

“THEY MADE THEMSELVES OUR GUESTS”:
*Power Relationships in the Interior Plateau
Region of the Cordillera in the Fur Trade Era*

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IN THE FIRST DECADE of the nineteenth century, land-based traders entered the Cordillera region from the east, where they encountered numerous Aboriginal nations living in a highly diverse environment.² Various authors have examined the nature of the relationship between these fur traders and the Aboriginal nations of the Cordillera region during the succeeding fifty years, until colonial government was established on the mainland of British Columbia in 1858.³ Most recently, Cole Harris has argued that the European fur traders entered the country with superior firepower and technology, an ideology and language of power, European-derived concepts pertaining to the social control of “barbarous” people, and an integrated, coercive commercial strategy. His book details the violence perpetrated against Aboriginal peoples to enable Europeans to gain and maintain control, and he offers multiple examples of hangings, whippings, murder, and gunboat bombardments. Seemingly benign techniques of control, such

¹ We acknowledge the assistance of Ron Ignace, who has read this paper and provided valuable insights into Secwepemc resource tenure and justice regimes.

² An initial generation of maritime traders exploited the luxuriant sea otters abundant in the islands and fjords of the Northwest Coast, and they only sporadically extended their influence through Aboriginal intermediaries into the interior. Simon Fraser found a small number of kettles and other products in the possession of Salish peoples along the Fraser on his descent to the sea. See Simon Fraser, *The Letters and Journals of Simon Fraser, 1806-1808*, ed. W. Kaye Lamb (Toronto: Macmillan, 1960), 83-4, 86.

³ Robin Fisher ignited the debate on the relationship between First Nations communities and newcomers in British Columbia. Following Ralph Linton’s previous work, Fisher argued that BC history can be divided into two phases, the non-directed and the directed, with the division coming at the time of the gold rush, when government agents, missionaries, and settlers, accompanied by the introduction of devastating diseases, overwhelmed First Nations societies. Fisher’s main focus during the fur trade was on coastal Aboriginal societies, and he did not attempt to distinguish between the numerous First Nations societies with whom the fur traders interacted. See Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890* (Vancouver: UBC Press, 1977).

as gift giving and arranging marriages between company servants and chiefly families, were inevitably “backed by the demonstrated reality of retribution that was fearless, implacable, and severe.” Harris concluded that “whatever Native peoples wanted to do about it, the traders established their presence, and the balance of power in the Cordillera tilted fairly inexorably towards them.”⁴

Harris gives slight consideration to one significant reality of the Cordillera region: it was home to, and under the control of, numerous Aboriginal nations, which were distinguished from one another by language, social structure, economy, military power, values, and lifestyle. These nations were also differentially exposed to European technology and military power.⁵ The dynamics of the evolving power relationships between European traders and these communities were complex and are not easily generalized. To narrow the focus, this paper concentrates on the fur traders’ relations with the Salish-speaking nations that controlled the Interior Plateau region of the Cordillera and attempts to understand the internal workings of those nations.⁶ According to the 1910 memorial to Sir Wilfrid Laurier given by the chiefs of the Interior, these nations treated the European traders as guests in their homelands – *sexlitemc* in the language of the Secwepemc. The Salish nations offered the traders security for their persons and trade goods as long as their guests conformed to the economic, legal, and social regimes of the respective host communities.

As Jennifer Brown and Elizabeth Vibert have noted, the encounter between Aboriginal peoples and Europeans “has been a long and complex engagement of mutual dialogue, communication and miscommunication,”⁷ with documents and authors existing in multiple contexts. Aboriginal people and Europeans participated in their mutual encounter within the context of each other’s particular worldview and social and political agenda. We approach the study of the history of Aboriginal-European relations during the first half of the nineteenth century by looking at the intersection of written

⁴ Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change* (Vancouver: UBC Press, 1998), 56. Harris does allow that other interpretations of Aboriginal-fur trader relations in the Cordillera diplomatic arena are possible, but he dismisses them.

⁵ A nation whose villages fell within range of a gunboat was in a different situation than was one situated along an insecure brigade route into the interior, and a nation that had been in intimate contact with Europeans during the maritime fur trade might have a different response to them than would one that had enjoyed no contact.

⁶ Hereafter referred to as the Salish. It is from the Flatheads’ self-designation, “selis,” that the term “Salish” derives, and hence it was applied to all languages within this large linguistic family.

⁷ Jennifer S.H. Brown and Elizabeth Vibert, *Reading beyond Words: Contexts for Native History* (Peterborough, ON: Broadview Press, 1996), xiv.

documents with ethnographic texts that contextualize the practices and actions of Aboriginal peoples within their cultural meanings. We attempt to explore the meanings of encounters between fur traders and Aboriginal peoples by explaining Salish language terms that have precise, culturally relevant meanings relative to particular interactions and social practices. We examine what Renato Rosaldo has called "converging lines of evidence"⁸ in order to make a case for the enactment of Aboriginal notions of sovereignty and control over land and resources during the first half of the nineteenth century. We postulate that this approach will contribute to a better understanding of the issues of Aboriginal sovereignty, rights, and title as interpreted by legal and political institutions in Canada and by Aboriginal groups.

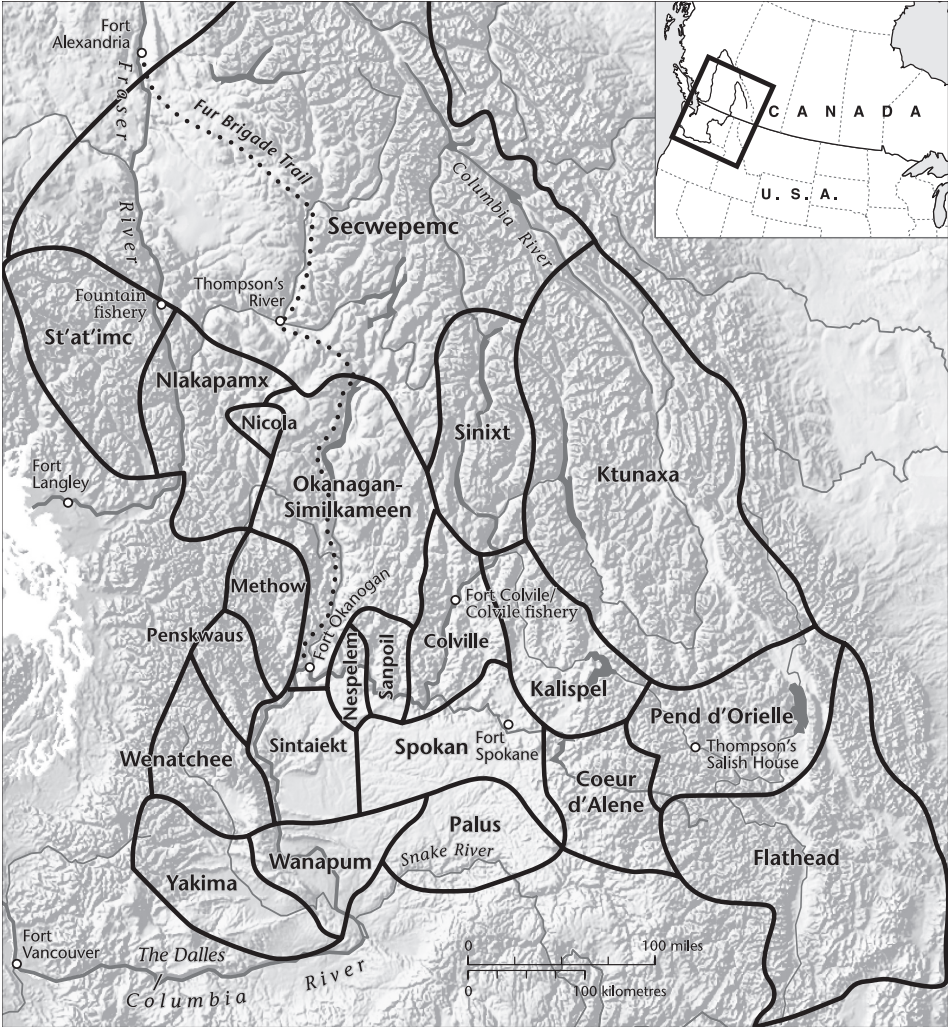
Salish nations inhabit the upper Columbia River and middle Fraser River regions of the Cordillera, and they are separated from the coastal region by the Cascade and Coast Mountains, through which the Columbia and Fraser Rivers flow on their way to the sea. They include the Flathead and Pend d'Oreille nations of present-day Montana; the Coeur d'Alene of Idaho; the Kalispel, Colville, Spokane, Sanpoil, Nespelem, Methow Penskwaus, Wenatchee, and Sintaiekt of Washington; and the Lakes Sinixt, Okanagan-Similkameen, Secwepemc, Nlakapmx, and St'at'imc⁹ of British Columbia (see accompanying map). These groups differed from one another in some respects: some were "frontier"¹⁰ nations that maintained a significant military capability, while others enjoyed their protective shield; some controlled or had preferential access to extremely productive fishing sites and relied more on the products of the fishery than did their hunting-oriented neighbours; and some adopted the equestrian culture more completely than others. However, they all spoke languages of the same family, traded extensively with one another, intermarried, aided their neighbours in war or times of need, and, driven by the laws and protocols of collective ownership of resources and resource sharing through kinship and alliance, enjoyed some reciprocal access to one another's territories.¹¹ They also maintained similar resource tenure

⁸ Renato Rosaldo, "Doing Oral History," *Social Analysis* 4 (September 1980): 97.

⁹ The Fraser River Lillooet designate themselves as St'at'imc (St'atl'imx), although the term "Upper St'at'imc" is used. The Lower Lillooet (in the Mount Currie/Anderson Lake region) consider themselves to be Lil'wat, although the term "Lower St'at'imc" is also used. We use "St'at'imc," since the Lil'wat are partly Coastal.

¹⁰ David Thompson, *David Thompson's Narrative, 1784 - 1812*, ed. Richard Glover (Toronto: Champlain Society, 1962), 390.

¹¹ Angelo Anastasio, "The Southern Plateau: An Ecological Analysis of Intergroup Relations," *Northwest Anthropological Research Notes* 6, 2 (1972): 109 - 229. John Work noted a "similarity



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regimes, justice and religious belief systems, and social practices.¹² Not surprisingly, their interaction with the fur traders reflected these similarities and minor differences.

Three companies traded furs in the Columbia and Fraser watersheds, and each left a record of its initial dealings with the Salish peoples. The first individual to enter the region was David Thompson, representing the North West Company (NWC), and he was followed within two years by David Stuart and Alexander Ross, employees of the short-lived Pacific Fur Company (PFC). The NWC purchased the assets of the PFC in 1813, assumed many of its employees, and operated its posts, including Forts Okanagan, Spokane, and Thompson River, for nearly a decade before merging with the Hudson's Bay Company (HBC). In 1821 the HBC acquired the assets and many of the employees of the NWC, and George Simpson, governor of the HBC, assumed responsibility for operations in the Columbia District.

David Thompson first encountered Salish people when he entered Flathead territory in 1809. Before him lay the territories of the several interrelated Salish nations of present-day Montana, Idaho, and western Washington, estimated in 1823 to number over 5,000,¹³ but, according to more recent population estimates, comprising as many as 68,000 persons.¹⁴ For two seasons he traded and explored in the upper Columbia, frequently meeting with small parties of Aborigines who offered such assistance as lending horses and canoes; supplying dried salmon, berries, and venison; and offering geographic information.¹⁵ On his famous return trip down the Columbia in 1811, he met other Salish groups along the banks of the main river. His first stop, at a Sanpoil

of manners and customs throughout the [Spokane] District, notwithstanding the difference of language" (Salish, Sahaptin, and Kootenai). He thought that any "differences may be considered to arise from difference of situation." See John Work, "Colville District Report, 1830," HBCA, B.45/e/3/1.

¹² See Douglas Hudson and Marianne Ignace, "The Plateau: A Regional Overview," 242-53 and Marianne Ignace and Ron Ignace, "The Secwepemc: Traditional Resource Use and Rights to Land," 377-98 both in *Native Peoples: The Canadian Experience*, ed. R. Bruce Morrison and C. Roderick Wilson (Oxford and Toronto: Oxford University Press, 2004).

¹³ Alexander Kennedy, "Spokane House Report, 1822-23," HBCA B.208/e/1.

¹⁴ Robert Boyd, "Demographic History until 1990," in *Handbook of North American Indians*, vol. 12: *The Plateau*. ed. Deward E. Walker, 476-83 (Washington: Smithsonian Institution Press, 1998). Boyd's total population estimate for the Southern (Columbia) Plateau, which includes several non-Salish groups and the Northern (Fraser River) Plateau, is 87,000. It should be noted, however, that he relies on conservative figures for the Northern Plateau, which take into account James Teit's assessment of population loss (but likely not anywhere to the extent that they should). Teit did not live among the Salish nations when the major smallpox epidemics of the 1780s, 1840s, and, most severely, the early 1860s struck.

¹⁵ David Thompson, *Columbia Journals*, ed. Barbara Belyea (Montreal: McGill-Queen's University Press, 1994), 108.

camp, was similar to others: he spent time smoking, eating, and making speeches.¹⁶ In his *Narrative*, Thompson commented on the speeches given on this occasion:

[T]he Speech being ended and interpreted to us, was thanks for our arrival, and hoping we would bring them Guns, Ammunition, Axes, Knives, Awls and not to forget Steels and Flints with many other articles, they were able and willing to hunt and would be able to pay for everything they wanted, but at present they had only their hands to procure food and clothing and much more to the same purpose, all too true. I then explained to them my object to know how this River was to the Sea, and if good, very large Canoes with goods of all kinds would arrive, by which they would be supplied with clothing and all they wanted if they were industrious hunters.¹⁷

The Sanpoil people returned on two occasions that evening, the first time to smoke and to give Thompson presents of roots and berries, and the second time to sing and dance for the voyagers. In Interior Salish culture, welcome dances represent notions of respect and good will towards people who are not kin. They acknowledge and endorse the other group, often through such gestures as dancers' holding up open-palmed hands. This movement is often accompanied by lyrics and vocal remarks in songs and, implicitly, invites a reciprocal relationship. The Europeans may have noted the positive intents of these actions and songs but did not understand their precise cultural meanings. The dancing lasted about an hour, interrupted by short speeches by the chief, performed "with great good will" so that they would "be preserved in the strong Rapids [they] had to run on [their] way to the Sea."¹⁸ And thus it went; Thompson continued down to the mouth of the Columbia River, visiting camps located at the mouths of tributaries to the Columbia, and then he returned, meeting other Aboriginal groups. On his upstream trip he travelled up the Snake River and then overland to Spokane and Kettle Falls, where he met Colville and the Okanagan people and continued with issuing greetings and meeting protocols.¹⁹

When Thompson's nwc party returned via the Snake River, a PFC party under David Stuart, which had accompanied him upriver, continued to ascend the Columbia and Okanagan Rivers and then proceeded overland to Kamloops. Stuart's colleague, Alexander Ross,

¹⁶ Ibid., 143.

¹⁷ Thompson, *Narrative*, 340.

¹⁸ Thompson, *Journals*, 144.

¹⁹ Ibid., 169-71.

claimed that Aboriginals in village after village between the Wenatchee and Kamloops were eager to host traders. For example, at the mouth of the Okanagan River, he reported:

[A] great concourse of Indians followed us all day and encamped with us. After acquainting them with the object of our visit to their country, they strongly urged us to settle among them. For some time Mr. Stuart resisted their pressing solicitations, chiefly with a view of trying their sincerity, but, at last consenting, the chiefs immediately held council and *then pledged themselves to be always our friends, to kill us plenty of beaver, to furnish us at all times with provisions, and to ensure our safety and protection* (emphasis added).²⁰

It is clear from both the Thompson and Ross records that the Salish desired European manufactured goods to better protect, feed, and clothe themselves and that they ensured the fur traders' safe passage and protection to gain access to those goods.

Harris claims that superior firepower, fort construction, the use of armed brigades, and the ability to interdict the use of ammunition placed military power firmly in European hands. Whatever the balance of power was elsewhere in the Cordillera, in the upper Columbia it was clearly on the side of the Aboriginals – and for more reasons than just disparity in numbers. Salish tribes of the upper Columbia were large, had long traditions of warfare and raiding, and were capable of defending their territory and/or retaining their access to resources. The Blackfeet were the common enemy of the upper Columbia tribes.²¹ Sometimes the Spokane and Flathead joined with the Nez Perce to raid Blackfoot territory, returning with scalps, prisoners, and horses.²² Warfare, partly related to differential access to guns and the ability to defend or extend tribal territory, was also prevalent between tribes resident on the west side of the mountains. In one recorded case the Okanagan and their allies, including members of the Spokane, Secwepemc, and Nlakapmx, warred on the St'at'imc Nation in 1823 to avenge the murder of one of

²⁰ Alexander Ross, *Adventures of the First Settlers on the Oregon*, ed. Milo Milton Quaipe (New York: Citadel Press, 1969), 153-4.

²¹ Alexander Ross, *The Fur Hunters of the Far West*, ed. Kenneth A. Spaulding (orig. pub. London: Smith Elder 1855; rpt. Norman: University of Oklahoma Press, 1999), 151-2.

²² George Simpson, *Fur Trade and Empire: George Simpson's Journal, 1824-25*, ed. Frederick Merk (Cambridge, Massachusetts: Belknap Press, 1968), 95. See also Ross Cox, *The Columbia River, or Scenes and Adventures during a Residence of Six Years on the Western Side of the Rocky Mountains among the Various Tribes of Indians Hitherto Unknown, together with "A Journey across the American Continent,"* ed. Edgar I. Stewart and Jane R. Stewart (Norman: University of Oklahoma Press, 1957), 131.

their chiefs, who was killed while serving as an emissary of the HBC.²³ In another, a lingering animosity between the Ktunaxa Nation and the Lakes and Okanagan threatened to develop into a full-scale war near Fort Colville in August 1826.²⁴ A contributing factor to violence during the land-based fur trade was the presence of the parties of American traders, British freemen, and Iroquois who roamed the eastern and southern fringes of Flathead territory and who were frequently pillaged or killed by competitors or aggrieved victims of previous violence. The Interior Plateau was a violent place in the early nineteenth century, and “although no serious trouble of any kind occurred with the natives ... the whites held the natives in wholesome fear.”²⁵

Conducting trade safely in an organized, militarized environment obviously presented challenges to the early land-based traders, but they relied on their protected status in Salish communities. Examples from Fort Spokane illustrate this relationship. Ross Cox described his arrival there in August 1814:

The trading goods had been exhausted long before and the Indians had been upwards of two months without ammunition. Our arrival therefore was hailed with great joy. The whole tribe assembled round the fort and viewed with delight the kegs of powder and bales of tobacco as they were unloaded from the horses. A large circle was formed in the courtyard into the centre of which we entered, and having lit the friendly calumet, smoked a few rounds to celebrate the meeting. A quantity of tobacco was then presented to each of the men, and the chief delivered a long oration.²⁶

The chief’s speech, as presented by Cox, is too long to repeat here, but it began with the words “My heart is glad to see you: My heart is glad to see you. We were a long time hungry for tobacco.” The oration concluded with the community dancing, singing a song of welcome to the “good white men,” and promising to hunt.²⁷

²³ James McMillan and John McLeod, “Thompson’s River Journal [hereafter TRJ], 1822–23,” HBCA B.97/a/1.

²⁴ David Douglas, “Sketch of a Journey to Northwestern Parts of the Continent of North America during the Years 1824–25–26–27,” *Oregon Historical Quarterly* 5, 4 (1904): 363. See also James Teit, “The Salishan Tribes of the Western Plateaus,” *The Forty-Fifth Annual Report of the Bureau of American Ethnology, 1927–1928*, ed. Franz Boas (Washington: US Government Printing Office, 1930), 259.

²⁵ Alexander Caulfield Anderson, “History of the Northwest Coast,” BCA. Add. Mss. 559, vol. 3.

²⁶ Cox, *Columbia River*, 183.

²⁷ *Ibid.*, 183–4; see also Alexander Ross, “Flathead Post Journal, 1825,” enclosed in “Journal of Alexander Ross - Snake Country Expedition, 1824,” *Oregon Historical Quarterly* 14, 4 (1913), 387. John Work reported a more lively arrival of a Flathead trading party to Spokane in 1826: “The

Cox recalled that at Fort Spokane they "seldom closed the gates at night."²⁸ Ross reported that many trading posts were enclosed by pickets and that this enclosure was "dignified by the name of fort," but he goes on to say that the Aboriginal people of the area had "free ingress and egress at all times" and that all the business was transacted within the fort walls.²⁹ Similar reports are found in the journals and reports of the PFC and NWC in other Salish communities.³⁰ Trade was generally conducted in an open, friendly environment.

Fur traders did fortify posts, often to protect themselves from collateral damage from an Aboriginal war. Only after an incident in 1829, when a coalition of Spokan, Coeur d'Alene and Nez Perce threatened war on the Colville Natives, was Fort Colville enclosed by pickets.³¹ When Ross Cox fortified the Okanagan post in 1816 he made a point of noting the previous conditions: "The buildings at that period were very poorly defended and were the Natives actuated by feelings of hostility, they would have easily robbed the fort and destroyed [MacGillivray's] little party. This circumstance will show in the strongest point of view their friendly feelings towards us."³²

After the 1821 merger the HBC attempted to maintain and reinforce this security relationship with the various Salish nations in the upper Columbia. George Simpson was determined to rationalize the operations of the Columbia Department and to reduce the costs of personnel and transport by reducing the number of workers at the interior posts.³³ A chief trader, one clerk, and twelve men would now suffice at the Thompson's River post rather than the former complement of chief trader, two clerks, and twenty men.³⁴ While he planned a summer

Flathead Indians to the number of 60 or 70 arrived headed by three chiefs, they were all on horseback and came singing and firing guns with a flag flying. We answered their firing with a volley of muskets. The Chiefs and some of the principal men smoked in the gentleman's house and all the others in the Indian house. John Work." See "John Work Journal 15 December 1825 to Spring 1826," ed. T.C. Elliott, *Pacific Northwest Quarterly* 5, 4 (1914): 260. Work also wrote that the Flatheads regarded the volley as a "salute" and that "it was pleasing to the Indians to receive this mark of respect." See John Work, "John Work Journal 7 September 1825 to 14 December 1825," ed. T.C. Elliott, *Pacific Northwest Quarterly* 5, 3 (1914): 189.

²⁸ Cox, *Columbia River*, 114.

²⁹ Ross, *Fur Hunters*, 144.

³⁰ Anderson, "History," 252.

³¹ John Dease reported that, in the space of a few minutes on 12 August 1829, six or seven Aboriginals were killed or wounded "just beyond our door" and that the lives of the traders were gravely endangered. See Dease to John McLoughlin, Fort Colville, 15 August 1829, HBCA, D.4/123/22a-23.

³² Cox, *Columbia River*, 233-4. Cox described the Aboriginals around Fort Okanagan as an "honest, quiet tribe."

³³ See Simpson, *Empire*, 51.

³⁴ *Ibid.*, 52 and 131.

establishment of one clerk and four men, after 1826 that post was abandoned completely during the summer hiatus while the pack horse brigade transported the furs out and returned with the annual “outfit.” Simpson was counting on “conciliatory, yet firm and judicious conduct,” not the military strength of his establishments, to effect this change.

A critical element of George Simpson’s retrenchment strategy involved negotiating a comprehensive agreement with every Aboriginal nation on whose land the HBC maintained a post. On his trip up the Columbia River in April 1825, he attempted to establish the conditions of the relationship with the Salish tribes, and his accounts of these meetings are instructive. On 4 April Simpson held an interview with a chief from the Thompson’s River post area (perhaps Kwolila)³⁵ who had travelled approximately ten days to meet with him. His journal reads:

[H]ad a long interview with the Principal Chief of Thompson’s River who came hither purposely to see me; he is the most respectable, manly looking Indian I ever saw, appeared much pleased with what I said to him and promised faithfully to back and support us with all his power, I made him a present of a medal bearing the Co’y’s arms which he seemed to prize greatly and gave him a few other trifles. We parted excellent Friends and this interview will go far towards the safety of the Establishment and future good conduct of the Indians.³⁶

Simpson next travelled to Fort Spokane, where he interviewed eight chiefs belonging to the Flathead, Kutenai (Ktunaxa, not a Salish tribe), and Spokan nations.³⁷ Back at the strategic Kettle Falls, Simpson met and negotiated with the salmon chief for permission to establish a post. This record is important because Fort Colville was the only post in the interior that Simpson was directly involved in founding, others having been established by preceding companies under different circumstances. He made no show of power and issued no threats:

[W]hile the people were carrying I went to the Chief’s lodge about a mile above the Carrying place; had an interview with him and some of his principal followers and intimated my wish to form an Establishment on his Lands *provided he undertook to protect it and assured us of his friendly disposition*. He received the proposal with

³⁵ Considering Simpson’s remarks and actions when he visited Kamloops in 1828, it might have been the Okanagan chief, N’Kwala. See Simpson, *Empire*, 37.

³⁶ *Ibid.*, 132.

³⁷ Two war chiefs of the Spokan and Ktunaxa, “men of Great Weight and Consequence,” each put a son under Simpson’s care to be baptized and educated at the Red River missionary school. *Ibid.*, 135 and 138.

much satisfaction and offered me the choice of his lands in regard to situation or quantity. We selected a beautiful point on the South side about $\frac{3}{4}$ of a mile above the Portage where there is an abundance of fine Timber and the situation eligible from every point of view [I] lined out the site of the Establishment 150 feet square on the bank facing and commanding a view of the River ... [and] likewise marked out the garden.³⁸ (emphasis added)

Simpson also requested access to the very productive fishery at Kettle Falls, but the salmon chief denied this request, remarking that the fish were necessary to his own people. The HBC could use the forests and fields for food production and could trade for fish. Having assured himself of the goodwill and military protection of the various Salish host communities, Simpson thought that he had protected company interests. His policy towards the Salish was in accordance with instructions written to him in March 1825:

[E]very exertion should be used to obtain the goodwill and confidence of the natives in all countries to the West of the Rocky Mountains, particularly on the Columbia. Every assurance should be given them that our object is confined to carrying on a Trade which must be beneficial to them, and that we have no desire to possess or cultivate their lands beyond the little garden at the Trading houses.³⁹

Two years later the company policy was reiterated when Simpson was instructed to "secure the Indians on our side" by "conciliating and kind treatment."⁴⁰ In 1838 James Douglas also wrote of attaching the First Nations to the HBC by "kind and liberal treatment."⁴¹ Obviously, competition with the United States for the Oregon country was an element of the HBC's attempts to secure Aboriginal friendship and protection. After all, the Salish, not the HBC, held military power in the region.⁴²

³⁸ Ibid., 139.

³⁹ Governor and Committee to George Simpson, London, 11 March 1825, HBCA, A.6/21/55.

⁴⁰ Governor and Committee to George Simpson, London, 12 March 1827, HBCA, D.5/2/105. In 1828 Simpson met with the Secwepemc, who showed "no hostility altho' they must have been aware that we were quite in their power." He "urged them to behave well" and elicited "promises to behave." See Simpson, *Empire*, 37. He later wrote that the First Nations north of the Columbia were "peaceable and well disposed towards the whites, with whom they are very anxious to maintain a friendly intercourse." Ibid., 261-2.

⁴¹ James Douglas to Thomas McKay, Fort Vancouver, 15 April 1838, HBCA, B.233/b/22/8a.

⁴² Although it is outside of the scope of this paper, there is ample evidence that the fur traders operated under the protection of Aboriginals throughout New Caledonia. For example, regarding the North West Company era, McLean wrote: "The natives in those times were numerous and warlike, the trading posts were isolated and far apart, and in the summer season, when

The example of the Thompson's River post illustrates the connection between military security and post maintenance among the Salish over an extended period. Simpson initially thought that "the principal cause of [the Thompson's River Post] being kept up ... [was] the danger to which the New Caledonia outfits and returns would be exposed, from the Natives of Thompson's River, if we were to withdraw from their country."⁴³ Having established the post and elicited promises of good behaviour, the brigade route was thought to be secure. The post itself was open to complete destruction during any summer because the HBC abandoned it and entrusted the key to the front gate to local Aboriginal chiefs.⁴⁴ The only recorded instance of loss of company property during the summer hiatus was in 1826. Archibald McDonald reported:

Not being too well satisfied with the conduct of the two [Secwepemc] chiefs (Court Apotte & Tranquille) here last spring, the Key to the Post, contrary to Custom, was not given to the former, but to Nicholas [N'Kwala], another chief of the Okanagan Tribe which gave some umbrage to the [Secwepemc] & the consequence, as might be expected, was not the entire security of the Fort & the few little things left therein With respect to the Fort however, it cannot be said they have acted with any wanton violence for at best 'tis but a frail concern & as such we find it.⁴⁵

The Thompson's River post was a "frail concern" because the HBC did not maintain it properly. James McMillan explained this in 1822: "This not being a post kept up in summer and no certainty of finding

the managers proceeded to the depots with the greater part of their people, they were entirely at the mercy of the natives, who would not have failed to take advantage of such opportunities to avenge their wrongs, had they suffered any. The people, in fact, were left entirely to their protection and depended on them for support during the absence of the traders, who, on their return in autumn, found themselves surrounded by hundreds of rejoicing Indians, greeting their 'fathers' with every manifestation of delight." See John McLean, *Notes of a twenty-five years' service in the Hudson's Bay Territory* (N.p.: R. Bentley, 1849), 326.

⁴³ George Simpson, *Simpson's 1828 Journey to the Columbia*, ed. E.E. Rich (Montreal: Champlain Society, 1947), 30. Similar considerations accompanied the abandonment of Fort Spokane, although it was not on the critical brigade route to New Caledonia. See Simpson, *Empire*, 135.

⁴⁴ TRJ 1822-23, 1 March 1823.

⁴⁵ Court Apotte was the local chief of the Tk'emlupsemc, or Kamloops Secwepemc, and thus the caretaker and steward of the land and resources where the fort was situated. By giving the key to Okanagan chief N'Kwala, the traders had violated Secwepemc laws of land tenure. At the same time, Tk'emlupsemc political protocols constrained their response; N'Kwala was a close relative of the Kamloops chief, and under Secwepemc protocol it is compromising to contradict a close relative, especially one who is an honoured chief. The Secwepemc would have been insulted by the traders giving N'Kwala the keys to the fort, but they were in a delicate position with regard to maintaining harmony with a related group. See Archibald McDonald, TRJ, 1826-1827, 9 September 1826, HBCA, B.97/a/2. See also *ibid.*, appendix.

it unburnt on arrival in the fall, the men have little to do except just keeping the Fort in repair.⁴⁶ His successor, Archibald McDonald, once had his men make minor repairs to the fort,⁴⁷ but he noted that "the whole premises are falling into decay from below – the Fort being generally overflowed during the summer flux."⁴⁸ The post must have deteriorated further because, when Donald Manson arrived in the late summer of 1841, he reported: "I am sorry to say I found the Fort here in a wretched state of defense, the houses and Stores being completely rotten and were it not for the number of props placed against them they would have been down long ere now, the Fort Pickets and Bastions are even worse than this."⁴⁹ Manson and his successor did construct a new post, which was completed in November 1842. Nine years later, problems recurred, as Paul Fraser reported: "Had a gale of wind that threw down all our stockade. Set all hands to erect them with new posts." The men on this occasion spent all of two days "employed with the stockade."⁵⁰ On his arrival in Kamloops the next year, Paul Fraser found "all the stockades down," and he complained that "no Establishment could be in a more dilapidated state than this one was on my arrival."⁵¹

It is obvious from this record that, for the greater part of its existence, the Thompson's River fort offered no protection from local Aboriginal people for either company personnel or property; rather, the traders depended on their host communities for military protection in order to facilitate their trading and transport activities. One can scarcely imagine a dozen men operating from one of the frail and vulnerable HBC forts, in the midst of a community of several thousand Aboriginal people, managing their affairs in any other way.

Generally, the HBC was secure in the posts that enjoyed Salish protection, but company personnel did face harassment when they left the area of the local chiefs' influence. Small parties carrying supplies or communications between posts or travelling *en derouine* to trade for furs

⁴⁶ TRJ 1822-23, 17 September 1822. The fort was not well maintained despite the fact that Joseph Larocque and Archibald McDonald thought the Secwepemc "less friendly than any tribe among whom the PFC had posts established." See Cox, *Columbia River*, 265. See also Teit, *Salishan*, 227 ff.

⁴⁷ TRJ 1826-27. On 22 February he reported: "The interpreter & two men commenced arranging the Fort pickets" but no other references to the palisade appear.

⁴⁸ *Ibid.*, 30 September 1826.

⁴⁹ John Tod and Donald Manson, TRJ, 1841-43, 12 September 1841, BCA.

⁵⁰ Paul Fraser, TRJ, 1850-52, 4 October 1850, Kamloops Museum and Archives.

⁵¹ The stockade must have been renewed between 1852 and 1854, a period for which no journal exists, because the 1854 journal entries imply a viable establishment with ongoing construction. See Fraser, TRJ, 1854-55, Kamloops Museum and Archives.

or dried salmon suffered harassment and pillaging at distant locations.⁵² In 1826 war between the Chilcotin and Carrier around Fort Alexandria extended to the Bridge River area of the Fraser River (where the HBC procured much of its dried salmon), and this made trade difficult and the First Nations “troublesome.”⁵³ The Secwepemc in the Green Lake area between the Thompson River and Alexandria frequently harassed HBC personnel.⁵⁴ These communities were not hosts of the traders, had made no commitments for their security, and apparently did not see the benefit of allowing trespass through their territory.

With the HBC operating “by sufferance”⁵⁵ among the Salish, company personnel necessarily either submitted to local resource tenure regimes or negotiated exceptions to local regulations. As the HBC operated in different jurisdictions one would expect to find it operating differently in the respective communities, and an examination of HBC access to food resources demonstrates this to be the case. Fish, in particular the anadromous salmon, was the staple in both the Aboriginal and fur trader diets throughout the Interior, and HBC access to this resource illustrates the company’s submission to the different community resource tenure regimes.⁵⁶ Archibald McDonald explained the role of salmon at Thompson’s River, but his remarks applied equally to other posts, especially before agriculture became viable:

Dried salmon is the staff of life and fortunately seldom fails, however we come in for very little of what is caught in these stream[s]. Every fall and winter from four to five trips are made to the Fraser’s River – a journey that usually takes from 12 to 15 days. From the beginning of August till our return to the depot the ensuing June about 12,000 salmon are consumed exclusively for the district and last year 1500 of that number were taken to Okanagan. Each fish from Fraser’s River (those from the Columbia are larger) split and dried with the backbone out weighs one pound, and 200, the usual horse load, will cost 5 £.

⁵² A nwc employee, Montignier, was robbed of a number of horses at Okanagan Lake. See Cox, *Columbia River*, 145. See also TRJ, 1826-27, December 1826 entries.

⁵³ TRJ 1822-23, 5 September 1822. See also TRJ 1826-27, Appendix, Archibald McDonald to John McLoughlin, 3 December 1826; and Joseph MacGillivray’s report in Cox, *Columbia River*, 372-3.

⁵⁴ For example, see Donald Manson to George Simpson, 6 December 1841, HBCA, D5/7 fols. 346-7; Donald Manson to George Simpson, 27 February 1842, D5/7 fols. 35-6; and John Tod to George Simpson, 22 September 1841, D5/6 fols. 293-4.

⁵⁵ Ross, *Adventures*, 353.

⁵⁶ Similar differences are observed in HBC access to other faunal and floral resources in different communities.

Three such salmon are allowed a man/diem, two for a woman and one for a child when supplied out of the company store.⁵⁷

The Aboriginal peoples of the Plateau, including at its core the Salish nations, had distinct laws and protocols with regard to the access to and use of salmon-fishing resources. The prevailing law of ownership held that salmon-fishing sites were under the ownership of the entire "tribe," or nation, with the local group, or "band," headed by its political chief and/or resource chief, exercising stewardship over the fishing ground. In some areas, including that of the St'at'imc and the Northern Secwepemc, individuals' ownership or first choice over particular fishing rocks or weir sites had become established at the time of contact.⁵⁸ The latter is significant for our discussion of fishing at Fort Alexandria (see below). For purposes of comparison, HBC salmon procurement activities at Fort Alexandria,⁵⁹ within Carrier and on the margins of Secwepemc territory, are presented, along with evidence from the Thompson's River, Colville, and Spokane posts established within the Salish jurisdictions. Joseph MacGillivray reported on Aboriginal fishing technology at Alexandria:

The salmon-fishery commences about the middle of July and ceases in October. This is a busy season for the natives; for upon their industry in saving a sufficiency of salmon for the winter depends their chief support. Their method of catching salmon is ingenious, and does not differ much from that practiced by the upper natives of the Columbia. A certain part of the river is enclosed by a number of stakes about twelve feet high, and extending about thirty feet from the shore. A netting of rods is attached to the stakes, to prevent the salmon from running through. A conical machine, called a vorveau, is next formed; it is about

⁵⁷ Archibald McDonald, "Thompson River District Report, 1827," HBCA B.97/e/1.

⁵⁸ For sources on Aboriginal fishing and resource rights on the Plateau, see James Teit, "The Thompson Indians of British Columbia," *Memoirs of the American Museum of Natural History* 2, 4 (1900): 249-54; *ibid.*, "The Lillooet Indians," *Memoirs of the American Museum of Natural History* 2, 5 (1906): 227-8; *ibid.*, "The Shuswap," *Memoirs of the American Museum of Natural History* 4, 7 (1909): 524-30; Steven Romanoff, "Fraser Lillooet Salmon Fishing," in *A Complex Culture of the British Columbia Plateau: Traditional St'at'imx Resource Use*, ed. B. Hayden (Vancouver: UBC Press, 1992), 222-65; Marianne Ignace and Ron Ignace, "The Secwepemc."

⁵⁹ A.C. Anderson's "Map of a Portion of British Columbia, Compiled from Various Sources, including Original Notes from Personal Exploration between the Years 1832 and 1851," 1867, BCA, clearly places Fort Alexandria within Carrier territory, and all references within his journal are to the village at Soda Creek being "the first Atnah village." The post was at the site of a seasonal fishery of the Athapaskan-speaking "Talkotins" (a subgroup of the Carrier), but certain heads of families, such as Chin-las-ket and Who-las-ket, were Secwepemc. This was a frontier village of mixed population, partially populated by the northernmost Secwepemc from Xats'ull, Soda Creek.

eighteen feet long, and five feet high, and is made of rods about one inch and a quarter asunder, and lashed to hoops with wattap. One end is formed like a funnel to admit the fish. Two smaller machines of nearly equal length are joined to it. It requires a number of hands to attach these vorveaux to the stakes. They are raised a little out of the water; and the salmon in their ascent, leap into the boot or broad part, and fall into the enclosed space, where they are easily killed with spears. This contrivance is admirable (sic) calculated to catch fish; and when the salmon is abundant, the natives take from eight to nine hundred daily.⁶⁰

The Alexandria post personnel were active in operating this Aboriginal technology. In 1827 the HBC had acquired a weir suitable for spring fishing and employed an Aboriginal lad to assist in its operation and maintenance. For the 1827 summer fishery, company servants constructed their gear, with Aboriginal assistance in raising wattap, tying the vorveau, and setting the weir.⁶¹ The company also provided assistance to some of the principal men in setting or resetting their weirs in anticipation of sharing the returns.⁶² A series of incidents occurring in 1827 illustrate the terms under which the HBC fished. Relations with the host community had deteriorated over the summer: the company was accused of taking fish out of a nearby weir,⁶³ the post's Aboriginal fisher was threatened in an attempt to drive him from company employ, and "whether the Indians are successful or not, [the post] receive[d] not a fish."⁶⁴ When MacGillivray "proposed paying for the loan of [a weir] since their fishery was over," he was rebuffed.⁶⁵ These conflicts derived from at least two sources: the general scarcity of fish that season (with

⁶⁰ Joseph MacGillivray, quoted in Cox, *Columbia River*, 371.

⁶¹ George McDougall and C.T. Joseph MacGillivray, "Journal of the Public Correspondence of Fort Alexandria, West" Cal^a, Columbia River District, Outfit 1827" (hereafter FAJ, 1827), HBCA B.25/a/2, 12 and 31 August 1827. Unfortunately, construction of the weir and vorveau was faulty, and, despite extensive maintenance, the complaint remained that "the weir we made can hardly confine a fish."

⁶² When one First Nations fisher, after having been provided with considerable assistance, was not forthcoming with salmon, MacGillivray thought it "time to have an explanation from Chin-las-ket about a division of the fish taken in his weir." After a discussion, when promises of sharing were elicited and then not observed, he referred to Chin-las-ket as "a most selfish and ungrateful old dog" who "supplies all his countrymen with Salmon but the whites he seems to consider as of no account." Chin-las-ket only did what was expected of him in Secwepemc law (i.e., supply fish to his own people, for whom he was the caretaker, and thus maintain his own social and political standing). McDougall and MacGillivray, "Journal of the Public Correspondence," 6 August 1827.

⁶³ *Ibid.*, 1 September 1827.

⁶⁴ *Ibid.*, 3 September 1827.

⁶⁵ MacGillivray called the Aboriginals a "set of rascals [who would] do everything to put [him] in distress." See McDougall and MacGillivray, "Journal of the Public Correspondence," 13 and 21 October 1827.

the attendant Aboriginal frustration),⁶⁶ and the ignorance of the company with regard to the Aboriginal fishing tenure regime. The latter reason became increasingly clear late in the season, when MacGillivray wrote:

Weir: 35 salmon. The vorveau being in a bad situation, I determined on altering its position by removing [it] below the Point at an early hour. The men cut and brought the Pickets to the Fort and as they were about finishing off nearly all the Indians opposed our departure. The Capot Blue on this occasion distinguished himself in the eyes of his countrymen and Canadians by remarking our Weir should not be set below and raising the skin from one of his hands said the Chief, meaning me, was not invulnerable but flesh and Blood like themselves. Giving a war hoop he got himself under arms, and this appeared to be the signal for Mischief. The most insignificant scoundrels showed a temper to second their Leader. I sent for the old Chief, Chin-las-ket and represented the absurdity of his countrymen in opposing us, in a cause where certainly there was no ground for open hostilities. The place was unoccupied (and not likely to be occupied this season) and I thought there could be no insuperable objections. Salmon we must have as the Indians would give us none. The noise was quieted, the Chief returned after having consulted with his friends and said we might set our weir below. Who-las-ket, being the proprietor of the spot would not come when I sent for him but returned a message we might have the place.⁶⁷

He continued later: "Who-las-ket, claiming the place where our vorveau is [located], asked [for] some ammunition this morning, for granting us permission to set our weir there. I have already paid three individuals."⁶⁸ Community acceptance of this agreement was less than complete. Aboriginals cut a fifteen-foot opening in the company's weir on 9 October, broke it again on 11 October, and continued to express dissatisfaction with the decision to allow the weir to be placed downstream. The 1827 fishery ended without the issue being resolved. In succeeding years the HBC became progressively less interested in fishing for salmon directly, likely because of the difficulties of access and insecurity of supply relative to its own increasing agricultural

⁶⁶ *Ibid.*, 12 October 1827.

⁶⁷ *Ibid.*, 5 October 1827.

⁶⁸ *Ibid.*, 11 October 1827. One of those three occasions was undoubtedly when the company paid Kall "on his relinquishing a good and favourite fishing place to Chin-las-ket" in order to have the fishers "at a convenient distance from the Fort to supply us with fresh fish when required." McDougall and MacGillivray, "Journal of the Public Correspondence," 7 July 1827.

production.⁶⁹ The evidence from Fort Alexandra indicates that the HBC was generally able to gain direct access to the fish resources in the immediate vicinity of that post, although it was held to account when it transgressed community regulations. The HBC certainly did not enjoy the same access to resources in the nearby posts in Salish territory.

The Thompson's River post was even more dependent on salmon and other "country produce" than was the Alexandria post because the company personnel did not successfully engage in agriculture until the mid-1850s. So dependent was the post on dried salmon that the men's diet occasionally became a source of concern.⁷⁰ The Secwepemc relied on the summer run of salmon to obtain certain of their storable winter provisions, and the arrival of the annual run was invariably mentioned in the journals. Salmon were available to Secwepemc on the Thompson and Fraser Rivers between May and October. The May to July runs involved Chinook salmon, which were apparently of greater significance before the disastrous 1914 Hell's Gate slide reduced the run dramatically.⁷¹ The main runs during July and August were Sockeye, which were wind-dried for winter usage. September and October saw the Coho arrive, the ones observed by traders, which were also significant for winter preservation. Some descriptions of Secwepemc technology and practice have survived in fur traders' notes as well as in ethnographic reports, and these reflect methods that are still in practice.⁷² The scoop net (*stukwtsen*) was the preferred implement in fast-moving, murky water or rapids (like those of the Fraser River). George McDougal wrote: "No news from the Atnah [Secwepemc in the village immediately south of Alexandria]. I

⁶⁹ Ibid., 16 and 17 October 1827. In 1837 the company apparently operated its weir without assistance or interference from First Nations people. In 1841 the post traded a vorveau from an Aboriginal, and then in 1842 hired him to fish for the fort "on condition of allowing him half of the fish." In 1843 the company did not fish at all but reported that "the natives are day by day adding to their stock besides supplying us abundantly for daily consumption." The next year the company purchased a vorveau with a view to employing an Aboriginal on shares in 1845 (although its subsequent operation is not confirmed). In 1847 the company's only fishing venture occurred when it attempted, in vain, to net sturgeon. The company annually purchased salmon from the productive fishery in Upper St'at'imc territory further down the Fraser River.

⁷⁰ The Thompson River journals include occasional references to HBC officers purchasing a dog or authorizing the slaughter of a horse to provide some New Year's variety to the diet of fort personnel. John Tod wrote: "I have, this winter, had a good deal of dissatisfaction with the men of the establishment, but only on account of the usual fare, dried Salmon, which young hands in particular, complain of." See John Tod to George Simpson, Thompson's River, 20 March 1846, HBCA D5/16.

⁷¹ Marianne Ignace, "Secwepemc field notes, 1984-92."

⁷² See Teit, *Lillooet, Salishan, Shuswap, and Thompson*; George M. Dawson, "Notes on the Shuswap Peoples of British Columbia," *Proceedings and Transactions of the Royal Society of Canada* 9, 2 (1892): 3-44; Steven Romanoff, "Fraser Lillooet Salmon Fishing," in Hayden, *Complex Culture*; Ignace, in Walker, *Handbook*.

hope they are taking plenty [of] Salmon, the high water not interfering with them as they use only the scoop net."⁷³ On a slow-moving river such as the Thompson, the Secwepemc used "flambeaux" (*tsetskw'em*, or pitch lanterns, to attract the fish) and spears, both usually operated from canoes and enabling a catch of from 200 to 300 salmon per hand per night.⁷⁴ Spear-fishing from shore with a gaff, a three-pronged spear, or a harpoon was another technique often used in the clear waters of the North and South Thompson Rivers. The Secwepemc employed weirs and fence-traps elsewhere in their territory, such as at Barrière and Adams River.⁷⁵ These weirs were constructed under the authority of village chiefs and resource stewards, who supervised construction, maintained the barriers and traps, and communally distributed the returns.

Despite the presence of Aboriginal fishing activities at the doorstep of the fort, the surviving Thompson's River journals from 1822 to 1858 contain not one reference to an HBC employee fishing.⁷⁶ The post purchased all of its fresh fish from the Secwepemc who lived in the vicinity of the post or elsewhere on the North and South Thompson Rivers. For supplies of dried salmon the post relied on fish obtained from the St'at'imc on the Fraser River at the Fountain near the mouth of the Bridge River and from the Nlakapmx between Ashcroft and Lytton. Company personnel felt their dependence keenly, especially with regard to fish obtained from distant Aboriginal groups. Peter Skene Ogden wrote regarding the situation on the Fraser River and his futile attempt to make the post independent after the "murder" of Chief Trader Samuel Black:

Men by fours and fives have been in the habit of being sent to trade Salmon on Fraser River and other quarters and on almost every occasion they have been pillaged and insulted and from the disparity of their numbers, one to twenty, they have been obliged to submit and the Indians, finding that with every crime they committed, no action was taken have gone on step by step to the crime of murder, and poor Black is the sufferer. To do away with this derouine system in future, I have provided 60 sacks of provisions for the use of the establishment and strict

⁷³ FAJ, 1824, 5 August 1824, HBCA B.5/a/I.

⁷⁴ TRJ 1822-23, 22 and 31 August and 7 September 1822.

⁷⁵ TRJ, 1841-43, 25 August 1841 and 16 August 1843. See also William Manson, "Kamloops Journal, 1859-62," 24 and 27 July 1859, BCA.

⁷⁶ The Thompson's River post had the same reporting procedures as did Fort Alexandria. Indeed, sometimes these posts had the same journalist, who was to report on the daily employment of servants. However, on no occasion before 1858 were company servants employed constructing fishing gear, assisting local First Nations in their fishing efforts, or fishing directly. The journal covering 1859 to 1862 does include numerous instances of HBC employees fishing.

instructions will be left with Mr. Tod that until a general understanding exists with the natives, the men will not be sent on trading excursions and I am fully confident that when the natives discover we are independent of their Salmon, they will bring it to the Fort.⁷⁷

The Secwepemc clearly excluded the HBC from directly exploiting the fish resource. On one occasion, an Alexandria-based HBC servant travelled to Secwepemc territory to fish, but he returned empty-handed because the Secwepemc had threatened to “break his canoe” if he persisted. Chief Factor Douglas discussed Secwepemc and Nlakapmx attitudes to their resources early in the gold rush:

A new element of difficulty in exploring the gold country has been interposed through the opposition of the native Indian tribes of Thompson’s River, who have lately taken the high-handed, though probably not unwise, course of expelling all the parties of gold diggers, composed chiefly of personnel from the American Territories, who had forced an entrance into their country. They have also openly expressed the determination to resist all attempts at working gold in any of the streams flowing into the Thompson’s River, both from a desire to monopolize the precious metal for their own benefit and from a well-founded impression that the shoals of salmon which usually ascend those rivers and furnish the principal food of the inhabitants, will be driven off and prevented from making their annual migration from the sea.⁷⁸

Douglas also reported on the HBC’s position with regard to resource use in Secwepemc and Nlakapmx territory: “The officers of the Hudson’s Bay Company in that quarter have received orders carefully to respect the feelings of the Natives in that matter and not to employ any of the Company’s servants in washing gold without their full approbation and consent.”⁷⁹ Douglas was reiterating a long-standing HBC practice of not exploiting the resources of a Salish nation’s territory except by purchase or trade, and he reaffirmed company recognition of exclusive Secwepemc authority and management rights to their resources. Throughout the period under study, the Secwepemc maintained the exclusive right to fish in their territory. Only after Douglas negotiated an agreement with the Secwepemc Nation during the gold rush on the Thompson’s River did HBC employees begin to fish directly, building weirs near the fort and employing nets for river and lake fishing.⁸⁰

⁷⁷ Peter Skene Ogden to George Simpson, 23 July 1841, HBCA D5/6.

⁷⁸ James Douglas to Henry Labouchere, 15 July 1857, HBCA A11/76 fol. 655.

⁷⁹ *Ibid.*

⁸⁰ See TRJ, 1859.

Fort Colville, established on the most productive Aboriginal fishery on the upper Columbia, was the "great trade emporium" of the region.⁸¹ John Work described the unique basket used to catch fish attempting to overcome the waterfall:

Visited the falls today where the Indians are fishing. They are now taking about 1000 salmon daily. They have a basket about 10 feet long, 3 feet wide, and 4 deep of a square form suspended at a cascade in the fall where the water rushes over a rock. The salmon in attempting to ascend the fall leap into the basket. They appear to leap 10 or 12 feet high. When the basket is full the fish are taken out. A few are also taken with scoop net and speared.⁸²

The company respected Aboriginal jurisdiction and refrained from fishing at Kettle Falls,⁸³ although not without sometimes expressing frustration with the authority of the salmon chief, the appointed caretaker of fishing resources of the community.⁸⁴ McDonald wrote: "Our salmon chief has located himself in the mountains to the north of us, masticating deer's meat to his heart's content, & sends word from time to time to his less fortunate dupes on no account to go near the falls, or trespass on the established law, until it be his will & pleasure to say the thing is very good."⁸⁵ At Fort Colville, usually enough fresh and dried fish were available through trade to meet the company's requirements, and agricultural production gradually reduced dependency on the fish resource.

HBC access to the fish resource was somewhat different at Spokane than it was at Thompson's River and Colville.⁸⁶ Salmon were a major resource for both the Spokane and the HBC personnel, and both parties

⁸¹ James Teit, cited in David Chance, *Influences of the Hudson's Bay Company on the Native Cultures of the Colville District*, Northwest Anthropological Research Notes, memoir no. 2, 1973, 20. Thompson called Kettle Falls the "general rendezvous for news, trade, and settling disputes." See Thompson, *Narrative*, 336.

⁸² Work, "Journal," 6 August 1826.

⁸³ When Simpson revisited Kettle Falls in 1842 he met with the chief with whom he had earlier negotiated the terms of "formal cession of the neighbouring soil." Simpson noted: "On that occasion he had given the Company the land and woods because the whites would make better use of them than himself, but he reserved the Chaudière [Kettle] Falls as necessary to his own people, remarking that the strangers, being able to get food out of stones and sand, would manage to live very well without fish. During his visit he recited the terms of the contract with perfect accuracy." See Simpson, *Journey to the Columbia*, 152.

⁸⁴ See Marianne Ignace, Anthropological Expert Opinion, R. Deneault and Lebourdais, prepared for Rush, Crane and Gunther, Vancouver 2000.

⁸⁵ Archibald McDonald, *This Blessed Wilderness: Archibald McDonald's Letters from the Columbia, 1822-44*, ed. Jean Murray Cole (Vancouver: UBC Press, 2001), 183.

⁸⁶ For a description of the Indians fishing by weir, see HBCA B.208/a/1, Finan Macdonald, James Birnie, and Alexander Kennedy, "Spokane District Journal, 15 April 1822 to 20 April 1823" (hereafter SDJ 1822-23).

maintained barriers on the Spokane River. In the Spokane District Report for 1822-23, Alexander Kennedy wrote: “[T]here are such numbers of the Natives who resort to the principal fishing places on the Spokan River during the Salmon season whose existence depend upon them, that we can never get any stock to purchase from the Natives, nor will they allow us to catch any quantity ourselves, so to lay up a stock for Winter, so we are dependent on Fort George for the principal part of the Food.”⁸⁷

While the HBC faced some quantitative restrictions to fishing and trading, it apparently negotiated permission to fish for salmon in the river near the fort. To replace its existing barrier, the HBC constructed a strong, durable facility requiring dozens of person-days of effort. Although the HBC had unimpeded access to weir returns early in the summer, an incident occurred in August 1822 that is significant with regard to Spokan resource tenure:

This morning M. Lewes & Mr. [Finan] McDonald went down to see our barrier, there happened to be some Indians there spearing the salmon coming up the river. Mr. McD. spoke to them but they being in a canoe, put all his threats at defiance he lost no time in springing in to the water & brock the canoe. The Chief of this place was much displeasd and went and brock down nine of the palisades of the garden. His brother being more attached to the whites went and drove him away from the garden. He then wished to come to the fort for to dispute with us. He was prevented by the Indians. We not knowing all their intentions got our cannon loaded but one of them informed us it was only him who was displeasd with what we had done. We killed 80 salmon in our Barrier. There was a guard kept all night in case some of the Indians were badly disposed.⁸⁸

The HBC had offended community norms; McDonald was attempting to exert exclusive property rights to the fish that had accumulated below the HBC barrier, and that had made the chief very agitated.⁸⁹ At the same time the chief was undoubtedly restrained because the dispute was not worth the cost of alienating the company, especially as the Spokan feared that the HBC was about to relocate to Kettle Falls.

⁸⁷ Alexander Kennedy, “Spokane Report on District, 1822-23,” HBCA B.208/c/1.

⁸⁸ SDJ 1822-23, 28 August 1822.

⁸⁹ Kennedy had earlier justified the great expenditure in manpower on the barrier construction: “[W]hen finished [it] will I hope pay us for our trouble as we are making it strong in hopes it will last some time.” In the HBC officials’ minds the effort put into capital building gave them the exclusive right to the product of the barrier; the First Nations apparently thought otherwise. SDJ, 1822-23, 22 May 1822.

The HBC clearly conformed to Aboriginal resource tenure regimes, and it procured essential food resources only with Aboriginal permission. At Fort Alexandria, outside Salish territory, an extended family-based private property regime is evident. The company could buy or lease all that was required in order to fish – sites, technology, raw materials, and skilled labour – and it could also organize the production of the staple product in a variety of ways. The company violated local community norms on at least one occasion, but generally the local Aboriginal resource tenure regime accommodated it. At the Thompson's River post (which was in core Secwepemc territory) and at Fort Colvile (in Flathead Salish territory) the host Aboriginal community organized its fishing activity communally by recognizing a village head as the local resource steward under whose authority fish were taken, dried, and distributed. At these locations the HBC was excluded from direct access to the fishery. The Fort Spokane experience was exceptional within Salish territory. There the community granted the HBC limited direct access to salmon but objected when it violated the terms of the agreement by claiming exclusive ownership of the fish gathered below the company weir. Within the territories of the Salish Aboriginal nations, the somewhat different conditions of access to the staple resource allowed by the respective tribes "may be considered to arise from difference of situation."⁹⁰

HBC officials have been accused of being high-handed and arbitrary, and of using retribution to force their will on Aboriginals in the Cordillera.⁹¹ Fur traders' actions, when evaluated against English legal precepts and practice, may appear arbitrary, brutal, and illegal, but traders were operating in Aboriginal, not European, space. The various Salish nations, and others in the Cordillera, maintained a justice system that applied in cases of theft, infringement on property rights, murder, adultery, and other crimes.⁹²

Criminal acts, including property crime and homicide, were perceived as acts by a member of an extended family against a member of another social group, be the victim inside or outside the Aboriginal nation. Crimes committed by individuals always involved the dimension of future social relations between groups. In order to ensure the security and well-being of its members, a community needed to restore harmony

⁹⁰ Work, "Colvile District Report, 1830."

⁹¹ See Harris, *Resettlement*: 31-67; and J. P. Reid, "Principles of Vengeance: Fur Trappers, Indians, and Retaliation for Homicide in the Transboundary North American West," *Western Historical Quarterly* 24, 1 (1993): 21-43.

⁹² Ethnographic reports on the Salish and Plateau provide little information about indigenous justice systems among the nations of the area.

after a crime was committed. It was the responsibility of leaders of the community, the appointed chief and his/her advisors, to ensure the restoration and maintenance of viable social relations between members of the perpetrator's group and members of the victim's group.⁹³ In a time of an "international" incident or crisis, a group may have tolerated a mediator from a third nation; for example, the Secwepemc may have accepted an Okanagan who was related by kinship.

To seek justice following a serious crime, a major theft or homicide, Aboriginal communities held a council that gave advice based on practice and good sense (known as a *tkw'enemiple7ten* in Secwepemc) to find evidence, hear both sides, and rule on retribution (often in the form of compensation). Significantly, the victim's group had a role in achieving retribution: punishing a "convicted" criminal required the cooperation and advice of the victim's family, even to the extent of what J. P. Reid refers to as "privileged killing" in cases of murder revenge.⁹⁴ As well, the perpetrator's family or group had to initiate discussion and to offer and agree to the form of punishment. The appointed punishment often involved payment of goods by the perpetrator's family to the victim's family. In severe and far-reaching cases, such as the death of N'Kwala's father (cited below), revenge through warfare was the chosen punishment. The fact that payment to the victim's family was the most commonly chosen form of retribution does not imply that the perpetrator was not subsequently punished by and within his/her own group. The social group, community, or extended family could still choose to ostracize, evict, or in other ways punish the offender. The perpetrator's group is guided by a concept known in Secwepemc as *eyemstsut*. Under *eyemstsut* the decision not to follow the counsel of wise people who allocated retribution and, thus, to neglect to meet one's obligations would haunt the guilty party as well as his/her kin, who share social responsibility for a crime committed by a member of their group.

Alexander Ross, who knew the Salish community well, reported: "Among these people there are no *regular* punishments instituted for crimes or offences of any kind; yet all transgressions are cognizable and punished by their laws, so as to ensure security to life and property" (emphasis added).⁹⁵ David Thompson elaborated on who was responsible for obtaining justice:

⁹³ Teit, *Salish*, 259 and 263.

⁹⁴ Reid, "Principles of Vengeance," 31.

⁹⁵ Ross, *Adventures*, 347.

An Indian thinks the Revenge of Murder belongs only to the kin of the Murdered, & this, because having lost a Good, a something desirable; Society has nothing to do with it. Those not of the kin say, it was a foolish Action, & there the matter stands, But a foreigner, or one of another tribe to kill an other Indian, is to call the injured Tribe into the quarrel, if they are strong enough, but other wise they let the matter pass, as what cannot be helped.⁹⁶

Two types of crime – theft and murder – are observable in the fur trade records pertaining to Salish communities. Ross was categorical on the subject of theft within the Okanagan Nation: "Theft, in particular, is held in the utmost abhorrence, so it rarely occurs among them. The property of each individual, even of the slave, is held sacred."⁹⁷ Traders frequently left goods in the care of Salish people in complete safety.⁹⁸ HBC records contain examples of actual or suspected theft, but members of these Aboriginal host communities were rarely the perpetrators.⁹⁹ In fact, the HBC journals are replete with examples of the return of horses that had been abandoned or lost on the trail, and of local First Nations people recovering property stolen by strangers.¹⁰⁰ Interference with brigades, pillaging, and stealing of company horses generally occurred in non-host territory¹⁰¹ or under conditions of starvation. This may explain the reaction of the Okanagan to the Sanpoil theft of NWC horses as related by Cox. The Okanagan chief assisted in the recovery of the goods by directing Cox to their camp, and then he tongue-lashed the starving,

⁹⁶ Thompson, *Columbia Journals*, 223.

⁹⁷ Ross, *Adventures*, 347; Simon Fraser, who had long experience with Carrier and other Athapaskan-speaking peoples, wrote that the Secwepemc "are more honest than any other tribe on this side of the mountain." See Fraser, *Letters and Journals*, 71, 89, 118, 122, and 125.

⁹⁸ For example, Francis Ermatinger regularly left his trade goods with the Flathead, "where they had no more protection than a family of Indians living in a second cabin would have provided had the cache been broken into." See Francis Ermatinger, *Fur Trade Letters of Francis Ermatinger, 1818-1853*, ed. Lois Halliday McDonald (Glendale, CA: Arthur H. Clark, 1980), 171. David Thompson records one incident of theft and his own and the host community's response to it. See Thompson, *Narrative*, 395.

⁹⁹ In 1830 a Lakes Aboriginal visiting Fort Colville was placed in irons for killing and eating an HBC horse, but he was eventually pardoned "on account of his brother's good behaviour, being no less than the little chief of the Lakes." See Francis Heron and William Kittson, "Fort Colville Journal, commencing 12 April 1830 and ending 13 April 1831," 29 April 1830, HBCA B.45/a/1. See also TRJ, 1826-27, 27 December 1826.

¹⁰⁰ For example, see TRJ, 1841-43, 31 December 1841; SDJ, 1822-23, 8 May and 29 October 1822; and Donald Manson to Board of Management, Thompson's River, 23 August 1848, and enclosure, Henry Peers to Donald Manson, Kamloops, 23 August 1848, HBCA B223/b/37.

¹⁰¹ For example, see Ermatinger, *Fur Trade Letters*, 119; TRJ, 1851-52, 28 October 1851; Donald Manson to George Simpson, 6 December 1841, HBCA, D5/7 fols. 346-7; Donald Manson to George Simpson, 27 February 1842, D5/7 fols. 35-6; and John Tod to George Simpson, 22 September 1841, D5/6 fols. 293-4.

non-resident thieves but left it to the fur traders to reclaim the horses and to impose a penalty.¹⁰² Ross observed the concept of compensation, explaining that if one committed a crime there was “but one way to ward off the meditated blow, to regain his friendship, and that is by a peace offering or present, for here property pays for all offenses.”¹⁰³

With regard to the offence of murder, Ross noted: “If one Indian kills another, the murderer saves his life by making a suitable present to the nearest relative of the deceased, and they draw no line of distinction between accidental or justifiable homicide and willful murder; death caused in any way by another is looked upon in the same criminal light.”¹⁰⁴ An example, in HBC records, of a compensation settlement for murder is found just outside Salish territory, and it involves the Secwepemc people. After two local Aborigines murdered a Secwepemc lad, the Fort Alexandria journalist reported: “The Talkotin receive a visit from the [Secwepemc] who request that the former give property to pay for the body of the murdered Lad & that they will make peace.”¹⁰⁵ The next day he reported a successful negotiation.¹⁰⁶ In the absence of appropriate negotiated compensation, the perpetrator could expect the second penalty, physical retribution by the kin or tribe of the victim.¹⁰⁷ When Pelkamu’lox, the father of Chief N’Kwala, was murdered, representatives of the offending tribe twice attempted to arrange compensation but were rebuffed, and thereafter the tribe suffered retribution by members of Aboriginal groups connected to the chief.¹⁰⁸

On those occasions when Europeans were involved in the murder of an Aboriginal person, they were expected to conform to community standards. An example of this involves Chief N’Kwala’s son, who was killed by an HBC official in an 1846 “accident.” John Tod reported that the

¹⁰² Cox, *Columbia River*, 250.

¹⁰³ Ross, *Adventures*, 352.

¹⁰⁴ *Ibid.*

¹⁰⁵ “FAJ, 1837-1839, 3 November 1837, HBCA B.5/a/4; see also entries for 12, 17, and 25 September; 22 and 29 October; and 2 and 19 November 1837.

¹⁰⁶ Another recorded incident occurred when Chief N’Kwala’s son murdered his wife and paramour near Douglas Lake. N’Kwala paid “blood money,” in horses, cattle, and robes, to the two families to cover his son’s deeds, and his son was consequently safe from retribution. See Teit, *Salishan*, 259-60.

¹⁰⁷ Retribution was similar in other First Nations jurisdictions, including that of the Carrier. See W. Kaye Lamb, ed., *Sixteen Years in Indian Country: The Journal of Daniel Williams Harmon* (Toronto: Macmillan, 1957), 250-2.

¹⁰⁸ TRJ, 1822-23, 20-27 November; 5, 7, and 26 December 1822; 17-24 January and 9, 10, and 21-5 February 1823. McLeod reported that N’Kwala “will be satisfied with nothing less than life for life, not even him but all the neighbouring tribes are determined to revenge the death of his Father.” *Ibid.*, 26 December 1822. Natives from as far away as Spokane mobilized to attack the Lil’wat nation on their fishing grounds. See SDJ 1822-23, 8 September 1822. See also Teit, *Salishan*, 268.

death had "caused an immense sensation among the numerous relatives" of the young man: he transferred the officer out of the district and wrote that he was doubtful that the incident could be settled without "the sacrifice of property."¹⁰⁹ Tod later recalled that he had feared "some sanguinary act of revenge that must have immediately ensued either on the part of the father himself or that of his tribe."¹¹⁰

When an Aboriginal person murdered a white fur trader, the HBC officials understood that it was their responsibility to respond in terms acceptable to the host community. A. C. Anderson reported: "In the case of individual acts of aggression or outrage, and especially in the case of murder, retribution was inflexibly exacted. But punishment was visited only on the guilty; and then usually through the medium of the tribe, or with their approval and cooperation."¹¹¹ Francis Ermatinger, in charge of the Thompson's River post, provides an example of an officer operating within the bounds of the Aboriginal judicial system. He reported:

While I was at Okanagan in Jan^y a fellow, who had killed a man here some years ago, stole a horse. Immediately on my return, altho' we mustered only five strong, I had him shot. The chief of the place talked a little upon the occasion in hopes of extorting property, but Dears and I set them all at defiance and appeared so determined that they at once lowered their tone and even confessed we had done right.¹¹²

Europeans were loath to accept compensation in payment for the murder of one of their own, and, consequently, they employed retribution against the individual or family of the perpetrator, sometimes in conjunction with the closure of a post or an interdiction on the sale of ammunition – actions designed to bring social and economic pressure on an entire community. Similar to that of their hosts, their policy was to "never allow an insult or outrage to pass without retaliation and punishment," while, at the same time, to "pursue judicious, firm, and conciliatory measures."¹¹³ The First Nations host communities may not have seen the wisdom of regularly refusing compensation or abandoning opportunities for trade, but retaliation was a judicially acceptable response.

¹⁰⁹ John Tod to George Simpson, 20 March 1846, HBCA D5/16, fols. 466-68.

¹¹⁰ John Tod to George Simpson, Thom[p]son's River, March 1847, HBCA D5/19, 1847 fols. 298-301.

¹¹¹ Anderson, "History," 251.

¹¹² Ermatinger, *Fur Trade Letters*, 119. This was likely the Aboriginal murderer of Charette, an nwc officer left in charge of the Thompson's River post by Alexander Ross in 1814. See Ross, *Fur Hunters*, 48.

¹¹³ Simpson, *Empire*, 63.

The Samuel Black “murder” in 1841 demonstrates how criminal cases were settled within Salish jurisdiction. A young man of the Secwepemc tribe killed Chief Trader Black inside the Thompson’s River post, apparently because he thought the fur trader was implicated in the recent death of his uncle.¹¹⁴ The HBC imposed an embargo on the sale of ammunition to the local Secwepemc communities, imported foodstuffs in an attempt to make the post less dependent on the Secwepemc and surrounding nations, and dispatched a party under the direction of Donald McLean to capture the “murderer,” with the stated intent of publicly hanging him.¹¹⁵ The McLean campaign was unsuccessful in capturing the killer, despite visiting his known haunts unannounced, destroying family property, and chasing him around the country.¹¹⁶ John Tod was then assigned to Thompson’s River, assisted by an energetic young Métis, Duncan Cameron. Cameron briefly kidnapped the “murderer’s” child, “which threw the whole camp into great distress,” indicating that this was not a culturally appropriate enforcement method.¹¹⁷ Tod seems to have knowingly adopted Salish legal procedures to bring about a resolution of the issue. He attempted to mend relations with the Secwepemc community by returning their horses, compensating them for lost property, and asking for their cooperation in hunting down the killer. He attempted to engage a local Aboriginal man to deliver the culprit into his hands, but the local chief temporarily halted that initiative, likely because appropriate negotiations had not occurred.¹¹⁸ The old “partisan of the whites,” the Okanagan chief N’Kwala, then addressed the Secwepemc community in a long, impassioned speech, reminding them that they had killed their guest, benefactor, and “father” and that they “must not rest until

¹¹⁴ Hubert Howe Bancroft, *The Works of Hubert Howe Bancroft*, vol. 28 (San Francisco: A.L. Bancroft & Company, Publishers, 1884); *History of the Northwest Coast*, vol. 2, 1800–1846 (San Francisco: A.L. Bancroft and Company, 1884), 511–13. While this incident was an isolated one, the HBC personnel assumed that it was related to recent harassment suffered to the north and west of the Thompson’s River post by brigades travelling between posts or purchasing salmon. For example, see Donald Manson to George Simpson, 6 December, 1841, HBCA D5/7 fol. 346–7. The correspondence and memoirs of this incident suggest that the Secwepemc chief’s widow suspected that Samuel Black had caused her husband’s death through bad medicine, which, in itself, was an illicit act towards the chief and his group that required retribution.

¹¹⁵ From the Secwepemc vantage point, this would have been an act of retribution.

¹¹⁶ John Tod, “History.”

¹¹⁷ TRJ 1841-42, 4 September 1841.

¹¹⁸ Tod wrote: “Lolo, who is now engaged to the Coy for three years, proceeds to an Indian named Grand Gule for the purpose of engaging him, if possible, to assist us to take the murderer alive, it being our intention if we can accomplish it, to have him brought to the Fort and hung by the neck.” See TRJ, 1841-43, 6 and 10 September 1841; Tod, “History.”

[they had] brought his murderer to justice."¹¹⁹ His attempt at mediation was designed to restore good relations with the traders, the immediate impetus likely being that ball and powder were needed for the impending fall hunt.

After that, a delegation of principal men, including some of the "murderer's" relatives, visited Tod and a heated discussion ensued. Eventually the delegation "grew silent, apparently convinced of the justice of [the HBC] cause."¹²⁰ At the end of the meeting a band member came forward and promised "to decoy the murderer" into the hands of the HBC.¹²¹ At the appointed time, while the capture was being effected, "upwards of twenty Indians assembled about the fort; they came into the hall in the course of the day and quietly smoked their pipes ... until they heard some account of the murderer."¹²² The young man was captured and then shot while trying to escape, after which the Indians reportedly reassembled in the hall and "quietly smoked their pipes, acquies[ing] fully in all that was said on the subject."¹²³

John Tod knew that the only way he was going to get justice was through the Secwepemc community's procedures and protocols. He also recorded details implying that he understood the nature of the "murderer's" last words: "As he was dying he called out, that he did not want to die, but he deserved death, & that they must not revenge it." Some uncertainty exists in the historical record about Tod's payment to the individual who assisted in the capture of the so-called "murderer." Salish protocol required retribution to be paid by the perpetrator's group to the victim's group, not the reverse. In his "History" Tod claims that he offered payment but that the man replied: "No, the Indians told me that I was to take nothing, but that I ought to give up the murderer." However,

¹¹⁹ Archibald McKinlay told Bancroft that he would never forget that speech, that "it was the grandest speech [he] had ever heard." See Bancroft, *History*, 512. See also Anderson, "History," 81-2. In Salish law, this international incident likely required the intervention of an acceptable outside mediator. N'Kwala was certainly acceptable to the whites, and he was also respected by the Secwepemc, being related (perhaps as a nephew) to Kwolila, the former chief of the Kamloops band.

¹²⁰ TRJ, 1841-43, 30 September 1841.

¹²¹ This Grand Gule is identified as being from an upriver community, one to which the murderer or his in-laws may have belonged. The TRJ, 28 September 1841, states: "Is reported that the murderer is now with Grand Gule & the other Indians above." The TRJ, 30 September 1841, states: "A considerable band of Indians consisting chiefly of the principal men arrived at noon from above. They are the same people whom the murderer had gone to visit, and many of them his own relatives."

¹²² *Ibid.*, 3 October 1841.

¹²³ One of Chief Nicola's sons was involved in shooting the young man. Members of the murderer's group could only lead the HBC to the perpetrator, but it appears that a member of another nation could take part in the "revenge killing." See Tod, "History," 18.

in his journal, Tod states that Grand Gule received trade goods, which he “distributed in part amongst a few of his relatives.”¹²⁴

Clearly, in the recorded occasions of crimes against property or person in Salish territory, the HBC followed Aboriginal legal precepts: it assumed its responsibilities for punishing perpetrators because that was required in Aboriginal jurisdictions. Not to have extracted retribution or accepted compensation would have marked the company as unable to protect itself.¹²⁵ Regarding the Black murder, Simpson wrote:

This unfortunate state of affairs it is thought has arisen from an ill-judged forbearance on our part, in not punishing many cases of misconduct (such as horse thieving, pilfering from encampments, etc.) which have been committed by the Natives of late years, a forbearance they ascribe to shyness or timidity, instead of the proper cause, a disinclination to have recourse to measures of severity.¹²⁶

The historical record makes it clear that the fur traders were valued, protected guests in Salish territory and that they conformed to Salish community requirements. Other evidence speaks to Salish perspectives on their relationship to the fur traders. Approximately 100 years after David Thompson first entered their territory and fifty years after a colonial government was established in British Columbia, the leaders of the Interior Salish communities held an urgent meeting to prepare a series of addresses to federal officials, including a memorial to Prime Minister Sir Wilfrid Laurier.¹²⁷ Chiefs of the Secwepemc, Okanagan, and Nlakapmx nations presented their memorial to Prime Minister Laurier at Kamloops in August 1910, providing their view of the history of relations between First Nations and Europeans, and outlining their grievances regarding recent illegalities and mistreatment. This remarkable document was signed by numerous chiefs, including senior hereditary chiefs Johnny Chillaheetsa of the Okanagan, David Basil (Basil Dick) of the St’uxtews (or Bonaparte Band) in the Secwepemc Nation, Petit Louis of the Tk’emlupsemc (Kamloops) Secwepemc, and

¹²⁴ Ibid., 16; TRJ, 6 October, 1841.

¹²⁵ Colville wrote: “[U]nless cold-blooded and unprovoked murder ... be promptly and effectually punished, it will be impossible to retain a footing in this part of the country.” See Eden Colville to Sir John Henry Pelly, Fort Victoria, 15 October, 1849 in E.E. Rich, *Eden Colville’s Letters, 1849–52* (London: Hudson’s Bay Record Society, 1956), 2.

¹²⁶ George Simpson, *London Correspondence Inward from Sir George Simpson, 1841–42* (London: Hudson’s Bay Record Society, 1973), 54.

¹²⁷ Memorial to Sir Wilfrid Laurier, Premier of the Dominion of Canada, from the Chiefs of the Shuswap, Okanagan, and Couteau Tribes of British Columbia, Kamloops, 25 August 1910, Archives Canada, Laurier Papers, Series A Correspondence, 22 July–30 August 1910, MG 26-C, vol. 641, 174,070–174,077.

John Tetlenitsa of the Nlakapmx.¹²⁸ The memorial presents their firsthand, collective memory and perspective on the previous 100 years of their history.¹²⁹

The Salish called the fur traders "real whites" to distinguish them from the various settlers, colonial agents, and missionaries who followed in the colonial era. The memorial reads, in part:

The "real whites" we found were good people. We could depend on their word, and we trusted and respected them. They did not interfere with us nor attempt to break up our tribal organizations, laws, and customs. They did not try to force their conceptions of things on us to our harm. Nor did they stop us from catching fish, hunting, etc. They never tried to steal or appropriate our country, nor take our food and life from us. They acknowledged our ownership of the country, and treated our chiefs like men. They were the first to find us in this country. We never asked them to come here, but nevertheless, we treated them kindly and hospitably and helped them all we could. They had made themselves (as it were) our guests. We treated them as such and waited to see what they would do. As we found they did us no harm our friendship with them became lasting ... Just 52 years ago, the other whites came to this country. They found us just the same as the real whites had found us, only we had larger bands of horses, had some cattle, and in some places we cultivated the land.¹³⁰

A knowledge of the concept of "guest" in Salish culture is crucial to understanding the Salish response to the arrival of the fur traders. In the Secwepemc language, guests are called *sexlitemc* ("guests/those

¹²⁸ At least two of these four prominent chiefs were born before 1830 and, consequently, each had personal experience as an adult with the fur traders in the precolonial era. See Duane Thomson, "Clexlixqen, Louis," in *Dictionary of Canadian Biography*, vol. 14 (1911-20), 218-19; and Duane Thomson, "Hwistensmexeqen, Nicola, c.1785-c.1858," <<http://royal.okanagan.bc.ca/resource/histdocs/hbc/nicolabio.html>>.

¹²⁹ While the document was recorded by the chiefs' secretary, ethnographer James Teit, who also played an active role in the organization of the BC Indian Rights movement of the time, it clearly reflects the style and content of Salish oratory. See Ron and Marianne Ignace, "Commentary on the Memorial to Sir Wilfrid Laurier," in *Coyote U: Stories and Teachings from the Secwepemc Education Institute*, ed. P.J. Murphy, G. Nicholas, and M. Ignace (Penticton: Theytus Press, 1999), 13.

¹³⁰ The document goes on to describe Salish concepts of sovereignty, resources, and tenure systems, making it clear that the land "was the same as life" to them. The chiefs contrasted and documented the history of the colonial and provincial governments' gradual restriction of their way of life, complaining that they were now being abused by their guests. "They treat us as subjects without any agreement to that effect, and force their laws on us without our consent, and irrespective of whether they are good for us or not. They say they have authority over us. They have broken down our old laws and customs (no matter how good) by which we regulated ourselves."

invited”) to distinguish them from *kw’seltkten* (“relatives/family”), who encompass the wide and intricate network of kinship that stretches over the entire nation, even between nations. *Kw’seltkten* are all those people who, by birth or affiliation, have title and/or access privileges to the nation’s territory. *Sexlitemc* are individuals who are without such rights. They are considered to be at the mercy of their hosts. As an elder explained, “guests who come into your country are pitiful, they have no home, so you allow them to camp nearby, and you invite them and feed them.”¹³¹ The status as guest includes the notion of reciprocity: within Salish society, when a person invites someone, or a group of people, as a guest, it is quietly understood that, in time, they will return the favours they received.¹³² The traders were considered *sexlitemc* within Salish territories, and the Flathead, Colville, Secwepemc, and other nations who negotiated agreements with the traders maintained their protective shield over the “pitiful” guests within their respective territory.¹³³

Throughout the fur trade era the Salish nations maintained societies that were strong when measured by numbers of inhabitants, military capacity, effective resource tenure regimes, and functioning judicial and social systems.¹³⁴ The Salish nations welcomed the small number of fur traders with whom they traded for European products, especially guns, ammunition, tobacco, and textiles. Remarkably few frictions developed, especially after relations stabilized on the basis of negotiated protection and conditional access to the various tribal territories and resources. The traders knew that they operated in Aboriginal-owned and controlled country. The historical record indicates clearly that HBC personnel relied on the protection of the Salish nation in whose territory they found themselves, obtained staple food resources on terms dictated by the laws of the Aboriginal group, and conducted themselves within the parameters of their hosts’ judicial principles. Furthermore, representatives of the Salish nations of the Interior Plateau, looking back in 1910 over 100 years of their interaction with Europeans, confirmed that

¹³¹ Marianne Boelscher (Ignace), interview with Nellie Taylor from Skeetchestn Band, Secwepemc Nation, Secwepemc field-notes, 1988.

¹³² Ignace and Ignace, “Commentary,” 13.

¹³³ Some individuals, through intermarriage, gained the status of *k’wsétkten* and, thus, the rights and obligations of kin for themselves and families.

¹³⁴ Salish populations were ravaged by diseases such as measles, dysentery, and smallpox in the late 1840s and consequently gradually lost some numerical and military predominance. See HBCA D5/21 fols. 59-60, Tod to Simpson, Thompson’s River, March 1848; HBCA D5/22, 1848, fols. 140-41, Lewes to Simpson, Fort Colville, 17 April 1848; *ibid.*, fols. 146-7, George Simpson Jr. to Simpson, Fort Colville, 19 April 1848. However, fur traders maintained a healthy respect for Salish military capability throughout the fur trade era. For example, see HBCA B.223/b/37, Enclosure, Anderson to Manson, Thompson’s River, 23 August 1848.

they considered the traders to be "guests" and that the traders' behaviour and attitudes conformed to that status. According to the chiefs, it was not until a new wave of white people invaded the country during the 1858 gold rush that the guest–host relationship was violated.

We do not argue that the Salish-speaking peoples' world was static. As the fur trade era closed, Aboriginal peoples faced both challenges and opportunities that we have not considered in this paper. These included serious population decline; resource depletion; the introduction of new foods, technologies, and economies; the accommodation of large numbers of settlers who arrived in Salish territories; the introduction of new religious beliefs; and the imposition of oppressive colonial and, subsequently, federal and provincial policies. For the first half of the nineteenth century, however, on the critical issues of power relations and the institutional integrity of Salishan nations, the record is clear. From the perspective of both the authors of the memorial to Laurier, the Salishan chiefs of southern British Columbia who had themselves been raised in the fur trade era, and the fur traders who left written accounts of their dealings with their hosts, the fur traders' relationship with the Aboriginal nations was one of dependence and conformity – in every respect – to the requirements of the Aboriginal communities. This observation is significant for two reasons. First, in the ongoing scholarly debate regarding which party held power on the Pacific slope during the fur trade era, the answer seems clear, at least in Salish territory in the interior of Oregon country: it was the Aboriginal groups who exerted control and power. Second, from the perspective of Aboriginal rights, Canadian courts are much interested in questions surrounding the proof of exclusive occupancy of the land and the control of resources and laws in 1846, when British authority was finally established in British Columbia vis-à-vis its European and American competitors. Based on our limited examination, we conclude that the Salish nations' control and exclusive occupation of lands, and control of laws, was largely undiminished by fur traders – until the gold rush initiated significantly changed conditions and different circumstances.