally bound to make treaties with natives in exchange for land...

From 1850-54, 14 treaties were made on Vancouver Island for small pieces of land (the 'Douglas Treaties').

These laws included the 1763 Royal Proclamation. For this reason, Britain (and later Canada) made treaties in exchange for large tracts of land.

**In 1871, BC became a part of Canada. In 1874, the B.C. Lands Act was passed to open land to settlement.**

1874

B.C. Lands Act

Canada issued the 1875 Duty-of-Disallowance, striking down the B.C. Land's Act citing the failure of the province to make treaties legally surrendering native land.

In response, BC threatened to withdraw from Canada...

These inc. the numbered treaties made during Canada's westward expansion across the prairies. Citing lack of funds, this wasn't done in B.C.

**In 1876, Canada issued the Indian Act, extending government control over all natives, inc. those in 'B.C., legalizing the theft of native land!'**