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Résumé de l'article

Cet article emploie le colonialisme de peuplement et ses mécanismes comme cadre d'analyse spécifique pour comprendre les forces historiques dans la formation de colonies de peuplement en tant que systèmes politiques urbains. L'auteur, soutenant qu'il faut prêter attention aux histoires inextricablement liées de l'immigration et de la colonisation, retrace tant les fonctions symboliques et économiques que la généalogie de la colonie de peuplement afin de mettre à jour ses impératifs politiques distincts, l'expropriation de terres autochtones et la dépossession, l'enlèvement, la séquestration et la transformation des peuples autochtones. Partant d'une étude de cas de la ville de Victoria, en Colombie-Britannique, et de sa population de peuple Lekwungen tout au long du xixe siècle, l'auteur trace le passage d'une société mercantiliste mixte et fluide à une organisation politique coloniale de peuplement de plus en plus racialisée et séparée. Cette transition révèle comment les organismes et les espaces en cours d'urbanisation sont réorganisés et refaits, et comment les peuples autochtones ont été fabriqués et marqués par des catégories politiques nées des pratiques racialisées d'un colonialisme de peuplement urbain, pratiques qui sont la contrepartie des puissantes forces de l'ethnogenèse de peuplement et de la modernité coloniale.

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Unpacking Settler Colonialism's Urban Strategies: Indigenous Peoples in Victoria, British Columbia, and the Transition to a Settler-Colonial City

Penelope Edmonds

This article uses settler colonialism as a specific analytic frame through which to understand the historical forces in the formation of settler cities as urbanizing polities. Arguing that we must pay attention to the intertwined histories of immigration and colonization, the author traces the symbolic and economic functions and origins of the settler-colonial city to reveal its political imperatives, the expropriation of Indigenous land, and the dispossession, removal, sequestration, and transformation of Indigenous peoples. Taking as a case study the city of Victoria, BC, and its Lekwungen people throughout the nineteenth century, the author charts the shift from a mixed and fluid mercantilist society to an increasingly racialized and segregated settler-colonial polity. This transition reveals how bodies and urbanizing spaces are reordered and remade, and how Indigenous peoples come to be produced and marked by political categories borne of the racialized practices of an urbanizing settler colonialism, which complement the powerful forces of settler ethnogenesis and colonial modernity.

Cet article emploie le colonialisme de peuplement et ses mécanismes comme cadre d'analyse spécifique pour comprendre les forces historiques dans la formation de colonies de peuplement en tant que systèmes politiques urbains. L'auteur, soutenant qu'il faut prêter attention aux histoires inextricablement liées de l'immigration et de la colonisation, retrace tant les fonctions symboliques et économiques que la généalogie de la colonie de peuplement afin de mettre à jour ses impératifs politiques distincts, l'expropriation de terres autochtones et la dépossession, l'enlèvement, la séquestration et la transformation des peuples autochtones. Partant d'une étude de cas de la ville de Victoria, en Colombie-Britannique, et de sa population de peuple Lekwungen tout au long du XIXe siècle, l'auteur trace le passage d'une société mercantiliste mixte et fluide à une organisation politique coloniale de peuplement de plus en plus racialisée et séparée. Cette transition révèle comment les organismes et les espaces en cours d'urbanisation sont réorganisés et refaits, et comment les peuples autochtones ont été fabriqués et marqués par des catégories politiques nées des pratiques racialisées d'un colonialisme de peuplement urbain, pratiques qui sont la contrepartie des puissantes forces de l'ethnogenèse de peuplement et de la modernité coloniale.

Over the last two decades a growing and diverse body of scholarly work has begun to consider the racialized nature of colonial and post-colonial cities, and some in particular has highlighted lack of consideration of Indigenous peoples in Canadian urban environments. Yet few urban scholars have engaged overtly with settler colonialism and its operations as a specific analytic frame though which to understand the antecedent historical forces in the formation of these settler cities as urbanizing polities.[1] Indeed, until recently the traditional fields of geography and urban history have often duplicated a colonial amnesia about nineteenth-century settler-colonial cities, one that tends to erase Indigenous presence or alternatively considers Indigenous peoples to be merely anomalous to urban space, and misplaced in urban historiographies.

As many nineteenth-century newspapers, municipal records, and historical accounts amply attest, however, settler-colonial cities were often the greatest sites of Indigenous–newcomer contestation. Nevertheless, much scholarship in Canada on the historical development of towns and cities has failed include First Nations peoples. Geographer Evelyn J. Peters observed that many urbanists have explored the ways in which the Western city is seen as a gendered, racialized, and heterosexual space, yet little work has "explored how the definition of the city, particularly in colonized countries, excludes Indigenous peoples and cultures." Peters has observed the paucity of geographic research on Canadian Aboriginal people and notes their relative absence from the discipline of historical geography itself. For decades in Canada, "policies responding to Aboriginal urbanization have been informed by a discourse that defines Aboriginal and urban cultural life as incompatible."[2] Similarly, Jordan Stanger-Ross has observed that Canadian historians have been "slow to assess the significance of urban Aboriginal experience."[3] Just as feminist geographers have long pointed out that women have a different politics of emplacement in city environments, so too Indigenous peoples and peoples of mixed descent have had experiences of emplacement and power that were markedly different from those of European men and women in urbanizing colonial landscapes.[4] Indeed, all around Britain's empire triumphal accounts of colonial city building that privilege infrastructural progress and male protagonists have often doubly dispossessed Indigenous women in urban historiographies. Yet Aboriginal histories are necessarily urban histories. Not only were Aboriginal peoples present on their lands of the Northwest Coast at the

very inception of forts and towns, formed first by fur trade mercantilism and then by waves of immigration, today many Aboriginal people live in urban centres. According to the 2001 Canadian census, almost half of the people identifying themselves as members of at least one of Canada's Aboriginal groups (North American Indian, Metis, or Inuit) resided in urban areas. Projections for 2007 showed this proportion would increase. In British Columbia around 4.4 per cent of the population identify as Aboriginal, and in Victoria, the provincial capital, around 3 per cent do so.[5]

This article seeks to bring an investigative post-colonial attention to the historiography of nineteenth-century urbanizing North American cities, especially of the Northwest Coast. In line with recent critical work that seeks to view settler colonialism as a distinct form with specific political and material effects, I argue that the erasure of Indigenous urban histories largely continues to present a methodological schism in the discipline of urban studies. More specifically, I suggest that there is a particular lack of historical scrutiny of nineteenth-century colonial cities as *settler* formations with their distinctive political and racialized commerce that has constructed Indigenous peoples in certain ways. As Jay T. Johnson and others argue, although the discipline of geography has frequently marginalized Indigenous perspectives, the growth of an international Indigenous peoples movement and increased attention to Indigenous rights and knowledges within national and international forums has allowed new approaches to come to the fore. Researchers are seeking to decolonize the geography discipline to create genuinely anti-colonial geographies that are concerned with breaking and "writing the silences of the present as well as the past."[6] More recent work by scholars of race formation, colonialism, and Indigenous geographies points to fresh ways for reading the presence, political limits, and agency of Indigenous peoples in settler cities of the past, and well as the broader transactional processes of the city and how they construct Aboriginal peoples in specific ways. Scholars such as Adele Perry have argued for greater attention to the intertwined histories of immigration and colonization, the twin facets of settler colonialism, and Renisa Mawani has deftly scrutinized the overlapping tensions and pluralities wrought by the imbricated patterns of immigration and colonization required by settlement, and I suggest we must bring this attention to cities.[7] Most immigrants, especially Europeans, were inevitably settlers, and immigrant cities of North America were formed through the distinct process of settler colonialism and its central dynamic of supersession, that is, the displacement of Indigenous peoples and their replacement with settlers. As I seek to illustrate, in settler-colonial towns and cities these processes of supersession and their attendant and varied racializations were writ large.[8]

This article is twofold in its aims. In the first section, I outline features and operations that are distinctive to settler cities in broad terms, and unpack and examine the associated problem of Indigenous erasure in much traditional urban and geographical literature by exploring some of the interrelated conceptual, political, and historiographical factors that may contribute to it, with a close look at the powerful ideas of stadial theory that have underpinned and shaped such approaches to urban scholarship. In the second section, I take Victoria, British Columbia, and the history of the Indigenous Lekwungen people, known by Europeans as "Songhees"—the traditional owners of the Victoria region from the 1840s to the 1860s—as a specific historical case study for its distinctiveness, and its consonance with and departures from broad patterns first outlined. Victoria is a city that has received excellent scholarly attention in the last decade, especially from historians of colonialism and race formation, and this historical reclamation and analysis of the displacement of Indigenous peoples through municipal laws, concerns surrounding sanitation and public hygiene, and contests over labour and inter-raciality has ensured that the basic issue of Aboriginal erasure is now less pressing.[9]

Yet, while Victoria falls broadly into the category of settler city now, its origins lie in a mixed fur-trade–mercantilist culture, and it is the transition throughout the second half of the nineteenth century from this mode to a settler city and the tensions therein that can tell us many things. Building on and extending the work of the above scholars and in line with more recent efforts to decolonize understandings of space that inscribe empire, I trace the deeper symbolic and economic functions and genealogies of the settler-colonial city to reveal its often obscured political imperatives, the expropriation of Indigenous land, and the dispossession, removal, sequestration, and—importantly—the transformation of Indigenous peoples. Henri Lefebvre's provocative ideas on the production of space, as space as process, and on spatiality, empire, and modernity, contain radical seeds that provide ways to understand the operations of racialized spaces in colonial cities. Lefebvre highlighted the ways in which the unequal distribution of power in social space becomes naturalized and its operations forgotten. Lefebvre's most salient writings prompt us to ask, is a "city a work or a product . . . [and] what or whom does it signify?" He provokes us to attend closely to the "the mode of occupation of the territory and define how it was to be reorganized under the administrative and political authority of urban power," in other words, to look at the "production of space by political power" and to consider the "historical problem of all cities" by asking "for whom" and by "whose agency?" "why and how?" Importantly, he suggested we attend to the modalities of "violence in the service of [a city's] economic goals."[10]

Recapitulating some of these ideas, in his very different analyses of power and space, Michel Foucault proposed that the state was conceived like a large city, where the "model of the whole city became the matrix for the regulations of the whole state." As he put it, "One can understand a city as a metaphor or symbol for the territory and how to govern it."[11] Implicitly then, in understanding the city one understands the subjects the state seeks to create and the polity that it attempts to fashion. Foucault also highlighted the subject-producing qualities of architecture and space. How then does the mode of occupation, in this case a settler-colonial one, shape subjectivities and bodies? For insight we must also look to feminist, post-colonial approaches and Indigenous geographies, which offer new avenues for enquiry into the fashioning of bodies and identities in cities. Judith Butler's observations on the "mutual imbrication of bodies and spaces" is most apposite here. As Butler observes on the materiality of the produced, gendered body, "Bodies tend to indicate a world beyond themselves," revealing the constitutive nature of race, gender and space.[12] And as Tony Ballantyne and Antoinette Burton have observed, the body can be read like a transcript and reveal racialized and gendered assumptions that underpin empires in all their complexity.[13]

Such approaches can inspire us to extend and refine our understanding of the specificities of the production of bodies in settler-urban environs, for settler colonialism not only requires the taking of Indigenous lands, but concerns the collapse of spaces and the rapid reconfiguration and re-signification of bodies and spaces, using, as Lefebvre might put it, "violence in the service of [its] economic goals." Therefore, in this article I argue that the examination of Victoria's broad transition from mixed mercantilism to an apparently more racially homogeneous settler polity reveals how Indigenous peoples were (and are) not merely configured as anomalous in urban settler space, but came to be produced and marked in specific ways: as "inconvenient," incompatible "wanderers," as "nuisance," "vagrant," and "prostitute." Significantly, these are political categories born of racialized municipal codes, policing, and official and unofficial practices of segregation that take us to the heart of the operations of an urbanizing settler colonialism, and have much to do with, and indeed are counterpart to, the powerful forces of settler ethnogenesis and colonial modernity, that is, the attempted formation of a specific Anglicized polity through the intertwined imperial colonization and immigration. Further, as I show, these historically constructed embodiments of "vagrant," "nuisance" and "prostitute" reveal settler colonialism's violent operations of alienation in human frame—indeed, they reveal the key twin goals of the settler-colonial project as manifested by an urbanizing colonial modernity and thus point to a world beyond themselves. That is, the removal of Indigenous peoples from the land (dispossession through colonization) and their replacement by settlers (through immigration), revealing a coterminous extraterritorialization and a gendered territorialism that are central to the settler project.[14] These processes continue to shape settler–Indigenous relations in cities and more broadly in settler societies today.

Finally, I suggest that we must continue to Indigenize or more rightly imaginatively re-Indigenize the historiography of the settler-colonial city through continual counter-reading of archives and listening to Indigenous voices. At stake here are crucial issues of agency and sovereignty for Indigenous peoples, ones that nominally post-colonial settler societies such as Canada, the United States, Aotearoa New Zealand, and Australia cannot ignore.

The Settler-Colonial City and the Powerful Syntax of Stadial Theory

In 1985 Robert Harney provoked urbanists to consider city formation through the analytic frame of ethnicity and immigration. Evoking the ship as the symbol of immigration in line with scholarly trends in the 1980s and 1990s that sought to consider ethnic and multicultural urban polities was effective.[15] Yet, just as Harney suggested that the ship signified immigration, he overlooked the bountiful "tree" of colonization, an analogy used by nineteenth-century historians who promulgated a British Empire of settler colonies and their networks of cities spanning the Pacific Ocean, including Canada and the United States.[16] Indeed, twentieth-century urban scholars have expended much ink on defining the constituent forces that formed North American cities, including signature traits in progress, infrastructure, immigration, and other features of modernity. This is particularly true of the United States, with its national narrative of manifest destiny and American exceptionalism—a view that often refutes the notion of the United States as an empire entirely, and where, as Ann Laura Stoler puts it, "historical actors have refused the term empire while practicing its tactics."[17]

While scholars of Canada, especially of British Columbia and the Canadian West, have not eschewed empire to the same extent, only more recently has close attention been given to these cities as products of the triple forces of empire, colonization, and immigration. In fact, the embrace of Britishness in British Columbia may have naturalized and obscured these processes.[18] Indeed, although many Aboriginal people live in these post-colonial cities of North America and are therefore part of the ethnically diverse polity, it is rarely pointed out that these cities remain places of the most thoroughgoing extinguishment of Native title. How did this naturalized erasure come to be?

Three decades ago the geographer A. D. King wrote that colonial cities were "laid out by the rulers and not the ruled" and presciently observed that the uneven distribution of power within colonial urban environments and "how those environments relate to social processes" possessed a global dimension. Later, in 1985, he attempted to define the "colonial city" yet barely analyzed was what he dubiously described as cities in "successfully" colonized lands where the Indigenous population was "largely eliminated . . . marginalised or to varying degrees absorbed into the population of the colonising power, and where the colony subsequently became independent," or, "despite political independence, where strong economic, political or cultural interests linked the city to the metropolis (eg. Sydney in Australia, or Halifax in Canada)." Clearly King was referring to the setter-colonial city, although he did not identify it as such, and conceded that its analysis "would be desirable."[19] In a similar vein, the metropolitan work of Ross and Telkamp, *Colonial Cities*, examined cities over five centuries across almost every continent but failed to identify and analyze the distinctive features of settler-colonial cities.[20]

Since then, and after the cultural and imperial turns, many urbanists have of course conceded that colonial cities are instruments of cultural and racial dominance, yet the historical particularity of such operations for *settler* cities, and the distinctive modes of spatial commerce and deeper genealogies that encode these cities with particular European cultural meanings has not always been shown. Lack of specificity is key here. Much scholarship in the field of urban historical studies, and indeed more broadly, has a propensity to conflate the spatial politics of settler colonies with those of the colonies more generally. It does so, despite an increasingly robust focus in other fields such as imperial and colonial studies and post-colonialism that has sought to trace the intricacies of distinction that sets settler colonialism apart in the annals of European colonial ventures.[21] Of course colonial formations could be mixed in practice, and settler colonies required foremost Indigenous lands, but also the labour of Indigenous, indentured, and enslaved workers.[22]

Victoria, for example, first established as a fur-trader fort of the Hudson's Bay Company in 1843, was a small mercantilist centre planted in the midst of Indigenous lands, which gave rise to its heterogeneous, "mixed-race" nature, and only later, when the Fraser River gold rush (1858) ushered in a new mode—settlement—did it generally confirm to the patterns of a settler city. Nevertheless the city and the entire colony continued to rely on Indigenous labour.

In the simplest terms, however, settler colonists went, and go, to new lands to appropriate them and to establish new and improved replicas

of the societies they left. As a result, Indigenous peoples have found an ever-decreasing place for themselves in settler colonies, as changing demographics enabled ever more extensive dispossession. Despite British Columbia's great dependence on Indigenous labour, especially in fisheries and forestry—indeed forming the "backbone" of the nineteenth-century economy, a fact that was reflected in the streetscape—by the early twentieth century a consolidation of settlement and a push for white labour ensured that there was decreasing place for Indigenous peoples.[23]

Many metropolitan studies in the fields of history and urban geography have privileged franchise-colonial city formations and have failed to highlight the settler colony's fundamental economic imperative for land, and the settler-colonial city's distinct spatial commerce, as well its role as a nodal point in the circuit of empire. Settler-colonial cities were unlike franchise-colonial cities, such as New Delhi, or where the British formed inward-looking, protective cantonments, enclosed, circumscribed towns within established and ancient Native cities. Settler-colonial cities are unlike the sequestered hill stations of India, or the French colonial cities of Algiers and Morocco, with their imperial additions to the existing built form of the Indigenous city, with spatial partitions of cordonnes sanitaires to enforce separation between colonizers and colonized.[24] The settler-colonial city was audaciously expansive. Its grided spread was pre-emptive, reaching out over Aboriginal land. Settler cities were depicted as manifestations of the highest stage of European commerce and progress, as places of triumph. They were configured in much eighteenth- and nineteenth-century European literary and visual culture as the most potent symbol of progress and the highest stage of civilization and "commerce," and were imagined as the "consummation of empire."[25]

Settler-colonial cities are not merely different in their layout, form, and appearance from other colonial cities. The dynamic of displacement and replacement that is central to the operation of nineteenth-century urbanizing settler spaces, and its significance for the positioning, control, and regulation of Indigenous and non-Indigenous bodies within city and surrounding environments is also marked. The settler-colonial city was a site where the appropriation of Indigenous land was coupled with aggressive allotment and property speculation, and where property relations were constructed quickly through the rhetorical celebrations of making a white, civilized British civil space.[26] Throughout the nineteenth century these settler towns and cities became nodes in active trans-imperial networks, through which bodies, ideas, and capital increasingly flowed in the circuits of empire. The resultant and rapid increase of immigrant populations to these colonial towns and the growth of industrialization over the latter part of the nineteenth century drove a continually developing set of regulations for the ways in which Indigenous and non-Indigenous peoples could inhabit city spaces. As Elizabeth Grosz notes, bodies and cities are mutually defining entities whose relations are regulated and mediated by the state.[27] In this case we are speaking of the settler state, and crucial to these transformations was the eventual and sometimes violent regulation, partition, and sequestration of Aboriginal peoples and attempts to control "mixed-race" relationships. The anxious development of these settler cities reflected the uneasiness of the colonial polity itself, and who would and who would not be considered as full members of this ideally white polity was crucially mirrored in exclusions in the streetscape. Here bodies and spaces were rapidly reconfigured, and racial partitions were amplified in the colonial townscape.

In the last two decades a great deal of scholarly work by historians, legal scholars, and geographers has begun to examine identity, land, and emplacement in the development of British Columbia as a colonial polity, the racialized and gendered transformations implicit in the loss of Indigenous lands, the fourteen treaties made by James Douglas with Indigenous peoples, and the erasure of Indigenous spaces. Geographer and historian Cole Harris examined colony-wide expropriation of Indigenous peoples from their lands, and the concomitant remaking of this Native space.[28] In more recent work, Harris, inspired by Patrick Wolfe, sought to attend to the material implications of the expropriation of land from Indigenous peoples, which is a central feature of the settler project.[29] As Harris rightly observed, we must "identify the powers of the settler arsenal, map their positions, sort out their linkages."[30] Extending this argument, I also suggest that we must look to how not only spaces are remade but bodies are remade and re-signified by settler colonialism, thus revealing its political imperatives. Across the border, Col Thrush's *Native Seattle* took another Pacific Northwest coast city as its subject and critiqued the "myth of the vanishing race," as he termed it. In this reclamation history full of stories, Thrush tracked the "deeper Native histories of place" but did not quite reach the structural undergirding that made Indigenous peoples apparently "disappear" in urban settler environs, or the spatial operations of settler colonialism that co-produce bodies and spaces in highly specific ways.[31]

It is little wonder that there has been a striking absence of historical work on Indigenous presence and their transformations in developing settler-colonial cities—for, to put it plainly, recognition of Indigenous historical presence would be to assert that Indigenous peoples are not newly arrived immigrants to cities, but owned and occupied the land well before settler cities were established and were implicitly part of their physical and imaginative creation, raising issues of sovereignty and entitlement to land. With the historiography of North America's cities, these conceptual and political disjunctures are characterized, at least at first glance, by a lack of synthesis of urban and municipal records with Indigenous archives. I suggest, however, that this indicates a larger disciplinary and methodological issue: an incomplete encounter between urban studies and the advances of post-colonialism. On deeper inspection, this is also a historiographical and therefore necessarily an ideological and problem reflecting settler-colonial hegemonies themselves, that is, promoting "New World" cities as tabulae rasae and perpetually representing Indigenous peoples as absent and/or antithetical to urbanizing colonial environments.

The powerful, symbolic purchase of the settler-colonial city, postulated as the apotheosis of colonial endeavour, has largely continued to render Indigenous presence in the city marginal or non-existent, or incompatible and anomalous. The genesis of such views may be understood within the context of late-eighteenth- and early-nineteenth-century stadial theory and Enlightenment ideas of progress and improvement. In settler colonies the "mode of occupation of the territory," that is the supersessional dynamic of displacement and replacement, was authored by the powerful narrative of stadial theory, commonly

understood as ideas based on the four stages theory of human development, which justified Aboriginal demise and loss of land. As outlined by a range of authors, Adam Smith is generally credited with these ideas of stadial progress, a model of the age of hunters, pastoralists, agriculture, and commerce, where these stages came to be understood as distinct, hierarchical, and successive modes of production, importantly conceptualized in a progressive, teleological fashion, figuring European society as the highest "stage."[32] Such ideas of stadial progress came to legitimize and naturalize the presumed entitlement to and the taking of Aboriginal land, and of course, travelled throughout Britain's many colonies and were frequently invoked on the Northwest Coast. As Blomley notes, Vancouver's first archivist, J. S. Mathews, also depicted the site that would become Vancouver as "a vast amphitheatre of virgin solitude," unused and "sleeping away the silent centuries," in a "primeval paradise of stillness," with "'our' Indians a scattered few in an empty land."[33] In 1859, Alexander Morris delivered a lecture to an enthusiastic crowd at the Mercantile Library Association in the developing city of Victoria, Vancouver Island, at the height of its gold rush: "In the rapid planning of the Anglo-Saxon civilisation, the finger of Providence was manifest . . . one cannot pass though this fair valley without feeling that it is *destined* sooner or later to become the happy hope of civilised men, with their bleating flocks and lowing herds—with their schools and churches."[34]

Crucially, in these stadial narratives the apotheosis of commerce, progress, and civilization was the crowded New World settler city, depicted as the triumph of empire. The undeservedness of Indigenous people for the land was attributed to their positioning as "hunters" without rights in land. As Blomely explains, also influential was John Locke, who was greatly concerned with the colonization of North America. He imagined Native North Americans' "government and relationship to land as at an earlier stage of development than Europe and therefore akin to the state of nature, the starting point for the history of private property." The taking of lands could therefore occur without Native consent, since "Native lands (with some exceptions) were deemed as unimproved and could thus be justly appropriated by those capable of reclaiming 'waste.'"[35] The narrative of such writings thus depicts a transition from "Edenic nature to improved settlement; from common to private entitlement." Here as I term it, the powerful syntax of settler colonialism, or as Blomley terms it, the "*telos* of highest and best use," is apparent. This narrative also mythologized the creation of "property" based on maximizing value and positioned Indigenous rights in land as an ancient, early hunting-and-gathering stage where proprietary right to the soil did not exist. As several authors have identified, the central relation in such expansionist, pioneering narratives is an exclusive one between God, white man, and the land.[36] In such a narrative schema the settler city has pride of place: it is the space of progress and commerce, predicated importantly on the absence of Indigenous peoples. Further, entitlement to colonized lands in this instance was heavily racialized. For Alexander Morris, it was the Anglo-Saxon race that was uniquely endorsed by Providence to form such cities around the Pacific Rim.

Thus, if the city represented the space of modernity and was indeed progress itself, then Aborigines were *out of time and out of space* in European understandings of history and philosophy. Indigenous people in the urbanizing landscapes thus interrupted the powerful syntax established by stadial theory and its driving Western historicizing narrative. Rendered on the margins, in European eyes Indigenous people came to stand in for stadial displacement itself. These are the "ghosts" Thrush identifies in his urban mythologies, "shades of the past, linked almost to a lost nature."[12] And as John Fielder observes on Australia's urbanizing project, Aboriginal people were often viewed as anomalous in town and city precincts, their bodies signifying displacement, "flashpoints" in the growing logic of a new colonial modernity or order. They were seen to embody the tensions and ambiguities of the frontier itself.[37]

This narrative of stadial progress has been pervasive and enduring. In North America it was popularized by Frederick Jackson Turner's frontier thesis, which encoded the notion of a Western evolutionary schema. In line with a range of urbanists who overturned this theory, John William Reps in *The Forgotten Frontier* noted that Turner had cited from a guide on the West published in 1837, in which the author noted how "land was first occupied by the trapper and hunter, then by the farmer, and only at a much later stage by 'men of capital and enterprise' who enlarged the 'small village' of the previous occupants into a 'spacious town or city' with substantial edifices of brick . . . colleges and churches.''[38] As Reps explains, others then replicated this popular idea: "As the westward movement gained momentum, a standardized zoning pattern developed, describing the final frontier zone as 'urbanization.'" But this "zonal theory" of western settlement with its origins in Turner's evolutionary-based frontier thesis was stadial theory thinly veiled.

Arguing against the preoccupation of American historians with privileging rural settlement as the vanguard over the crucial role of town building in the usurpation of Indigenous lands, Reps stated that apart from perhaps Turner's native Wisconsin, the "standardized zonal pattern" theory was "almost entirely erroneous" in the region beyond the ninety-fifth meridian. Settlements in the West were not spontaneous or random, but strategic and planned, with their "physical forms . . . determined in advance by individuals, corporations, colonization societies, religious groups, or public officials . . . *the West was a region of planned cities*."[39] Of course, as a result of the inaccessibility of Northwest coast and the impasse of the Rocky Mountains, colonization of the coast came late. Nevertheless, in 1849 when the British Crown ceded control of Vancouver Island to its proxy, the Hudson's Bay Company, making a large and powerful mercantilist company a colonizing power, it was given jurisdiction over two key and crucially interrelated features: the company was handed control of Native land policy, and with it the injunction that it must also build "so many Counties, Townships, Parishes, Cities, Boroughs, and Towns as you shall judge necessary."[40] In fact, the central proviso, clearly to induce colonization, was to make settlements within five years. Thus showing settlement was an imperative of colonization, the Hudson's Bay Company was sanctioned by the British Crown to take control of Indigenous lands, to direct the lives of First Nations, and to create conditions for settlement through the immediate building of towns.

In this transition to settlement from a mixed, fluid mercantilism to settlement, certain kinds of property and polity were ultimately required.

Nuisance, Inconvenient, Vagrant, and Prostitute: Settlement, City Incorporation, and the Intimacies of Empire in Victoria

Something happens in settler cities. The syntax of settler colonialism reconfigures bodies and spaces, polities and geographies. In British Columbia, after the Fraser River gold rush and with increased settlement, Aboriginal people were constructed in powerful ways in the Victoria streetscape. A photograph of Aboriginal people sitting on the road in Victoria in 1862 (figure 1), which originally had the provocative title "From the Gaol to the Gin House," constructed them as indigent, criminal, drunken, and displaced in the streetscape—as if they were destined only to move among the urban zones of criminality, drunkenness, and vice. In fact, First Nations people often waited outside the court house for friends and relatives, and as has been well documented, they lived and worked in and around the growing city.

The Lekwungen people are the original inhabitants of the southeastern end of Vancouver Island, the place that would be selected as the site of Victoria. Belonging to the Northern Straits language group of the Coast Salish family, in the nineteenth century this group comprised around six identifiable tribes of differing dialects, among which were the Songhees, who had several villages in and around Victoria.[41] Since European contact, the history of the Lekwungen has been described as a series of "dispossessions and repossessions" of land, a series of contestations and negotiations for space.[42] Despite nearly fifty years of maritime and land-based fur trading with Europeans, First Nations peoples of the Northwest Coast had remained largely in control of their land. After the gold rush and once the mercantilist economics of the fur trade shifted to an industrialized resource-extracting economy based on mining, forestry, fishery, and canneries—industries that brought increased migration and European settlement—Aboriginal links to land were radically transformed. Aboriginal space would be increasingly regulated and litigated by the colonial system. Such spatial contestation, especially in emerging towns, became charged. Victoria shifted from a fluid, hybrid town to a place where the harsher racializations and segregations of the 1860s were enacted and where the boundaries of whiteness were spatialized and litigated in the crucial transformation from Indigenous land to the colonial order.

European settlement came slowly to the Northwest Coast colony. Few settlers had arrived by the time of Governor Blanshard in 1850.[43] Instead, it was James Douglas, as chief agent of the Hudson's Bay Company and later governor, who soon had jurisdiction over the majority of the population, Hudson's Bay Company employees, the sale of land, and the enactment of public works in the colony. In 1852 there were only 435 emigrants in the colony, of whom "only 11 had purchased land, and another 19 had applied for land."[44] From the beginning this was a polyglot society, a hybrid, heterogeneous place. While most high-ranking company officers were of Scottish-Presbyterian origin, the main body of men were often French Canadians or Metis; others were British, Iroquois, or Hawaiian. French and later Chinook, the trading language, as well as English were spoken.[45] Even by the time of the census of Vancouver Island in 1854, it cannot be presumed that all those counted—which lists the number of "settlers" as 774—were "white." Indeed, the mixed character of early British Columbian society at this time would challenge the normative racial and gender standards increasingly expected of Anglo-American social life, as Perry has amply demonstrated.[46] Further, as Sylvia Van Kirk has shown in her fascinating tracing of five elite fur-trading families during this period, the families comprised high-ranking fur-trade officers who married women of First Nations, mixed, or Metis descent, and had a monopoly on the best land around Victoria in the late 1840s, 1850s, and 1860s.[47] The gold rush to the Fraser River brought increased migration to Victoria, mainly men, at its peak about six thousand.[48] Yet, as racist attitudes hardened with new settlers arriving and as the nineteenth century moved on, these elite men of the fur trade went to great effort to Anglicize their families "at all costs."[49] Nevertheless, later censuses from the 1860s and 1870s continued to show the "expansive definition of whiteness" in Victoria.[50]

In the early 1850s, James Douglas, as the newly appointed governor of the Colony of Vancouver Island, negotiated fourteen land-based treaties, including several that formed Native reserves in and around the town of Victoria. One four-hectare reserve created in 1854 was the site upon which the buildings of the provincial government came to be built, and another was situated across the inner harbour, now the site of high-rise condominiums. The Crown had conveyed title of Vancouver Island to the Hudson's Bay Company in 1849 in fee, and as historian Hamar Foster has noted, little mention was made of Native peoples, and it appears that the company had been required to extinguish Native title.[51] By establishing the colony of Vancouver Island, the Colonial Office had left the direction of land policy largely to Douglas. Rather than wholesale extinguishment of title, Douglas sought to treat with Native peoples, and he considered the transactions to be genuine and solemn obligations.[52] These reserves and the terms of the treaties that created them became the subject of intense, long-standing legal debates that have carried into the present. However, the Douglas treaties—actually deeds of conveyance—simultaneously extinguished Native title and asserted it in partial and qualified ways.[53] The deeds effectively acted as a kind of statute of limitations in the midst of a growing town. Native peoples were entitled only to small parcels of land, villages, fields, and sustenance rights, while the remainder of was deemed Crown land. As I shall discuss later, the two features described above—Victoria's origins as a mixed, mercantilist society, and the city reserves enshrined by Douglas—along with the colony's requirement for Aboriginal labour, complicated the transition of Victoria to an ideal, imagined homogeneous settler-colonial space in important ways.

During this period, however, a major shift began to occur, an assertion of a settler-colonial order of propertied, incorporated, ordered space from the "bedlam" of Aboriginal space, deemed chaotic and unprofitable, a process that Jordan Stanger-Ross usefully described as municipal colonialism.[54] Concomitantly, settler identity began to consolidate, and so too the construction of Indigenous peoples and attitudes to mixed-race marriages altered with new mores on racial homogeneity. To illustrate these themes, and attending to the remaking of spaces and bodies, I now turn to the archival material.

Within several years of the 1858 gold rush, there were calls to establish a municipal government. After much lobbying by the Victoria Town Council, the Colonial Legislature assented to the incorporation of Victoria, forming the Corporation of the City of Victoria on 2 August 1862.[55] It was run like a company: its rate-paying residents and property owners were its shareholders, its key constituents petitioning the city to

H-03766, BC Archives

Figure 1: Goal in Bastion Square, Victoria, 1862.

improve infrastructure and increasingly to regulate town space through by-laws. Amidst the excitement of gold rush speculation and the rapid allotment and auction of town space, the city sought to broker public space, wresting control from both the Hudson's Bay Company, the body that continued to own much property in the townscape, and the colonial legislature whose ambit encompassed the entire colony of Vancouver Island, and later the Province of British Columbia. This accelerated incorporation of town space came to profoundly affect attitudes to Aboriginal peoples in the cityscape, where they were increasingly viewed as inconvenient impediments to progress. It is no coincidence that, around this time, images such as "From the Gaol to Gin House" (1862) were created. Similarly, Aboriginal spaces in the townscape—shanties, slums, and the Lekwungen reserve—were sites where it was feared that property would be rendered valueless.

The main Lekwungen reserve, a portion of land across the harbour from the town, was a site of spectacle for the British imperial traveller. Robert Burnaby was both an immigrant and a settler to the new colony, and as such he had vested interest in the landscape. In the summer of 1860 he wrote to his sister in England, taking her on an imaginary, titillating "tour" of the reserve, evoking the voyeuristic accounts of journeys into the dark London slums found in many newspapers of the time: "Let us now take a walk over the bridge to the other side of the harbour …to which their houses are restricted. We can tell where their Lodges are by the smoke that hangs over the spot, and now we are getting near for we see the skulking dogs . . . and a few Klootchmen [Aboriginal women] scattered here and there in the Bush; their gaudy blankets and showy silk handkerchiefs shewing gaily in the dark green foliage. Now for the smells! Horrible and filthy, and mind you pick your way."[56]

In the same year, an alarmed Governor James Douglas wrote to the Colonial Office about newly arrived Aboriginal peoples from further up the coast and described them as a "positive nuisance": "Fresh arrivals [are] constantly occurring, so that at the present moment there are nearly four thousand Indians in the outskirts of the town of Victoria . . . with much apprehension felt by the inhabitants . . . at the close contiguity of a body of Savages double to them in number."[57]

The sensationalism of the press can always be relied on. The *British Colonist,* under the headline "Won't Go!" reported that police had been sent to summon "northern" Aboriginal people from the northern end of the town to leave, "but they refused to go." "They are a great nuisance," the article continued indignantly, "rendering *property in their quarter valueless*. Their camp is perfect Bedlam and one of the greatest dens of vice and crime ever permitted in a Christian community."[58] As the fear and anxiety of settlers in the town grew, Aboriginal shanties and slum areas at the northern edge of town and the Aboriginal reserve were increasingly represented as a place of madness, degradation, and savagery.

Aboriginal space was often described as chaos or Bedlam to the ordered civil space of the growing city. As Mary Ellen Kelm argues, such living conditions (slums, reserves, etc.) were made "through

colonisation and were neither natural to the First Nations, nor necessarily indigenous to the environment of British Columbia."[59] Like so many cities, the developing spaces of Victoria had become inscribed with a moral topography of binaries and inversions. "The nature of the red man is savage and perverse," noted W. C. Grant. "He prefers war to peace, noise to quiet, dirt to cleanliness."[60]

We see in Burnaby's and Grant's accounts ideas that Aboriginal people had a "natural" tolerance for dirt and uncleanliness, as well as harsh adjudications on their morality and comportment. Above all, the reference to Bedlam alerts us to the ideas of border and margins. Just as dirt, as Mary Douglas has reminded us, is matter out of place and thus defines and offends order, the notion of Bedlam, a crazy, chaotic "Aboriginal space" both defines and offends the boundaries and the terms of the ordered, rational Christian civil space that the city sought to create.[61]

In May 1860 the *British Colonist*'s editorial condemned the "aboriginal butcheries" in this Christian town, and its disparity was likened to the "mythical gulf that divides Heaven and Hell." Further, the newspaper complained of the "lesser evils of [Indian] presence" to be counted, including the "filling of our prisons and hospitals, the reduced *price of property* and the utter demoralisation that ever exists in their neighbourhood, are of themselves sufficient to cause their speedy removal."[62] Above all, the "madness" of Aboriginal spaces was conceived as an impediment to progress and importantly threatened property value. The value of town property, which had only so recently been converted from expropriated Indigenous land, was protected zealously. British and European immigrants, property owners and speculators with franchise (if they were men), were concerned about the value of their property in the townscape and its devaluation if land became coded as a "savage" Aboriginal space. The city upheld the rights of these men, while Aboriginal peoples were increasingly configured as "nuisances" and as "inconvenient" in the streetscape. These are categories not usually associated with fur-trade mercantilism, but with settlement's emerging municipal codes and its staged severing of Indigenous links to land.

Just as speculators fought to protect their property, they also sought to create it from any remaining Indigenous land in the vicinity of the town. The Songhees Reserve soon became an object of commercial desire for town speculators, as several authors have traced.[63] While individual speculators eagerly enquired about the possible "allotment and sale" of the Songhees Reserve, the city sought to wrest control of the Aboriginal reserve from the government. The city demanded to know which body controlled the reserve: the Legislative Council or the city? Writing to the colonial secretary, Lord Newcastle, the corporation had requested the "transfer of the Indian reserve to the Corporation." The colonial secretary responded that the governor of the colony had no power to transfer the Indian reserve to the city.[64]

At this time, the gradual expropriation of Indigenous peoples from their lands in areas sought for mining or settlement, debates over native title, the sequestering of Indigenous peoples, and the building of cities were thoroughly imbricated in policy and practice. In Victoria in 1859 at the same meeting that James Douglas proposed the creation of permanent Native villages on reserves, one of the first bills for the "enfranchising the town of Victoria" was put forward.[65] An examination of the years 1859–1869 through the Legislative Council, the Corporation of Victoria minutes, and newspapers reveals methods that legislative and municipal authorities used to subvert Lekwungen control of the reserve on the inner harbour, and to create property.

In 1859 Governor James Douglas described the Lekwungen Reserve, in such close proximity to the town, as a public inconvenience.[66] If the reserve was an inconvenience, then so too, the authorities believed, were First Nations. Members of the Colonial Legislature pushed Douglas to "remove the Northern tribes from the position which they now occupy near the Public road to a point where their inconvenience would not be felt." In the chambers of the legislature, Douglas conceded that First Nations in Victoria's streets were a public inconvenience, but he argued that their violent removal would be neither "just nor politic."[67] Likewise, some members of the Legislative Council urgently sought to purchase the Songhees Reserve and allot its spaces. They were persistent in their efforts, especially Councillor Yates, who queried the legislature, "Has the government . . . the power to remove the Indians by purchase?"[68] In 1858, when merchants had pushed for the purchase of the Songhees Reserve on the other side of the harbour, Douglas stated in the House of Assembly that native reserves had been "distinctly marked on the maps and surveys of the colony and the faith of the Government is pledged that their occupation shall not be disturbed." Further, "the Government," he said, was "bound by the faith of a solemn agreement to protect them in their enjoyment of their agrarian rights." Douglas sought to walk a fine line between eager town developers and the rights of Lekwungen peoples, although he as Crown representative would eventually oversee the subdivision and lease of the reserve. Douglas sought to use the funds for school and a missionary teacher. "By such means," he argued, "a great benefit, worthy of the philanthropy of our country, will be conferred upon the Indians themselves, while at the same time, the improvement and the increase of the Town of Victoria will not be retarded by their *unprofitable occupation* of one of the most valuable portions."[69]

While the colonial legislature also enshrined white civic spaces by securing "public reserves for education and a public purposes," it simultaneously undermined the Songhees Reserve by incremental allotment, which overturned Aboriginal communal ownership of land, commodified it, and prepared it for sale. In this formative transitional process Indigenous land was gradually incorporated to private property. Councillor Yates continued to push for the total removal of "Indians," using arguments of morality to call for the sale of the reserve: "The Indians [are] a *nuisance* often insulting to the modesty of females or families and ought to be removed . . . besides, the income derived from the sale of the reserve . . . would bring an enormous income . . . and the Indians would have such an idea of the value of the land that thereafter their title could not be extinguished by this means."[70]

Later, J.D. Pemberton, surveyor and councillor, made an address to the governor, disagreeing with Yates on the issue of the Songhees Reserve, but for purely strategic and commercial reasons. He warned that the proposed plan for leasing out allotments of the reserve would be difficult since the "Indians" would "diminish very greatly the value of land." Further, evoking ideas of imminent extinction and a naturalized supersession, he was concerned that "when the Indians who by right now occupy this Reserve become extinct, which will probably be the case in a very few

years, this Reserve would once again become the property of the Crown instead of being the property of the Town of Victoria."[71]

Tension between the Crown and the Town of Victoria notwithstanding, it is clear that extinguishment of native title in outlying areas and the gradual subdivision and selling off of Native reserves in town were interrelated. In the same meeting, after he had enquired about the Songhees Reserve, Yates asked, "Would the Governor inform the House . . . if the Indians who formerly owned the lands in the following Districts, viz. Nanaimo, Victoria, Esquimalt, Metchosin and Sooke have been paid in full; and if so do they fully understand that they have no further claims upon the Government for said lands, and may it please his excellency to state the cost of said lands per mile."[72]

Urbanizing frontiers and outlying frontiers were highly interrelated. As well as lobbying for the sale of the reserve, and for the extinguishment of Native title in outlying lands, Yates also made an address to the legislature "praying for the immediate removal of the Northern Indians from the Towns of Victoria."[73] He, like many colonists, was deeply concerned about creating property and preserving its value by expropriating the local Lekwungen and other First Nations groups from the town and from outlying areas, only highlighting settler colonialism's most idealized geography, the state of commerce and the telos of best use embodied by the idea of the settler city, which rests upon the precondition of Indigenous absence.

Although the treaty with the Lekwungen would be honoured in name, the Colonial Legislature and the Corporation of the City of Victoria constantly sought its circumvention through such acts as allotment of the land for its "improvement," the creation of missions and schools on the reserve, and leasing out portions of the reserve to farmers.[74] The city sought to manage the reserve as a corporate asset. A check and balance, however, between the city and the Colonial Legislature, coupled with the weight of the Colonial Office, at the very least kept the Songhees Reserve in place, though tenuously, until in 1911 when it was transferred to the province of British Columbia, with each Aboriginal family relocated and paid $10,000.[75]

The record of the Colonial Legislature and the municipal council reveals the process by which colonial cities were reorganized from a fluid mercantilism to an ordered, settled, and increasingly industrialized formation through a bureaucratized colonial order. Cooper and Stoler have described this reorganization of spaces and peoples as the "embourgeoisement of imperialism," a shift occurring in the mid- to late nineteenth century. Although no less coercive, "stable government" such as Colonial Legislature and municipal councils began to replace "violent conflictual tyrannies" (such as the disciplinary structures of the Hudson's Bay Company), and "orderly commerce and wage labour replaced the chaos of slaving and raiding." With this came a complex structuring of racial boundaries, along with proscribed "forms of sexual and social interaction" replacing the "disconcerting fluidities of an earlier age" (in this case a mercantilism that was highly accepting of mixed relations).[76] Such a shift describes well the transition in the emergent Victoria streetscape.

Keeping these structural shifts in mind, I now turn from the reordering of spaces to the conterminous reordering and re-signification of bodies. Settler fears revealed in anxious newspaper accounts may have configured parts of Victoria as a "Hell" or "Bedlam," but like many urban settler cities of the British Empire it would increasingly become a commodified space, where the town councils sought to create a civil space of order, racial homogeneity, and progress. By the late 1850s, Aboriginal people, mainly visiting "Northern Indians," were regularly cleared from the streets in order to abate settler fears that the town had become "a human slaughter house, through the criminal neglect of the authorities."[77] In 1860, seeking to keep Aboriginal people on the other side of the harbour from the town, the *British Colonist* reported in April 1860 on the pulling down of the "Indian village": "A posse of Policemen under Chief of Police Bailey, proceeded to the Indian tents and shanties at the rear of Youngs warf and pulled them down . . . yesterday morning . . . his posse tore down the remaining shanties this side of the Bay, and the Indians were busy transporting their goods to the other side. *There is not now an Indian camp on the Northern section of the city*."[78]

One month later, with the headline "Clearing the Streets," the *British Colonist* reported, "About seven o'clock every evening the policemen begin the arduous task of driving the Indians and squaws to their encampments. Starting for the centre of Government Street, one walks in a northerly direction to Johnson. Every squaw and buck is turned 'face about' and compelled to precede the policemen; and if found in the streets after dark is immediately marched off."[79]

Aboriginal men, and later Aboriginal women, were ordered to leave the town precinct at night. A pass system was essentially established, whereby Aboriginal people found in the town at night "were prevented from returning until morning" unless they could show documentation legitimating their presence by a white employer.[80] There has been much scholarship on the litigation of Aboriginal identity at federal and state or provincial levels of the Pacific Northwest Coast, but so often the construction of racialization in the cityscape, as shaped at the level of municipal governance, has been overlooked. A close examination of the Minutes of the Corporation of the City of Victoria reveals such formative racializations in the streetscape. As an example:

On 10 June 1863 the city dealt with a petition from "property holders of Government Street in the neighbourhood of St. Nicholas hotel requesting that a wooden sewer" be built. It dealt with another petition from "various property holders on Nagley Street calling attention to its condition and requesting the same be graded and macadamised." On the same day the minutes recorded a resolution that the "government having appointed Commissioners to manage the Indian reserve" was "contrary to law." And further, it would be resolved that "as the [Songhees] reserve was within the City limits [it] ought by law and usage to be vested in the hands of the Corporation."[81] Alongside the seemingly banal calls for the building of infrastructure, roads, sewerage, and macadamization, the minutes frequently relate prohibition of the sale of liquor and gunpowder to Aboriginal peoples, their surveillance, and the management of Aboriginal space.[82]

Crucially, the city, like the Colonial Legislature, sought to control Aboriginal bodies in public space, and as several authors have shown the weight of public opprobrium came down heavily from officials and missionaries on the body of the Aboriginal woman under the modernizing guise of improvement and sanitation.[83] The body of the Aboriginal woman became synonymous with prostitution and vice and therefore

required spatial regulation, for just as spatial commerce is racialized, it is also gendered. As noted, early fur trade society of the Northwest Coast prior to the gold rush had seen many marriages between Hudson's Bay Company officials and women of Aboriginal descent. But by the early 1860s, with immigrants from Britain bringing their hardening ideas about race, increased Anglicization, and consolidation of white settler identity, "miscegenation was held to be undesirable."[84] As Jean Barman has observed, "Everywhere around the world Indigenous women presented an enormous dilemma to the coloniser at the heart of which lay their sexuality." In the nineteenth century's Victorian cultural climate, Aboriginal women's sexuality was not "openly talked about, but prostitution and all that it implied could be publicly condemned."[85]

In concert with these attitudes, and in line with Cooper and Stoler's ideas on the embourgeoisement of imperialism, the great Victorian "sanitary idea" of public health, disease, and cities had by the mid-nineteenth century moved from Britain to the colonial cities of its empire, and the Colonial Legislature and the city sought to follow suit. In the name of public health, Aboriginal spaces in the city were considered synonymous with dirt, disease, and vice; moreover, Aboriginal women were viewed as embodiments of the same. In June 1862, the colonial legislature "read for the first time an Act for the appointment of a Sanitary Commission for the town of Victoria, and to define the powers thereof."[86]

On 22 December 1862, amid tenders for the "grading and macadamising of Yates and Johnson streets," the city targeted Indigenous women specifically, with a motion for a "bye-law declaring it to be unlawful for any person to harbour Indian women within the city limits."[87] The motion continued, "It is expedient to take measures for *improving the sanitary conditions of the city* of Victoria . . . as follows: it shall be unlawful for any person to harbour Indian Women within the precinct of the city," unless employed as servant or married.[88]

"Squaw dancing houses"—dance halls where Aboriginal women worked, sometimes as prostitutes—were targeted, as they were seen as places of mixed-race licentiousness. The city proposed a further resolution that "squaw dancing houses within the city limits are a nuisance and the parties keeping such are amenable to the penalties as are competent to be levied in the case of any other nuisance under the ordinance on Nuisances passed by this Council."[89] Aboriginal women and the places they frequented were regulated through the categories of "nuisance" and "sanitation" features of an urbanizing modernity.

Prostitution had become a racialized crime. The *British Colonist* often reported with offhand authority that made First Nations women, especially women from the north, synonymous with prostitution, as when it noted that the Native "women have rendered the whole outskirts of the town a perfect brothel" and "prostitution was so common with Northern [Indian] women."[90] As Perry notes, reformers tried to have these dance halls closed, to deny them licences, or "failing that to locate them outside of the white settlement."[91] The councillor who had made these propositions sought to achieve them by proposing that the "squaws *might all be considered as prostitutes* and that was sufficient grounds for ejection." The mayor and the magistrate advised that this was "beyond the limits of legal justification."[92]

Commenting on the increased attention in scholarship of the last two decades to the "intimacies of empire" as vital political sites, Ann Stoler writes that "intimate matters and narratives about them figured in defining the racial coordinates and social discriminations of empire."[93] The urban frontier was also the intimate frontier. Close attention to this shared aspect of the streetscape is crucial, since it is in this intimate domain of colonialism where such issues as "sex, sentiment, domestic arrangements, and child rearing . . . figure in the making of racial categories and the management of imperial rule."[94] In the racialized streetscape of Victoria, not only did the bodies of Aboriginal women become sites of anxiety regarding intimacy, prostitution, miscegenation, and disease, but their offspring of mixed descent elicited unsettled and dubious feelings among recently arrived settlers. Writing home to England on Aboriginal women in the balls and dance halls of Victoria, Robert Burnaby warily observed the "belles sauvages, and you can detect in their black eyes, high cheekbones, and flattened heads whence they came." Later in another letter he confided to his family, "You know that there are no eligible ladies of the right sort here."[95]

Patrick Dunae has recently traced the phenomenon of prostitution in Victoria, its prevalence, geographies, and economic significance, noting that in this early period non-Aboriginal prostitutes were treated far less harshly and even with bemusement and tolerance compared to Aboriginal prostitutes.[96] We must also look further, beyond that of the moral panic surrounding Aboriginal prostitution, to ask what the Aboriginal prostitute represented or threatened in broad structural and discursive forms, and consider how the Aboriginal woman configured as prostitute was at once required by and yet threatened empire, and how prostitution thus inflected the making of racial categories and the management of imperial rule in Victoria's streetscape.

Prostitution flagrantly threatened the boundaries of a fictive Victorian society that existed only tenuously on the Pacific Coast. In colonial settings "the prostitute," writes Miles Ogborn, "disordered the state and threatened empire."[97] Ports were especially feared by colonial authorities as putative sites of contamination, racial mixing, and the dispersal of venereal disease. Indigenous women and prostitution were particular sites of anxiety for colonial officials and missionaries. Further, as I have maintained, the particular spatial commerce of the settler-colonial city produced Indigenous peoples as inconveniences or nuisances, and some settlers attempted to construct them as redundant. Extending this argument, I suggest that intersecting colonial hierarchies of race and gender likewise both produced and proscribed the body of the First Nations woman as prostitute. It is timely to recall Judith Butler's ideas about the materiality of the produced, gendered body and the way "bodies tend to indicate a world beyond themselves" by revealing the constitutive nature of gender and space.[98] What was the world beyond these Indigenous women? To Europeans, especially moral reformers and new arrivals, the body of the Aboriginal woman came to signify prostitution and mixed-racedness. But ideas about Aboriginal women's bodies also coalesced with new ideas connected with the embourgeoisement of empire, and anxieties about sanitation, disease, and the medicalization of raced bodies. The First Nations woman was thus subject to multiple disciplines and violations in the service of the settler state's goals, and managed thorough multiple municipal codes. The close management of the First Nations woman and her configuration as abject, unsanitary, and prostitute, was vital to maintain fictive ideas about white racial purity in the domestic and intimate settler domains, along with fictive ideas

about contiguous imperial public space. In her examination of prostitution in nineteenth-century British Columbia, Renisa Mawani rightly argues that "discussions of prostitution emerged at a moment when the state's interests changed from exploiting the land and resources to permanently acquiring them."[99] In other words, white settler ethno-genesis required the maintenance of fictive ideas about bodily racial purity and the maintenance of white space; mercantilism, by contrast, did not. Nevertheless, European men still required access to Aboriginal women's bodies, and dance hall owners sought their profits. The totalizing category of prostitute made Aboriginal women available to settler men, but illegitimate as morally decent, marriageable partners. The suggestion by a councillor that that "all" Aboriginal women "be considered as prostitutes" tells us much about how settler mores and racial and gendered hierarchies rendered Aboriginal women as abject and illegitimate in some spaces, and not in others, and thus reflects the extraterritorialism and gendered territorialism central to the settler project, where Aboriginal peoples became landless and yet settler polities were built partly through Aboriginal women's bodies.

Ultimately, however, mixed-race relationships, and especially mixed marriages, confounded attempts at segregation. Perry has noted the resistance of Aboriginal women who lived in the town with their partners and children to such partitions. They "refused to leave the city," noted one newspaper, or to be separated from their children. Later, the segregation rules were "transformed into a pass system," where applications were received at the police office from those men "having Indian servants and wives."[100]

The push for regulation of Aboriginal people in civic space was again coupled with attempts to undermine the reserve across the harbour, with the city petitioning for control of Songhees Reserve in April 1863. The minutes record "a motion that the Indian reserve be handed over to the city of Victoria it being with in the city limits," and further that "His Excellency be petitioned to hand over the management of the Indian reserve to the city," carried, followed again by the motion to introduce a by-law to regulate the "sale of gunpowder to the Indians."[101]

Again, I relate these seemingly mundane and very physical problems of town building as they stand in the city minutes next to items on the control of Aboriginal peoples, and the wrestling between the city and the colonial government for control of the Songhees Reserve. Such issues were dealt with as a matter of course during town council meetings. Sewerage and macadamizing jostle with control of Indigenous lands, liquor, and surveillance, and the categories of nuisance and sanitation converge on the body of the Aboriginal women. Here, it is apparent that social space is not a neutral entity, but a process, of uneven power inscription. We must bear in mind Lefebvre's key proposition on the cultural and processual aspects of space—that space is the "outcome of a sequence and set of operations, and thus cannot be reduced to the rank of a simple object."[102] In this sense the nineteenth-century settler-colonial city was less a site than a process of transformation. In the council minutes we may see the racialized micro-geography of the streetscape emerge, where British immigrants aspired to develop a cognate of British urban space.

The year that the town was incorporated, 1862, was the same year that many Aboriginal peoples, especially those not married to settlers, were evicted from Victoria, again underlining the linkage between commodification of Aboriginal land and the control of Aboriginal people. The smallpox epidemic of 1862–1863 spurred the city and the Colonial Legislature to segregate the city with increased zeal.[103] The equation of Aboriginal shanties, and camps at the northern end of the town and in the reserve with the outbreak of disease came to a head with this outbreak of smallpox in Victoria. Of course, with such poor living conditions created by the effects of colonialism, Aboriginal peoples were more vulnerable to infection. However, this moral environmentalism, or fear of Aboriginal peoples and spaces they inhabited, meant that they were evicted from Victoria through nuisance and sanitation laws. The focus was therefore on limiting contact between white and Aboriginal peoples. But this was nigh on impossible, the legacy of the fur trade's mixed marriages and the presence of Aboriginal peoples in the town as labourers, servants, purveyors of food and goods, and consumers. Such neat partitions, in reality, were not possible. As the *British Colonist* complained in "The Smallpox among the Indians," "They line our streets, fill the pit in our theatre, are found at nearly every open door during the day, and evening of the town; and are even employed as servants in our dwellings, and in the culinary department of our restaurants and hotels."[104]

The smallpox epidemic initiated an unrelenting program of removal.[105] The order in May 1862 to get rid of Northern Indians—escorted out of the harbour by gunboat—led to the spread of smallpox further up the Northwest Coast, leading to the deaths of many Aboriginal peoples—an event that was devastating for these groups. By 1868, with the co-joining of the two colonies—Vancouver Island and British Columbia—city governments passed laws for the wholesale removal of Aboriginal peoples.

What does it mean to be "inconvenient" or a "nuisance" in the townscape? In this sense, these categories become synonymous with economic redundancy or vagrancy. It is not to own property. Aboriginal peoples may have been workers, or at least itinerant workers, but in general they did not own property, unlike like some African Americans, Chinese, and Hawaiians at this time. I suggest that the capacity of African Americans, Hawaiians, and Chinese to work and earn money, coupled with their status as property owners at this time, afforded an ersatz white status that crucially gave them expectations and privileges of "whiteness." Though they were still far from being accepted as white, it set them apart from Aboriginal people who did not have franchise, acknowledged rights inland, or property. Aboriginal people were never to hold any of the privileges of "whiteness" and so were configured as its inverse. Such a suggestion is in line with Cheryl Harris's proposition that whiteness is not merely concerned with the politics of colour; instead it is about access to and expectations of property rights.[106] Nevertheless, we must, as Mawani argues, attend to the plurality and overlapping hierarchies of race in the streetscape. Overturning traditional binaries of Indigenous–European relations, the gold rush drew migrants from across the Pacific and from China and "shifted colonial identities and reconstituted terrains of racial power in ways that need to be more fully explored."[107] Anti-Chinese and anti–African-American sentiments were also fostered and debated in the newspapers of this gold rush town. In 1860 the *British Colonist* reported that during a public meeting to discuss the possibility of a Chinese land and poll tax, some who attended objected to taxes being collected "from Chinamen any

more than from any other foreigners." Yet, noted the newspaper, others believed the Chinese were nothing more than a "nuisance—a moral scourge—a curse" who should pay a tax of $100 per head.[108] Chinese would also be considered by some as nuisance and demarcated as illegitimate in space, and Chinese women, just as Aboriginal women and women of mixed descent, would also be depicted as prostitutes.[109]

Just as I have considered how the Aboriginal woman as "prostitute" was an abject and complex political category constructed by settler colonial relations, the paradox of vagrancy must also be explored. First Nations people in Victoria were referred to incessantly as nuisance or inconvenient, categories that suggest displacement or being out of place. Vagrancy, however, was a more complex category than that of nuisance or inconvenient. It may have been implied, but the term *vagrant* was invoked much less frequently in relation to Aboriginal peoples in records of the colonial legislature and criminal records. In a sample search of these records, not one clear vagrancy charge was found in a survey of crimes committed in the Victoria streetscape in 1858–1859 or in a survey of crimes involving First Nations women as perpetrators or victims between 1866 and 1868.[110] The Esquimalt precinct stood over the bridge from Victoria near the Lekwungen Reserve, and the Esquimalt Road was, apparently, a notorious route of vice and prostitution. Yet the charge book for the Esquimalt Police from 1862 to 1865 lists no First Nations people charged with vagrancy, but First Nations individuals were charged with many other offences, including being drunk and disorderly.[111]

In Victoria the rhetoric of the "vagrant Indian" was occasionally evoked in newspapers, reflecting highly conflictual European stereotypes of Indigenous peoples as, by turns, either indolent or hard-working and eager to participate in colonial labour. Yet it appears that vagrancy laws were not actually applied to First Nations in Victoria. Europeans, not First Nations people, were apprehended in Victoria for the spatial crime of vagrancy, particularly for loitering or cohabiting with First Nations people or being found at the Lekwungen Reserve. Officials, it seems, disliked Europeans living in or around indigenizing—or First Nations—spaces, and this reveals much about attempts at segregation in the city. For example, in July 1860 the *British Columbian* reported, "Vagrancy—eight young men were arrested on Sunday, charged with having no means of visible support. They are suspected of making a living by supplying Indians with whisky, and occupied cabins on the vicinity of the Bella-Bella encampment. Three of the number were discharged by the Police magistrate, and the remaining five held until they can produce testimonials as to their means of gaining a livelihood."[112] In May 1864 Silvester Keene, "having no visible means of support," was arrested, charged with being a vagrant, and "ordered to be examined by a doctor." No punishment was recorded.[113] Later, "Tim David (a Kanaka) arrested . . . with being a rogue and a vagabond. Property none. Sentence, three months imprisonment with hard labour."[114] The arrest of "Tim David (a Kanaka)" reveals that Pacific Islanders or Hawaiians were also arrested for vagrancy and punished severely. And although punishments varied, European men suffered less harsh penalties than racialized others.

Comparative analysis can also illuminate the structural imperatives of settler colonialism. As I have shown elsewhere, in mid-nineteenth-century Melbourne, another and much larger settler colonial city, Aboriginal peoples were also routinely described in municipal records and newspapers as inconvenient, wanderers, and nuisances, but authorities did not arrest Aboriginal peoples for vagrancy.[115] The 1837 report of the Parliamentary Select Committee on the Aboriginal Tribes had advised that "no vagrancy laws or other regulations should be allowed, the effect of which might be to cripple the natives by preventing them selling their labour at the best price, and at the market most convenient for themselves."[116] This was a deliberate attempt to stay the effects of settler colonialism's removal of Indigenous peoples from their lands and sustenance—the very condition that made them appear as vagrant. Instead Europeans were charged and often punished with hard labour for "lodging or wandering" with Aboriginal peoples as a way to effect segregation.[117] Similarly, the Cape Colony of South Africa, where Indigenous Khoi had become a landless labouring class, there were intense debates about vagrancy laws throughout the 1830s and 1840s. As Timothy Keegan notes, in the Cape Colony, vagrancy laws and other means to control Indigenous populations were promoted endlessly by settlers, especially at this time. Further, issues were related crucially to the question of labour supply and control, since coerced labour was increasingly thought to promote indolence and indifference. Vagrancy laws were also used to control an apparent criminal underclass, which was of course racialized.[118]

By 1869 Victoria's civic government passed laws to "remove Indians from the City of Victoria." Segregation laws therefore passed from the municipal level to the colonial government.[119] In this same year, and as settlement began to consolidate, Augustus F. Pemberton, the police magistrate, attempted to frame Aboriginal people in the Victoria townscape as "vagrant" to effect their separation and removal. He aspired to a community where "such Indians as have no visible means of support and are the associates of thieves, or prostitutes who are disorderly be treated as vagrants, are to be given the option either to remove to the Indian reserve, or be dealt with under 5Geo.4. C.83, and be sent to prison."[120] Here the countervailing tensions of settler colonialism concerning labour supply and Indigeneity are made apparent in the streetscape: if Aboriginal people were not gainfully employed, they were considered illegitimate in urban space. British Columbia's requirement for Aboriginal labour for much of the nineteenth century makes it unlikely that vagrancy would have been a permissible or popular change, although further research is warranted. With the push for white labour by the end of the nineteenth century, however, it is likely that vagrancy laws were increased and strengthened.

Several scholars have suggested that Indigenous peoples become anomalous, marginal, or "ghosts" in settler cities, but these are diffuse descriptions that do not reveal the specificity of political relations in settler cities and how such relations mark out bodies in deliberate ways. Rather, Aboriginal peoples have been forced to embody political categories that say little of how they really are, but rather reflect directly the economic and racialized imperatives of the settler regime. In Victoria, officials routinely attempted to define Aboriginal peoples as inconvenient, nuisance, prostitute, and later in 1869 as vagrant, although often non-Indigenous others were found to be vagrant if in the company of First Nations. These municipal and criminal categories reveal much about attempted control of Indigenous and migrant bodies in emergent settler space, and the strategic development of a distinct settler

ethno-genesis in the streetscape through the multiple levels of municipal and provincial legislature. Significantly, these categories illuminate the key operations of settler-colonial socio-spatial relations, where racializations were not only amplified in the city, but took on a shape that was particular to the exigencies of the urbanizing settler landscape. Just as in Victoria where Native slums, camps, and reserves were not natural entities but spaces produced through colonial relations, so too, colonized Indigenous bodies/subjects were materially and discursively produced as inconvenient, immoral, nuisance, or prostitute—transcripts of empire related directly to the settlement phase. As Councillor Pemberton put it succinctly in the colonial legislature in 1859, "It was only now that these lands had become valuable that the Indians were found to be a nuisance . . . if the Indians inquired how we had acquired their lands, we should stand in much worse light than they would with their reserve."[121]

Here may be revealed the racialized micro-geographies, the particular spatial commerce of the settler-colonial streetscape. Indigenous peoples were (and are) forced to take on the abject embodiments of settler colonialism, the flip side of settler ethno-genesis with its dominant and naturalized narrative of settler emplacement, belonging and entitlement to land, and its growing discourse of settler nativization, that is, where immigrant settlers become native, and Aboriginal peoples are in turn rendered alien or indeed ironically constituted as displaced, urban immigrants.[122] In these ways, as Lefebvre has suggested, the settler-colonial city may be considered less a site and rather a process.

Further, it is productive to view settler colonialism's reorganization of bodies and spaces across many apparently disparate fields and functions. In reality, they are not disparate at all; instead we see the concomitant, processual organization of spaces including property in town, incorporated spaces, Native reserves, and outlying reserves—an array of interrelated spaces crucial to the settler project. Later, in many settler colonies, as Tracey Banivanua Mar and others have shown, national parks constructed as spaces of aesthetic wilderness were also part of settler colonialism's imagined geography.[123] Both spaces—settler cities and national parks—have operated discursively on the precondition of Indigenous absence. In cities and national parks today post-colonial Indigeneity is signalled and re-inscribed in the landscape through Indigenous heritage walks and marked Aboriginal sites, such as the Native poles representing the Spirit of Lekwungen near the Royal British Columbia Museum in Victoria, or the more recent Signs of Lekwungen interpretive walkway along the Inner Harbour, that honours the art, history, and culture of the Coast Salish people who have lived in the region for hundreds of years.[124] Until recently, however, such monuments have been overwhelmingly made to pre-contact. Sites of contact or post-contact between Aboriginal people and Europeans have often been invisible, thus firmly placing Indigenous peoples on the pre-historical pre-modern side of the traditional/modern divide, but such trends are being overturned by the agency of Indigenous groups who continue to live in the city.[125]

Refuting the Settler City as the Consummation of Empire

In 1860 the *British Colonist* announced, "We will not amalgamate with them. Our race sweeps on, our civilisation knows no halt; and as fast as we cut down the trees the red man disappears."[126] Despite such alarmed pronouncements of officials and newspapers, which espoused ideas of supersession and racially pure British cognate and civic space, Victoria would always be mixed, hybrid place, an Indigenized city, at least for much of the nineteenth century. Mixed relations and marriages, a legacy of the fur trade, refuted metropolitan moralities and emergent Victorian racial codes, as well as the push of bourgeois metropolitanism for a progressive, ordered places with its specific taxonomy of bodies and spaces. In 1886 the German-American ethnologist Franz Boas visited Victoria and described the mixed streetscape and observed, "The stranger coming for the first time to Victoria is startled by the great number of Indians living in this town . . . we met them everywhere. They dress mostly in European fashion. The men are dock workers, craftsmen or fish vendors; the women are washerwomen or working women . . . certain Indian tribes have become indispensable to the labour market and without them the province would suffer great economic damage."[127]

Victoria's mixed population, the city reserves created by the Douglas treaties, and the colony's requirement for Indigenous labour, at least in the nineteenth century, refuted the popular and totalizing narrative of a settler colonial city as consummation of empire. As Robert Rotenburg has argued, metropolitanism creates an imaginary city of heightened possibilities that must nevertheless interact with the space of lived experience. The result is dislocation and historical outcomes that are more complex and hybrid, contesting metropolitan imaginings.[128] Accordingly, in her comparative examination of the fate of the First Nations reserves in late-nineteenth-century Vancouver and within the city precinct of Victoria, Jean Barman has observed a compelling counter-narrative. By virtue of their mixed status, the Lekwungen may have gained a better deal than Squamish First Nations in Vancouver. Issues of identity and education, inflected by constructed notions of mixed descent, played a significant role in the amount of power First Nations groups had to negotiate with colonial governments. Although ultimately neither Lekwungen nor Squamish people kept their lands, Barman argues that the Lekwungen of mixed descent actually brokered a better outcome for themselves with colonial powers, compared to their Indigenous counterparts in Vancouver.[129] In this way the historical foundations for emergent and starkly contrasting approaches to contemporary land claims are shown where legal precedent has increasingly established mixed decadency as a powerful disqualifier for recognition of land rights.

In November 2006 the Songhees and Esquimalt First Nations groups settled a land claim in Victoria's inner city with the Canadian government, on the basis of a lawsuit filed in 2001. The claim asserted that Canada and British Columbia had breached duties owed to the First Nations and that the land was originally set aside as a four-hectare reserve created in 1854 by Governor James Douglas. Authorities took this land back for the construction of the provincial legislature building, without obtaining a surrender of the reserve from First Nations. As part of the litigation, the two First Nations called for "a declaration that the First Nations have existing Douglas treaty rights to the James Bay Reserve," "damages for breaches of Douglas treaty rights," for "breaches of fiduciary duty" and for trespass. On 19 November 2006 a settlement was made.[130] As a spokesperson for the Turtle Island Native Network commented, "Chief Robert Sam of the Songhees First Nation

called it historic. The description of the event was not a superlative. In fact, witnessed by Natives and non-natives at the BC legislature Saturday, the ceremony to initial legal documents was historic—for BC, Canada and two southern Vancouver Island urban First Nations, Songhees and Esquimalt."[131]

Jim Prentice, minister of Indian Affairs and Northern Development and federal interlocutor for Metis and Non-Status Indians, stated that the settlement would "underline a commitment by Canada's New Government to resolve claims through negotiation rather than litigation . . . This is a cause for celebration, and another step forward in strengthening positive relationships." Nevertheless the process was begun through litigation, and the settlement also releases Canada and British Columbia from all further Esquimalt and Songhees First Nations claims to the land.[132] Described as a settlement providing "full and final resolution of this litigation without any admissions of fact or liability," Canada and BC will pay a settlement of $31.5 million to be shared between the Songhees and the Esquimalt First Nations. Further, a Replacement Lands Committee has been established as part of a process to identify replacement lands to be purchased from the funds.[133]

This successful city land claim was indeed a historic occasion for urban First Nations people in British Columbia. In the case of Victoria, claimed land is reserve land that sits under the very buildings of the provincial legislature that are emblematic of the settler state. The successful claim contested and overturned the pervasive Western historicizing narrative structured upon a stadial evolutionary sequence of progress, one that has been both temporal and spatial, operating on the replacement of Indigenous spaces and peoples by immigrants. The claim disrupted the driving syntax of empire, showing that the city is a post-colonial and syncretic entity, and that Indigenous people with their own histories of emplacement remain active participants in the urban polity. Likewise the claim reminds us of the longstanding, if changing, Indigenized landscape of our cities and asserts the sovereignties staked in them.

Notes

1. Scholars such a Nicholas Blomley, Evelyn J. Peters, and Jordan Stanger-Ross have moved some way towards an analysis of urban settler colonialism. Nicholas Blomley, *Unsettling the City: Urban Land and the Politics of Property* (New York: Routledge, 2005); Evelyn J. Peters, "Conceptually Unclad: Feminist Geography and Aboriginal Peoples," Suzanne Mackenzie Memorial Lecture, *Canadian Geographer* 48, no. 3 (2004): 251–65; Jordan Stanger-Ross, "Municipal Colonialism in Vancouver: City Planning and the Conflict over Indian Reserves, 1928–1950s," *Canadian Historical Review* 89, no. 4 (December 2008): 541–580. For more general works, see, for example, Michael Cross and Michael Keith, eds., *Racism, the City and the State* (London: Routledge, 1993); Anthony D. King, "Colonial Cities: Global Pivots of Change," in *Colonial Cities: Essays on Urbanism in a Colonial Context*, ed. Ronald Ross and Gerard Telkamp, 7–18 (Boston: Martinus Nijhoff Publishers / Leiden University Press, 1985); Anthony D. King, *Colonial Urban Development* (London: Routledge and Kegan Paul, 1973); Ronald Ross and Gerard Telkamp, eds., *Colonial Cities: Essays on Urbanism in a Colonial Context* (Boston: Martinus Nijhoff Publishers / Leiden University Press, 1985); Richard White and John M. Findley, eds., *Power and Place in the North American West* (Seattle: University of Washington Press, 1999). For works that address settler society and spatial formation, see Cole Harris, *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia* (Vancouver: UBC Press, 2002); Adele Perry, *On the Edge of Empire: Gender, Race, and the Making of British Columbia, 1849–1871* (Toronto: University of Toronto Press, 2001); Sherene Razack, ed., *Race, Space, and the Law: Unmapping a White Settler Society* (Toronto: Between the Lines, 2003). See also Penelope Edmonds, *Urbanizing Frontiers: Indigenous Peoples and Settlers in 19th-Century Pacific Rim Cities* (Vancouver: UBC Press, 2010), 54–56.
2. Peters, "Conceptually Unclad," 255. See also Edmonds, *Urbanizing Frontiers*, 54–56.
3. Stanger-Ross, "Municipal Colonialism in Vancouver," 541–580. See n6.
4. Jay T. Johnson, Garth Cant, Richard Howitt, and Evelyn Peters, "Creating Indigenous Geographies: Embracing Indigenous Peoples' Knowledges and Rights," *Geographical Research* 45, no. 2 (June 2007): 117–120; Peters, "Conceptually Unclad," 252.
5. In Canada, government census data revealed in 2001 that almost half (494,095) of the 976,305 people identifying themselves as members of at least one of Canada's Aboriginal groups (North American Indian, Métis or Inuit) resided in urban areas. Of this urban Canadian Aboriginal population, almost 20% (175,760) lived in five cities: Winnipeg, Edmonton, Vancouver, Calgary and Toronto. *Canada's Urban Aboriginal Population Fact Sheet*, Indian and Northern Affairs Canada, http://www.ainc-inac.gc.ca/ai/ofi/uas/fs.
6. Johnson et al., "Creating Indigenous Geographies," 117, 118.
7. Perry, *Edge of Empire*, 19. Perry has drawn attention to the problem of a disjuncture between studies of immigration and colonization regarding the broader colonial history of British Columbia and Canada, the need for greater study of their constitutive forces and complex co-production, and possible limits in making settler polities. On similar issues in settler Australia, see Ann Curthoys, "An Uneasy Conversation? The Multicultural and the Indigenous," in *Race, Colour and Identity in Australia and New Zealand*, ed. John Docker and Gerhard Fisher, 21–36 (Sydney: University of New South Wales Press, 2000). Renisa Mawani, *Colonial Proximities: Crossracial Encounters and Juridicial Truths* (Vancouver: University of British Columbia Press, 2009),
8. For an extended analysis of this, see Penelope Edmonds, "Settler-Colonial Cities: A Survey of Bodies and Spaces in Transition," *Urbanizing Frontiers,* 46–69.
9. See Jean Barman, "Aboriginal Women on the Streets of Victoria: Rethinking Transgressive Sexuality during the Colonial Encounter," in *Contact Zones: Aboriginal and Settler Women in Canada's Past*, 205–227 (Vancouver: University of British Columbia Press, 2005); Patrick Dunae, "Geographies of Sexual Commerce and the Production of Prostitutional Space, 1860–1914," *Journal of the Canadian Historical Association* 19, no. 1 (2008): 115–142; Penelope Edmonds, "From Bedlam to Incorporation: Whiteness and the Racialisation of Settler-Colonial Urban Space in Victoria, British Columbia, 1840s–1880s," in *Exploring the British World: Identity—Cultural Production—Institutions*, eds. Kate Darian-Smith, Patricia Grimshaw, Kiera Lindsey, and Stuart Mcintyre, 60–90 (Melbourne: RMIT Publishing, 2004); Edmonds, *Urbanizing Frontiers*; Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change*, (Vancouver: UBC Press, 1997); Grant Keddie, *Songhees Pictorial*: *A History of the Songhees People as Seen by Outsiders, 1790–1912* (Victoria: Royal British Columbia Museum, 2003); John Sutton Lutz, "After the Fur Trade: The Aboriginal Labouring Class of British Columbia, 1849–1890," *Journal of the Canadian Historical Association* 3, no. 1 (1992): 69–93; Lutz, *Makúk: A New History of Aboriginal-White Relations* (Vancouver: University of British Columbia Press, 2009); Lutz, "Work, Wages and Welfare in Aboriginal–non-Aboriginal Relations, British Columbia, 1849–1970" (PhD diss., University of Ottawa, 1994); Renisa Mawani, "Legal Geographies of Aboriginal Segregation in British Columbia, 1850–1911," in *In Isolation: Places and Practices of Exclusion*, ed. Carolyn Strange and Alison Bashford, 173–90 (New York: Routledge, 2003); Perry, *Edge of Empire.*
10. Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (1974; Cambridge: Blackwell, 1991), 116.
11. Paul Rabinow, ed., Michel Foucault, interview in "Space, Knowledge and Power," *The Foucault Reader* (New York: Pantheon Books, 1984), 241, 242.

12. Judith Butler, *Bodies That Matter: On the Discursive Limits of "Sex"* (New York: Routledge, 1993), 33.
13. Tony Ballantyne and Antoinette Burton, "Introduction: Bodies, Empires, and World Histories," in *Bodies in Contact: Rethinking Colonial Encounters in World History*, ed. Ballantyne and Burton (Durham, NC: Duke University Press, 2005), 5.
14. On extraterritorialisation and gendered territorialism, see Patrick Wolfe, "Nation and Miscegenation: Discursive Continuity in the post-Mabo era," *Social Analysis* 36 (October 1994): 93–152.
15. Robert F. Harney, "Ethnicity and Neighbourhoods," in *Gathering Place: Peoples and Neighbourhoods of Toronto*, ed. Harney, 1–24 (Toronto: Multicultural History Society of Toronto, 1985).
16. James Anthony Froude promoted the empire of "Oceana," consisting of the British settler colonies spanning the Pacific Ocean. Froude likened his "Oceana" to a bountiful tree, and if the United States, its "first great branch," was "broken off" by revolution, the "parent stock was still prolific." Although the American provinces were lost to Britain, "new shoots sprang out again," he proclaimed. James Anthony Froude, *Oceana: Or, England and Her Colonies* (New York: Scribner's, 1886), 2.
17. See Ann Laura Stoler, *Haunted by Empire: Geographies of Intimacy in North American History* (Durham, NC: Duke University Press, 2006), 10.
18. For an exploration of Britishness and Canada, see Phillip Bruckner and R. Douglas, eds., *Canada and the British World: Culture, Migration and Identity* (Vancouver: University of British Columbia Press, 2006), introduction.
19. Anthony D. King, *Colonial Urban Development* (London: Routledge and Kegan Paul, 1973), xiii, 9.
20. Ross and Telkamp, eds., *Colonial Cities*.
21. For an exploration of the modalities and specificities of settler colonial spatial practices in Pacific Rim settler colonies, see Tracey Banivanua Mar and Penelope Edmonds, eds., *Making Settler Colonial Space: Place, Race and Identity* (Basingstoke, UK: Palgrave, 2010). Distinctions between settler and franchise colonies have been made since as early as Francis Annesley's 1698 distinction between "colonies for trade" and "colonies for empire." See David Armitage, 'The Ideological Origins of the British Empire, in *Ideas in Context*, ed. Quentin Skinner and James Tully (Cambridge: Cambridge University Press, 2000), 155–6. The literature on settler colonialism is extensive. Some defining studies are offered in Donald Denoon, "The Political Economy of Labour Migration to Settler Societies: Australasia, Southern Africa, and Southern South America between 1890 and 1914," in *International Labour Migration: Historical Perspectives*, ed. Shula Marks and Peter Richardson, 186–205 (Hounslow, UK: Institute of Commonwealth Studies, 1984); Denoon, *Settler Capitalism: The Dynamics of Dependent Development in the Southern Hemisphere* (Oxford: Clarendon, 1983); Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event* (London: Cassell, 1999). For more recent explorations, see the collection of articles in Caroline Elkins and Susan Pedersen, eds., *Settler Colonialism in the Twentieth Century: Projects, Practices, Legacies* (New York: Routledge, 2005); Julie Evans, Patricia Grimshaw, and David Phillips, eds., *Equal Subject, Unequal Rights: Indigenous Peoples in British Settler Colonies, 1830–1910* (Manchester, UK: Manchester University Press, 2003).
22. See, for example, Denoon, "Political Economy." See also Lorenzo Veracini, "The Imagined Geographies of Settler Colonialism," in *Making Settler Colonial Space*, ed. Banivanua Mar and Edmonds, 179–197.
23. On Indigenous labour, see Lutz, "Work, Wages and Welfare."
24. See for example, Gwendolyn Wright, "Tradition in the Service of Modernity," in *Tensions of Empire: Colonial Cultures in a Bourgeois World*, ed. Frederick Cooper and Ann Laura Stoler, 322–345 (Los Angeles: University of California, 1997).
25. Robert Dixon, *The Course of Empire: Neoclassical Culture in New South Wales 1788–1860* (Melbourne: Oxford University Press, 1986), 61.
26. Edmonds, "From Bedlam to Incorporation," 62.
27. Elizabeth Grosz, *Space, Time, and Perversion: Essays on the Politics of Bodies* (New York: Routledge, 1995), 107–108.
28. See, for example, Harris, *Making Native Space*. Also Jean Barman, "Erasing Indigenous Indigeneity in Vancouver," *BC Studies* 155 (Autumn 2007): 3–31; John McLaren, A.R. Buck, and Nancy E. Wright, eds., *Despotic Dominion: Property Rights in British Settler Societies* (Vancouver: University of British Columbia Press, 2005); Edmonds, "From Bedlam to Incorporation"; Renisa Mawani, ""The Iniquitous Practice of Women': Prostitution and the Making of White Spaces in British Columbia, 1898–1905," in *Working through Whiteness*, ed. Cynthia Leine-Rasky, 43–68 (New York: SUNY Press, 2002); Perry, *Edge of Empire*; Stanger-Ross, "Municipal Colonialism in Vancouver"; White and Findley, eds., *Power and Place*.
29. Cole Harris, "How Did Colonialism Dispossess? Comments from an Edge of Empire," *Annals of the Association of American Geographers* 94, no. 1 (2004): 165–182; Patrick Wolfe, "Land, Labour and Difference: Elementary Structures of Race," *American Historical Review* 106, no. 3 (June 2001): 866–905.
30. Harris, ibid., 180.
31. Col Thrush, *Native Seattle: Histories from the Crossing-Over Place* (Seattle: University of Washington Press, 2008).
32. Blomley, *Unsettling the City*; David Hamer, *New Towns in the New World: Images and Perceptions of the Nineteenth Century Urban Frontier* (New York: Columbia University Press, 1990); R. L. Meek, in "Smith, Turgot and the 'Four Stages' Theory," in his *Smith, Marx and After* (London: Chapman and Hall, 1977), has charted the lineages of the four stages theory. While contending that several general streams of thought may have led to the emergence of the four stages model, the key point is that the stages came to be conceptualized as distinct "modes of production." Meek argues that such ideas were in fact a joint Scottish-French phenomenon. One of the greatest influences on Smith was the works of Montesquieu's and his *Spirit of Laws* (1748), particularly Book 18 where he developed his ideas on the notion that "difference, manner and social institutions are related to differences in the mode of subsistence" (23, 29).
33. Blomley, *Unsettling the City*, 117.
34. Alexander Morris, lecture delivered at the Mercantile Library Association, *British Colonist*, 13 July 1859.
35. Blomley, *Unsettling the City*, 116.
36. Blomley, *Unsettling the City*, 115, 116. See also William Cronin, *Changes in the Land: Indians, Colonists, and the Ecology of New England* (New York: Hill and Wang, 1983).
37. John Fielder, "Sacred Sites and the City: Urban Aboriginality, Ambivalence and Modernity," *Boundary* 221 (1994): 67.
38. John William Reps, *The Forgotten Frontier* (Columbia, MO: University of Missouri Press, 1981), 1. See also Frederick Jackson Turner, "The Significance of the Frontier in American History," paper presented to a special meeting of the American Historical Association World's Columbian Exposition, Chicago, 1893, *Annual Report of the American Historical Association*, Washington DC, 1894.
39. John William Reps, *Forgotten Frontier*, 2, 5. Italics mine.
40. "Commission and Instructions to Richard Blanshard, Governor of Vancouver Island," in *Journals the Colonial Legislature of the Colonies of Vancouver Island and British Columbia, 1851–1871*, Appendix B, 382.
41. One village had been at Swhaymalthelth (Esquimault Harbour) and the other main village at Sungayka (Cadboro Bay), even though this was itself a change, as each Songhees family group had previously occupied its own winter village. Derek Pethick, *Victoria: The Fort* (Vancouver: Mitchell, 1986), 53–55. "Central Coast Salish" refers to the five linguistically related groups: Squamish, Halkomelem, Nootsack, Northern Straits, and Clallam. According to Suttles, this group possessed the "southern end of the Strait of Georgia,

most of the Strait of Juan de Fuca, the Lower Fraser Valley," expanding over both British Columbia and Washington State, prior to the European incursion. Suttles notes that while Squamish, Nootsack, and Clallam can be referred to as "tribes" in a non-political sense, Halkomelem, and Northern Straits refer primarily to language, although these groups have also become identifiable as "tribes." *Handbook of North American Indians Northwest Coast,* ed. Wayne Suttles (Washington, DC: Smithsonian Institution, 1990), 7:256, 7:453.

42. Harris, *Making Native Space*, xi.
43. The "colonial period," as it is traditionally known, began with the establishment of the colony of Vancouver Island by royal charter on 13 January 1849. Richard Blanshard was appointed as the first governor, arriving in 9 March 1850.
44. Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774–1890*, 2nd ed. (Vancouver: University of British Columbia Press, 1992),, 58.
45. Chinook, a trading language, was drawn from French, English, and Aboriginal languages.
46. Perry, *Edge of Empire*.
47. Van Kirk, "Tracing the Families of Five Founding families of Victoria," *British Columbian Studies* (Autumn/Winter 1997/1998): 149–177.
48. Jean Barman, *The West beyond the West: A History of British Columbia*, rev. ed. (Toronto: University of Toronto Press, 1996), 65; Fisher, *Contact and Conflict*, 58.
49. Van Kirk, "Tracing the Families," 151.
50. Perry, *Edge of Empire*, 58.
51. Hamar Foster, "Letting Go the Bone: The Idea of Indian Title in British Columbia, 1849–1927," in *Essays in the History of Canadian Law: British Columbia and the Yukon*, ed. Hamar Foster and John McLaren (Toronto: University of Toronto Press, 1995), 40. A confidential memorandum noted that "in parting with the land of the Island, Her Majesty parts only with her own right therein, and that whatever measures she was bound to take in order to extinguish the Indian title are equally obligatory on the [Hudson's Bay] Company." Confidential Memorandum, Colonial Office 305, no. 1 at 342–48, cited in Foster, 75n67.
52. Ibid., 40, 44.
53. Ibid., 42.
54. See Edmonds, "From Bedlam to Incorporation"; Stanger-Ross, "Municipal Colonialism in Vancouver."
55. City of Victoria Minutes, 2 August 1862, City of Victoria Archives.
56. Robert Burnaby, letter 33, 8 June 1860, *Land of Promise: Robert Burnaby's Letters from Colonial British Columbia 1858–1863*, ed. Anne Burnaby McLeod and Pixie McGeachie (Vancouver: City of Burnaby, 2002), 143.
57. Douglas to Newcastle, 7 July and 8 August 1860, regarding Indian affairs, James Douglas, Correspondence: Vancouver Island, University Of British Columbia Library, Colonial Office, CO 305/14.
58. "Won't Go!" *British Colonist*, 12 September 1859 (emphasis mine).
59. Mary Ellen Kelm, *Colonizing Bodies: Aboriginal Health and Healing in British Columbia* (Vancouver: University of British Columbia Press, 1998), 39.
60. W. C. Grant, "Remarks on Vancouver Island, Principally concerning Town Sites and Native Population," read 12 December 1859*, Journal of the Royal Geographical Society* 31 (1861): 201–213.
61. Mary Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (London: Routledge, Kegan and Paul, 1966), 2.
62. *British Colonist*, 29 May 1860.
63. Jean Barman, "Race, Greed and Something More: The Erasure of Urban Indigenous Space in Early Twentieth-Century British Columbia," ed. Tracey Banivanua Mar and Penelope Edmonds, 155–173, *Making Settler Colonial Space: Place, Race and Identity* (Basingstoke, UK: Palgrave, 2010); Edmonds, "From Bedlam to Incorporation"; Mawani, "Legal Geographies"; Perry, *Edge of Empire*.
64. City of Victoria Town Council minutes, 26 May 1863.
65. Minutes of the Council of the Colony of Vancouver Island, 25 March 1859, *Journals of the Colonial Legislatures of the Colonies of Vancouver Island and British Columbia,1851–1871*, ed. James E. Hendrickson (Victoria: British Columbia Provincial Archives, 1980), 1:25.
66. Harris, *Making Native Space*, 28.
67. Minutes of the First Houses of Assembly of Vancouver Island, 8 February 1859, in *Journals of the Colonial Legislatures*, 2:72.
68. 18 and 25 January 1859, *Journals of the Colonial Legislatures*, 2:67.
69. Ibid., 29 (emphasis mine).
70. Minutes of the Colonial Legislature, 15 February 1859, 2:75.
71. Ibid., 3 March 1859, 2:74.
72. Ibid..
73. Ibid., 2:77.
74. Irene G. M. Zaffaroni, "The Great Chain of Being: Racism and Imperialism in Colonial Victoria, 1858–1871" (MA thesis, Department of History, University of Victoria, 1987), 76.
75. Mawani, "Legal Geographies,' 185.
76. Frederick Cooper and Ann Laura Stoler, eds., *Tensions of Empire: Colonial Cultures in a Bourgeois World* (Los Angeles: University of California, 1997), 31.
77. *British Colonist*, 29 July 1859.
78. *British Colonist*, 28 April 1860 (emphasis mine).
79. "Clearing the Streets," *British Colonist*, 10 May 1860.
80. Perry, *Edge of Empire*, 113.
81. City of Victoria Town Council Minutes, 15 June 1863.
82. City of Victoria Town Council Minutes, 20 October 1862
83. *British Colonist,* 18 April 1861, and 7 September 1861. Barman, "Aboriginal Women," 205.
84. Syliva Van Kirk, "Tracing the Fortunes of Five Founding Families in Victoria," 150, 176.
85. Jean Barman, "Taming Aboriginal Sexuality: Gender, Power, and Race in British Columbia, 1850–1900," *BC Studies* 115 and 116 (Autumn/Winter 1997/1998): 239, 242.
86. *Journals of Legislative Council* (27 June 1862, vol. 2): 286.
87. City of Victoria Town Council Minutes, 22 December 1862.
88. Ibid. (emphasis mine).
89. Ibid.
90. *British Colonist*, 18 April and 7 September 1861. Barman, "Aboriginal Women."
91. Perry, *Edge of Empire*, 110.
92. Ibid., 119 (emphasis mine).
93. Ann Laura Stoler, "Tense and Tender Ties: The Politics of Comparison in North American History and (Post) Colonial Studies," *Journal of American History* 88, no. 3 (2001): 832.
94. Ibid., 829.
95. Burnaby, letter 10, 22 February 1859; letter 14, June 23 1859, *Land of Promise*, 65, 95.

96. Dunae, "Geographies of Sexual Commerce," 122.
97. Miles Ogborn, *Spaces of Modernity: London's Geographies, 1680–1880* (New York: Guilford, 1998), 47.
98. Butler, *Bodies That Matter*, 33.
99. Mawani, "Iniquitous Practice of Women," 63.
100. Ibid., 118. Perry cites "Compulsory Departure of the Indians," *Victoria Press*, 28 May 1862, *Edge of Empire*, 230.
101. City of Victoria Town Council Minutes, 11 May 1863.
102. Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Cambridge: Blackwell, 1991), 73.
103. Perry, *Edge of Empire*, 111. As Adele Perry has noted, this is not to suggest that smallpox was an imperial "ruse," to move Indigenous people. It was a "material reality." In 1862–1863 alone, at least twenty thousand Aboriginal people died of this disease.
104. Perry, ibid., 114, cites "The Smallpox among the Indians," *British Colonist*, 28 April 1962.
105. Perry, ibid.
106. Cheryl Harris, "Whiteness as Property," *Harvard Law Review* 106 (1993): 1709–1791.
107. Renisa Mawani, *Colonial Proximities: Crossracial Encounters and Juridicial Truths* (Vancouver: University of British Columbia Press, 2009), 4.
108. *British Colonist*, 6 March 1860.
109. Dunae, "Geographies of Sexual Commerce," 121.
110. See Charge Books, Victoria, 11 July 1858 to 26 January 1859, Police and Prisons Department, Vancouver Island, GR 0848, BC Archives (BCA). Thanks to historian Chris Hannah who conducted the second survey from 1866 to 1868, in May 1999. Conclusions drawn are my own.
111. Charge Book, Esquimalt, Vancouver Island, 1862–1865, Police and Prisons Department, GR 0428, BCA.
112. *British Columbian,* 10 July 1860.
113. Charge Book, Esquimalt, 21 May 1864.
114. Ibid., 5 May 1865.
115. Edmonds, *Urbanizing Frontiers,* 136, 137.
116. Ibid. See United Kingdom, House of Commons, *British House of Commons Report of the Parliamentary Select Committee on the Aboriginal Tribes (British Settlements), Reprinted with Comments by the Aborigines Protection Society* (London: William Ball, 1837), 118.
117. In 1839 the *Port Phillip Gazette* called on the protectors to remove Aborigines from Melbourne because "their vagrant and pilfering habits" were rapidly becoming "a perfect nuisance." *Port Phillip Gazette,* 17 April 1839. Around Melbourne, Aboriginal people were described repeatedly as vagrant, but the law at that time could not constitute them as such. Instead, legislation to prevent vagrancy in the Colony of New South Wales was aimed specifically at non-Indigenous people.

    > Every person not being a black native or the child of any black native found lodging or wandering in company with any of the black natives of this Colony shall . . . give a good account to the satisfaction of such Justice that he or she hath a lawful fixed place of residence in the Colony and lawful means of support and that such lodging or wandering hath been for some temporary and lawful occasion only and hath not continued beyond such occasion . . . shall be deemed an idle and disorderly person . . . and it shall be lawful for any Justice of the Peace to commit such . . . to His Majesty's nearest gaol or house of correction there to be kept to hard labour for any time not exceeding three calendar months.

    An Act for the Prevention of Vagrancy and for the Punishment of Idle and Disorderly Persons, Rogues and Vagabonds and Incorrigible Rogues in the Colony of New South Wales, 25 August 1835, *Public General Statues of New South Wales,* 6 Wm. IV, no. 6.
118. John Phillip, superintendent of the London Missionary Society, was opposed to vagrancy laws, "the most demoralizing, the most degrading, the most cruel and pitiless of all systems of slavery." Philip lobbied metropolitan humanitarians on this issue. In the Cape there was much agitation against the 1834 vagrancy law, and Khois asserted that they were being returned to a state of slavery. See Timothy Keegan, *South Africa and the Origins of the Racial Order* (London: Leicester University Press, 1996), 73, 104, 112, 120.
119. Perry, *Edge of Empire*, 122.
120. Perry, ibid., 119, cites A. F. Pemberton to acting colonial secretary, 27 July 1869, reel B-1357, "Colonial Correspondence," GR 1372, BCA. A. F. Pemberton to colonial secretary, 2 March 1870, reel B-1357, "Colonial Correspondence," GR 1372, BCA.
121. Minutes of the Colonial Legislature, 8 February 1859, 75.
122. In 1972, Faye Gale described Aboriginal people in the Australian cityscape as virtual newcomers, as "urban immigrants." Faye Gale, *Urban Aborigines* (Canberra: Australian National University Press, 1972).
123. Tracey Banivanua Mar, "Carving Wilderness: Queensland's National Parks and the Unsettling of Emptied Lands, 1890–1910," Tracey Banivanua Mar and Penelope Edmonds, *Making Settler Colonial Spaces*.
124. For more information on the Signs of Lekwungen walkway, see http://www.victoria.ca/cityhall/comdev_ccc_wlkwy.shtml.
125. See, for example, Melinda Hinkson, "Exploring 'Aboriginal' sites in Sydney: A Shifting Politics of Place?" *Aboriginal History* 26 (2002): 62–77.
126. *British Colonist*, 22 August 1860.
127. R. P. Rohner, *The Ethnography of Franz Boas*, cited in John Lutz, "After the Fur Trade: The Aboriginal Labouring Class of British Columbia, 1849–1890," *Journal of the Canadian Historical Association* 3 (1992): 82.
128. Robert Rotenburg, "Metropolitanism and the Transformation of Urban Space in Nineteenth-Century Metropoles," *American Anthropologist* 103, no. 1 (2001): 9.
129. Barman, "Race, Greed and Something More," 155–173.
130. Ministry of Aboriginal Relations and Reconciliation Indian and Northern Affairs Canada, "Proposed Settlement Resolves Victoria Land Claim," news release, 18 November 2006, http://www2.news.gov.bc.ca/news_releases_2005-2009/2006ARR0022-001394.htm; and Ministry of Aboriginal Relations and Reconciliation Indian and Northern Affairs Canada, "Thomas Litigation: Proposed Settlement Agreement," news release, 18 November 2006, http://www2.news.gov.bc.ca/news_releases_2005-2009/2006ARR0022-001394-Attachment1.htm. "Canadian Indian Group Settles Land Claim for $28m," Richard Reynolds in Toronto, 19 November 2006, ABC news online, http://www.abc.net.au/news/newsitems/200611/s1792128.htm.
131. News and Comment by Tehaliwaskenhas Bob Kennedy, Oneida, "One Hundred and Fifty Year Grievance Resolved," 19 November 2006, Turtle Island Native Network, http://www.turtleisland.org/discussion/viewtopic.php?p=7738.
132. Ministry of Aboriginal Relations and Reconciliation Indian and Northern Affairs Canada, "Proposed Settlement."
133. Ibid. The settlement agreement was concluded outside the context of the British Columbia Treaty Commission process, which is designed to conclude treaties that will clarify the rights and title of Aboriginal groups.