AN OVERVIEW OF THE EIGHTEENTH CENTURY TREATIES SIGNED BETWEEN THE MI'KMAQ AND WUASTUKWIUK PEOPLES AND THE ENGLISH CROWN, 1693-1928.

REPORT SUBMITTED TO LAND AND ECONOMY ROYAL COMMISSION ON ABORIGINAL PEOPLES 1996

William C. Wicken
Department of History
York University

And

John G. Reid
Department of History
Saint Mary's University

CHAPTER 1

THE TREATIES

The territory occupied by Mi'kmaq people encompasses the Gaspé peninsula, the eastern coast of New Brunswick, Nova Scotia, Cape Breton Island, the Magdelaine Islands, Saint-Pierre and Miquelon and the southern half of western Ktaqamkuk (Newfoundland).[1] Though arguments have been made that the Mi'kmaq were not indigenous to Ktaqamkuk,[2] the short distance between Cape Breton and Cape Ray and the facility with which individuals sailed ocean waters in the sixteenth century would suggest that Mi'kmaq habitation of Ktaqamkuk preceded European contact.[3] Collectively, these lands are known as Mi’kma’ki. To the west of the

---

[1]. For a general synopsis of Mi'kmaq territory, see Philip Bock, "The Micmac", in Handbook of North American Indians, v. 15 edited by Bruce Trigger, (Washington 1978), p. 109. On Mi'kmaq occupation of the Magdelaine Islands, Charles Martijn, "Les Micmacs aux Iles de la Madeliene: Vions fugitives et glanures ethnohistoriques", in Les Micmacs et la mer, edited by Charles Martijn, (Quebec 1986), pp. 163-194.

[2]. Denis Bartels and Olaf Uwe Jantzen, "Micmac Migration to Western Newfoundland", Canadian Journal of Native Studies, X 1(1990), pp. 71-94; Ingeborg Marshall, "Beothuk and Micmac: Re-examining Relationships", Acadiensis, (Spring 1988), pp. 52-56. Marshall does not rule out the possibility that the Mi'kmaq inhabited Ktaqamkuk prior to contact but only points out that there is "no indisputable evidence of prehistoric Micmac presence in Newfoundland". Quote is on page 54.

[3]. See Charles Martijn, "An Eastern Micmac Domain of Islands", in Actes du Vingtième Congrés des Algonquinistes, edited by William Cowan, (Ottawa 1989),pp. 210-216 for a general overview. On Mi'kmaq canoe and seafaring, see E. Tappan Adney and Howard Chappelle, The Bark Canoes and Skin Boats of North America, (Washington: U.S. National Museum Bulletin, 230), pp. 58-70. On crossing between Cape Breton and Cape Ray, Frank Speck, Beothuk and Micmac, (New York: Museum of the American Indian 1922), pp. 119-121. Bartels and Jantzen argue that Mi'kmaq habitation of Ktaqamkuk only becomes permanent after 1760. However, French colonial records show Mi'kmaq people there during the early eighteenth century which

Mi'kmaq live the Wuastukwiuk - often referred to today as the Maliseet - who occupied the Wulastuk Valley (Saint John River Valley) and surrounding territories from the Bay of Fundy to the Saint Lawrence River.[4] "Wulastuk" means "the country of good things" and meant not just the river "but the fish in it and the moose and the caribou and all the wild game and the fine birches and cedars; everything that was good for the Indians."[5] Further to the west are the Abenakis, a group of culturally similar peoples who occupy lands stretching from the Penobscot River to the Saco River in what is now southwestern Maine. Though the Abenaki are the not principal focus of this report, their close political alliance with the Mi'kmaq and the Wuastukwiuk, render them a crucial part of understanding treaty relationships in the eighteenth-century Atlantic northeast. Collectively, the Abenaki and Wuastukwiuk are known as the Wabanaki. This appellation, however, does not include the Mi'kmaq.

During the seventeenth century, French traders and farmers settled in Mi'kma'ki, establishing settlements first at Port Royal, and later at Minas, Chignecto and Cobequit. In 1710, the principal French settlement, Port Royal, was captured by New England forces and three years later, with

---

casts doubts about the Bartels/Janzen position. See Paris, Archives des colonies (AC), C11C 4:219, Costabelle au ministre, 22 oct., 1705; 5:96, Costabelle au ministre, 10 juil, 1707; 5:128v, Costabelle au ministre, 10 nov., 1707.

[4]. A description of these divisions is in Frank Speck and Wendell Hadlock, "A Report on Tribal Boundaries and Hunting Areas of the Malecite Indian of New Brunswick", American Anthropologist, 48 (1946), pp. 362-63. Here I have made a clear distinction between the Wuastukwiuk and the Passamaquoddy peoples, the latter inhabiting lands contiguous to the Saint Croix River. As researchers and the historical records suggest, this cultural and political division may not have been as severe as my account would indicate. See Edward Winslow, "A Sketch of the Province of Nova Scotia and Chiefly of such parts as are settled", edited by W.O. Raymond, Collections of the New Brunswick Historical Society, no. 5 (1899), p. 153; Erickson, "Maliseet-Passamaquoddy", in Handbook, p 123..

[5]. E.T. Adney to the Editor, 24 March 1939, Saint John Telegraph Journal.

the signing of the Treaty of Utrecht, the French Crown recognized English sovereignty over what since then was known as Nova Scotia. This territory encompasses present- day mainland Nova Scotia, and according to the English, New Brunswick as well. The French later disputed this interpretation of the Treaty, a problem that was never resolved. By the Treaty of Utrecht, France retained sovereignty over Ile Royale [Cape Breton Island], Ile Saint-Jean [Prince Edward Island], the Magdelaine Islands as well as Saint Pierre and Miquelon. France was forced to surrender its claim to Newfoundland, though retained an interest in the northern shore of the island, which, since then, was known as the French shore. Neither the Mi'kmaq nor the Wuastukwiuk were signatories to the treaty. Neither the French nor English likely gave any serious thought to whether the Aboriginal inhabitants of the region should be included. That question, however, was to loom large in the decades after 1713, as the English Crown, through its delegated representatives in first Massachusetts and later, Nova Scotia, sought Mi'kmaq and Wuastukwiuk recognition of the King's claim to their territory. The ensuing discussions and treaties are the subject of this report. Presumably, the Crown believed that obtaining consent would be a neat orderly affair that even the most incompetent colonial official could accomplish. Problems arose, problems that, as this report will outline, continue to exasperate government officials.

1. The Treaties

The Treaty of Utrecht was not signed by either Mi'kmaq or Wuastukwiuk peoples. Between 1693 and 1786, however, a series of treaties were signed by both peoples with representatives of the British Crown. Treaties made before 1725 were not directly negotiated by

delegates from either the Mi'kmaq or the Wuastukwiuk, but rather involved face to face discussions between Abenaki leaders and New England officials. Available evidence suggests that Wuastukwiuk delegates were present at many of these discussions, perhaps as early as 1693. Mi'kmaq participation in these early treaties is less clear, and if individuals from their communities were not present, then at least, their leaders were aware of the negotiations. These treaties, as John Reid points in Chapter Three, were influential in forming the legal language contained in the 1725 treaty, which unlike its predecessors, was intended to encompass Eastern Aboriginal peoples, namely the Abenaki, Wuastukwiuk and the Mi'kmaq. This treaty was negotiated in Boston during the autumn of 1725, bringing to an end three years of war between these peoples and Nova Scotia and New England. Signed in Boston on 15 December 1725 by delegates from the Penobscot nation,[6] the treaty was later ratified by Wuastukwiuk and Mi'kmaq sakamows and elders. For the former, the date of ratification appears uncontroversial, 24 September 1728 when Wuastukwiuk sakamows and elders appeared at the English garrison at Annapolis Royal.[7] The situation of the Mi'kmaq is less clear. Though many of their leaders were present at Annapolis in early June of 1726 to discuss the Boston treaty, there is circumstantial evidence that a formal ratification could not occur until individual villages had provided their consent.[8] When this ratification occurred, however, is not clear but may have occurred sometime between 1727 and 1728. Reference to later treaty negotiations though does show that the articles discussed first in Boston and later at Annapolis in 1725 and 1726 respectively,

---

[6]. A manuscript copy of the treaty is in Public Record Office (PRO), Colonial Office Series (CO) 5 898:173-174v. A printed copy of the treaty can be found in Native Rights in Canada, edited by Peter A. Cumming and Neil H. Mickenberg, (Toronto: The Indian-Eskimo Association of Canada), pp. 300-302.

formed the foundation of British relations with the Mi'kmaq, demonstrating that the earlier treaty had indeed been ratified.

The Boston treaty of 1725 was the only one which the Mi'kmaq negotiated jointly with their Wabanaki allies. Henceforward, agreements were made directly with English colonial officials at Chebouctou. (Halifax) This was not true of the Wuastukwiuk, who as members of the Wabanaki Confederacy, often negotiated treaties jointly with their Abenaki allies.[9] Those treaty negotiations were held with Massachusetts officials as sovereignty over the territory occupied by the Abenaki was claimed by that colony. The Wuastukwiuk, however, lived within the old territorial limits of Acadia. Therefore, negotiations between the Wabanaki Confederacy and New England were often attended by a representative of the Nova Scotia government, usually Captain Paul Mascarene, and any treaties concluded with the Wuastukwiuk were signed by Nova Scotian officials. For eighteen years after 1726, peace was maintained throughout the Atlantic region. In contrast to the 1710-1725 period, there were few violent altercations with New England fishermen. Peace, however, abruptly ended as the English-French war of 1744-48 engulfed North America, drawing both the Mi'kmaq and Wuastukwiuk were drawn into the conflict on their side of their ally, the French King. With the war's conclusion, in August 1749 the Wuastukwiuk re-affirmed the 1725 treaty with the newly-appointed Governor of Nova Scotia, Edward Cornwallis.[10] A similar agreement was not concluded with the Mi'kmaq as they were displeased

---

[8]. CO 217:5:3-5.

[10]. Public Archives of Nova Scotia (PANS), RG 1 186: Minutes of His Majesty's Executive Council, 14 August, 1749. A printed copy of the treaty is in Native Rights, edited by Cumming and Mickenberg, pp. 304-306; and Indian Treaties, v. 2, pp. 200-201. A parchment copy of the original is in PANS.

with the establishment of a new English settlement at Chebouctou (Halifax) in June of 1749.[11] Two years of conflict followed which was temporarily resolved with the signing of a treaty with the English Governor, P.T. Hopson on 22 November 1752.[12] Sporadic conflict continued, likely exacerbated by Mi'kmaq hostility towards the unilateral settlement of Mirligueche (Lunenburg) by German Protestants in April of 1753. Soon after, a more general conflict between France and England erupted in North America and elsewhere, precipitating general hostilities between the English colonies in the Northeast and Mi'kmaq and Wuastukwiuk peoples. With the fall of Louisbourg in 1758, Quebec in 1759 and Montréal in 1760, Mi'kmaq and Wuastukwiuk sakamows re-affirmed the 1725 treaty in 1760 and 1761.[13] Another was signed with the Ktaqamkuk Mi'kmaq in September, 1763, a copy of which was apparently forwarded to England's Secretary of the Admiralty.[14] Copies of this treaty, however, have not been found.

With the outbreak of the American Revolution, and the colonies' attempts to induce the Mi'kmaq and Wuastukwiuk peoples to support their struggle, a new treaty was negotiated with the English Crown. This was signed in 1779, with Wuastukwiuk as well as Mi'kmaq sakamows

---

[11]. A printed version of the Mi'kmaq response to the founding of Halifax is in "Collections de Documents inédits sur le Canada et l'amérique", Canada-Français t. 1 (Québec 1888), pp. 17-19; and a manuscript version in CO 217 9:116-116v. The document was signed at Port Toulouse in 1749 six days before Saint-Michel. The feast of Saint-Michel is held the first Sunday after 23 September.

[12]. A transcript copy of the treaty is in the Executive Council Minutes of Nova Scotia, RG 1, 186: 252-254. A printed copy is in Native Rights edited by Cumming and Mickenberg, pp. 307-308.

[13]. A transcript of the treaty is in PANS, RG 1, 37:#14. Treaties signed with individual communities can be found in PRO, CO 217 145:18; PANS, RG 1 430: #20; RG 1 188:283; RG 1 188:255.

[14]. CO 217 20:320, Samuel Thompson to Philip Stephens, 16 April, 1764.

from Gespegeoag [Gaspe] and Sigenigteoag [eastern coast of New Brunswick] .[15] Representatives from mainland Nova Scotia, Unimaki or Abegweit did not initial the agreement. Similarly, a separate treaty was signed with the Ktaqamkuk Mi'kmaq. No copy of the latter has been found, though reference has been found in early nineteenth-century documentation.[16]

Over the following two centuries, the memory of these treaties was transmitted from Mi'kmaq and Wuastukwiuk elders to succeeding generations. As Euro-American populations increased during the nineteenth and twentieth centuries and, as traditional hunting and fishing territories were restricted, both Mi'kmaq and Wuastukwiuk communities appealed to government, arguing that the treaties protected indigenous lands and resources from settler populations. Up until the Supreme Court decision in 1985 in R. v. Simon, governments have generally been unwilling to recognize the validity of the eighteenth-century treaties as legal documents.

2. Survey of Literature

As a subject area, the treaties signed between the English Crown and Mi'kmaq and Wuastukwiuk peoples have not been extensively examined. In large part, this is because most of

---

[15]. PANS, O/S # 514, Treaty, 24 Sept., 1778. A printed copy can be found in Collections of the New Brunswick Society, nos. 1-3, (St. John 1894), pp. 314-317.

[16]. Lt.-Edward Chappell, Voyage of His Majesty's Ship Rosamond to Newfoundland, (London: J. Mawman Ludgate St., 1818).

the research completed over the last four decades has been done by anthropologists and linguists who have not consulted historical records widely.[17] Historians, on the other hand, have ignored the Mi'kmaq and Wuastukwiuk peoples as not only a specific subject area, but also in more general analyses of the Atlantic region.[18] This bias is exacerbated by an emphasis upon post-1867 history. During the last decade this scholarship has begun to change both because of an increasing academic interest in Native peoples and in consequence of Mi'kmaq and Wuastukwiuk legal challenges to provincial and federal game and fish regulations.[19]

Research has focused principally on the 1725, 1752 and 1760-61 treaties and virtually ignored the others. The Boston treaty has elicited attention for two reasons. First, because it was the first treaty signed between the English Crown and Mi'kmaq and Wuastukwiuk peoples and secondly because it became, in later years, the basis for treaty negotiations. For example, in the

---

[17]. Though anthropologists such as Bernard Hoffman, Harold McGee, Virginia Miller and Patricia Nietfeld have all consulted historical records, these records have not constituted the focus of their research. As a result, they have depended exclusively upon printed sources and have not consulted manuscript materials.

[18]. The Atlantic Provinces in Confederation edited by E.R. Forbes and D.A. Muise, (Toronto and Fredericton: University of Toronto and Acadiensis Press, 1992) is the only the most recent example. With chapters individually written by researchers and placed within a chronological framework, the result is that both Mi'kmaq and Wuastukwiuk peoples are implicitly written out of the region's history. This is unfortunate since the book will be used widely in survey and upper level undergraduate university courses.

[19]. This is well illustrated by the work of Andrea Bear Nicholas, "Maliseet Aboriginal Rights and Mascarene's treaty, Not Dummer's Treaty", in Actes du Dix-Septième Congrés de Algonquinistes, edited by William Cowan, (Ottawa: Carleton University Press, 1986), pp. 215-229, and the forthcoming work of James Youngblood Henderson and Stephen Patterson cited below. On the change in which Canadian historians have written about the past over the last fifty years, see Marlene Shore, "`Remember the Future': The Canadian Historical Review and the Discipline of History, 1920-95," Canadian Historical Review LXXVI,3 (September 1995), 410-463.

discussions preceding the 1749 treaty, Wuastukwiuk sakamows were invited to ratify the 1725 treaty, a copy of which was affixed to the 1749 treaty. The significance of the 1752 treaty, on the other hand, lays in the introduction of articles on fishing and hunting previously lacking in the Boston Treaty. Since some contemporary Mi'kmaq organizations have argued that the 1752 treaty protects hunting, fishing and trading rights, it has become important to define how and who signed the treaty. More recently, attention has turned to the various treaties signed by both communities in 1760 and 1761 which, in some important ways, differ significantly from earlier agreements.

In regards to the 1725 treaty, researchers have focused upon establishing the context in which it was signed. Thus, Wayne Daugherty in a study commissioned by the Research Branch of the Department of Indian Affairs' Treaties and Historical Research Centre, argues that after two disastrous years of hostilities with Massachusetts, the war-weary Penobscot people gladly agreed to terms offered by the English Lieutenant-Governor, William Dummer. "The Micmacs", writes Daugherty, "undoubtedly influenced by the events taking place in New England, had no desire to continue (the war) themselves" and as a result accepted the terms offered by Dummer.[20] Similarly, Olive Dickason, writes of the "disarray" among the Mi'kmaq and Wabanaki following the English destruction of the Abenaki village along the Kennebec River in 1724.[21] This situation, argues Dickason, allowed the English to insist that the Mi'kmaq, Wuastukwiuk

---

[20]. Wayne Daugherty, The Maritime Treaties in Historical Perspective, (Ottawa: Department of Indian Affairs, 1983), p. 29.

[21]. The best general treatment of the attack and the affect it had upon subsequent negotiations is in Kenneth M. Morrison, People of the Dawn: The Abnaki and their Relations with New England and New France, 1600-1727, Ph.D. dissertation, University of Maine, 1975, pp. 380-392.

and Abenaki sakamows acknowledge that the Treaty of Utrecht had made the English Crown the "rightful Possessor of the Province of Nova Scotia or Acadia."[22] Consequently, both Daugherty and Dickason implicitly suggest that the terms of the treaty were determined by the political and military dynamic which had preceded the negotiations and signing.[23] A slightly different interpretation is offered by Leslie Upton who argues that in return for English promises not to interfere with hunting, fishing and planting grounds, the Mi'kmaq and Wuastukwiuk accepted King George's claims to "Nova Scotia or Acadia."[24]

A similar approach pervades interpretations of the 1752 treaty. Daugherty, Dickason, and Upton argue that negotiations had been initiated by the Chief of the Chebenacadie Mi'kmaq, Jean Baptiste Cope, though they do not agree just what Cope's motivations might have been in doing so.[25] More recently, Stephen Patterson points out that in fact the Governor of Nova Scotia, P.T. Hopson initiated the negotiations, sending an emissary to Cape Breton during the summer

---

[22]. Olive P. Dickason, "Amerindians Between French and English in Nova Scotia, 1713-1763" in American Indian Culture and Research Journal, v. 10 (1986), pp. 39-40. Essentially the same argument is repeated in Dickason, Canada's First Nations: A History of Founding Peoples from Earliest Times, (Toronto: McLelland and Stewart, 1992), p. 179.

[23]. Similarly, R.O. McFarlane argues that "the complete victory of the New England military forces, led the governor to adopt a firm tone in the negotiations of 1726". "British Indian Policy in Nova Scotia to 1760", Canadian Historical Review, 1938, p. 157.

[24]. L.F.S. Upton, Micmacs and Colonists: Indian-White Relations in the Maritimes, 1713-1867, (Vancouver: University of British Columbia Press, 1979), p. 44.

[25]. Daugherty implicitly suggests that Cope was war-weary while Dickason attributes his peace overtures to the bountiful presents lavished upon him by English authorities. Daugherty, Maritime Treaties, p. 49; Dickason, "Amerindians Between French and English", p. 43; Upton provides no explanation but implicitly suggests that Cope's offer was individually given. Upton, Micmacs and Colonists, p. 54.

of 1752 to discuss the peace.[26] All four researchers agree that the treaty was signed only with the Chebenacadie "band" and did not include other Mi'kmaq peoples.[27] The treaty's legitimacy, they argue, was broken as a result of Mi'kmaq attacks upon a shipwrecked English vessel in April of the following year.[28]

Less attention has been focussed upon the 1760-61 treaties. Recently, Patterson has devoted considerable energy in explaining these later treaties and their meanings, arguing that they can only be understood by first appreciating the context in which they were negotiated and signed. Unlike the previous treaties, those signed in later years occurred after the demise of French power in North America. Louisbourg had been conquered in 1758, Quebec the following year and Montreal in 1760. With their French allies expelled from the continent, the Mi'kmaq had few choices but to discuss terms of surrender with their erstwhile English enemies. English might had profound political implications for both the Mi'kmaq and the Wuastukwiuk who were forced to either accept the terms of peace dictated by English officials or face extermination. They chose the only option they had and accepted. Practically, this meant that some articles which had been part of earlier agreements were dropped from the 1760/61 treaties. The reasons for these deletions Patterson does not explain, though ostensibly he would suggest that English military power provided an opportune time to delete articles which authorities had deemed potentially

---

26. Stephen E. Patterson, "Indian-White Relations in Nova Scotia, 1749-61: A Study in Political Interaction," Acadiensis, XXIII,1 (Autumn 1993), 3-37.

27. Daugherty, Maritime Indian Treaties, p. 49; Dickason, "Amerindians Between French and English", p. 43; Upton, Micmacs and Colonists, p. 54; R. v. Simon, Supreme Court of Canada, 21 Nov., 1985, Atlantic Provinces Reports, 171 (1986), p. 29.

28. Daugherty, Maritime Treaties, pp. 49-51; Upton, Micmacs and Colonists, p. 55.

troublesome. Thus, language from previous treaties which had promised not to interfere the Mi'kmaq or Wuastukwiuk in their hunting, fishing or planting grounds were not part of the English-text of the new treaty relationship.[29]

Aboriginal history is a contentious ground and perhaps nowhere is that ground more contentious than when we try and understand how both Aboriginal and European societies understood agreements meant to govern their future relationships. One difficulty is simply that the agreements are invariably written in English, making definitive conclusions difficult. A literal interpretation is ill-advised for three reasons. First, the text does not convey how Aboriginal under signatories might have understood the agreement. The profound difference separating English from Algonquian languages would suggest the difficulties a Mi'kmaq individual might have in understanding both the English language and the legal concepts emanating from a long historical tradition. Secondly, the texts themselves are not easily decipherable. The language of each treaty should be read as part of a continuing evolution of English law which from the very earliest days of colonization conflicted with the unique legal situation posed by the European encounter with North America. These problems might be circumvented if the discussions preceding the negotiations and which would have formulated how each party understood the treaty, had been recorded. In other parts of the colonial world, a partial transcript of the discussions were generated by colonial officials for future reference. While these minutes were recorded for the Abenaki, no such minutes were taken by English authorities in Nova Scotia. And finally, the texts do not provide insight into the custom of

---

[29]. Patterson, "Indian-White Relations," 53-57, and Patterson, "1744-1763: Colonial Wars and Aboriginal Peoples," in. The Atlantic Region to Confederation: A History, edited by Phillip A.

treaty-making among Eastern Aboriginal peoples which at crucial points, conflicted with established European diplomatic protocol.

This report takes issue with previous interpretations of the eighteenth-century treaties. These analyses have been more willing to understand the texts within the context outlined by English documentation than is either justified by the quality of the source materials or the profound cultural differences separating the signing parties. If we are to understand how aboriginal peoples understood treaty texts, then we must attempt as best we can, to understand their societies and their concepts of treaty making. Such a task is not one that can be accomplished by this report. Nor is it one that might be done by one individual. Rather, it is an enterprise that crosses communities and disciplines. The purpose of this report is therefore more modest, providing an alternative context in which to understand the treaties than has hitherto been offered. Perhaps, the ensuing debate will illuminate more clarity to an area of research which for too long has been ignored.

The remainder of the report is organized into four chapters. In Chapter Two, there appears a brief and much condensed overview of Mi'kmaq and Wuastukwiuk social and political organization during the pre-1784 period together with a description of early European settlement in Mi'kma'ki and the Wulstukw River and its affect upon Aboriginal inhabitants. This discussion provides the context for situating both Mi'kmaq and Wuastukwiuk peoples in the treaty making period. In Chapter Three, John Reid analyses early treaty-making between New England and the Abenakis, beginning with the earliest known treaty in 1690 and ending with the 1717 Portsmouth

---

Buckner and John G. Reid, Toronto: University of Toronto Press, 1994, 149-150, 152-153.

treaty. This provides the historical context to understand the treaties signed after 1725. Chapter Four is solely and exclusively devoted towards understanding not only these treaties but also the process of negotiation and consultation which was a component of the treaty-making process. Finally, the last chapter looks briefly at the post-treaty period and examines the historical roots of contemporary disputes over the treaties.

Place names have constituted a small nightmare in preparing this report. This is because European travellers, fishermen and government officials were constantly superimposing new place names onto existing ones. To avoid total confusion, I have used contemporary names for bodies of water surrounding the maritime provinces. River systems, however, are given as they would have appeared in eighteenth century correspondence. In some cases, this name is Mi'kmaq in origin. For place names, I have employed those used by eighteenth century English government officials and travellers. As before, some of these places have a Mi'kmaq sounding name which persists even to the present day, such as Antigoniche, Tatemagouche and Pictou. Finally, I have used the term Mi'kma'ki to describe all the lands inhabited by the Mi'kmaq people, namely Ktaqamkuk, Unimaki, Nova Scotia, Prince Edward Island, the eastern coast of New Brunswick and the Gaspé peninsula. In using the term Acadia, I refer specifically to the lands inhabited by the Acadians and not to the entire region. Likewise, Nova Scotia refers to lands occupied by English settlers and/or soldiers and not to its contemporary political meaning.

CHAPTER 2

THE MI'KMAQ-WUASTUKWIUK PEOPLES IN THE TREATY MAKING PERIOD

This chapter provides an overview of the Mi'kmaq and Wuastukwiuk populations of the Atlantic region during the treaty making period. Initially, the location, settlement patterns and general political structures are described. Following this is a short overview of the debate regarding alterations thought to have occurred in Mi’kmaq and Wuastukwiuk societies following contact with European peoples. These debates are evaluated and alternative viewpoints posited. The importance of this debate for understanding the treaties cannot be underestimated. Scholars arguing that profound alterations occurring in Mi’kmaq political and economic structures, point out that this provides the context to appreciate that the Mi’kmaq and the Wuastukwiuk had few choices but to accept the terms of peace offered to them by English colonial officials in 1760 and 1761.

1. The Mi'kmaq

The name which they use to describe themselves is not Mi'kmaq but Inu'k which means "the People.” Mi'kmaq actually means "my kin-relations" and may have come into using after European contact.[1] Perhaps, the word was used among Europeans because when an Inu'k individual was asked who else was with him, his response would have been, "These are my

[1]footnotes. Ruth Holmes Whitehead, Stories from the Six Worlds: Micmac Legends, (Halifax 1988), p. 1.

relatives, nogomaq."[2]

Before and during the treaty making period, the Mi'kmaq were primarily a maritime people, living for at least eight months of the year along or near the coastline.[3] Until recently, the Atlantic region had an abundant fish life in its inland rivers and coastal waters. This fish and marine life provided a regular food supply which in summer was complemented by fresh fruits, such as strawberries, blueberries, raspberries and gooseberries. Because foods were more readily available during warm weather months, population concentrations were greatest then, reaching as many as 300 people and more. This social congregation is often called the summer village and was principally composed of families related through marriage. In autumn this population divided into family groups and moved inland to fish and later to hunt for moose and/or caribou.[4] Evidence suggests that families fished and hunted in the same territory year after year,

---

[2]. Stephen Augustine, Presentation to the Royal Commission on Aboriginal Peoples, Big Cove, New Brunswick, 20 Oct., 1992; Ruth Holmes Whitehead, "Atlantic Coast", in The Spirit Sings: Artistic Traditions of Canada's First Peoples, (Toronto, 1987), p. 18.

[3]. The following section is based largely upon William C. Wicken, "Encounters with Tall Sails and Tall Tales: Mi'kmaq Society, 1500-1760,", chapter 1, but also Patricia Nietfeld, Determinants of Aboriginal Micmac Political Structure, Ph.D, University of New Mexico, 1981, vol. 2, pp.400-407. Bernard Hoffman has argued that the Mi'kmaq obtained 90% of their food from the water and spent 10 to 12 months along the coast. Bernard Hoffman, Historical Ethnography of the Micmac of the Sixteenth and Seventeenth Centuries, Ph.D. dissertation, University of California, Berkeley, 1955, p. 151. For a similar marine adaptation among people living in New England see Faith Harrington, "Sea Tenure in Seventeenth Century New England: Native Americans and Englishmen in the Sphere of Marine Resources, 1600-1630", Ph.D. dissertation, University of California, Berkeley, 1985, pp. 144-155.

[4]. Since we are dealing here with a large geographical areas over a large time frame and in a rather cursory fashion, it should be remembered that economic activities could vary considerably from village to village.
Gamaliel Smethurst, A Narrative of an Extraordinary Escape, (London 1774), p. 18.

with the right to hunt on the lands conveyed patrileneally.[5] The size of these hunting- fishing groups is unclear but were likely larger in southern areas where resources were more plentiful than in regions further northwards.[6] Inland sites were not far distant from the coast, making possible shore visits to fish and to hunt for seals during the winter. Indeed, during the early seventeenth century, the Jesuit father, Pierre Biard wrote that families living in southern regions hunted seals mating on the Seal and Tuskett Islands throughout January.[7] With spring break up which began as much as a month earlier in the south than in Unimaki, families began moving toward the coast, to prepare for the spring runs of anadromous fish.

An examination of the records reveal sites which were occupied continuously from the early seventeenth to mid-eighteenth centuries.[8] The persistence of these villages both prior to and during the treaty making period suggests a degree of social and political stability within most segments of Mi'kmaq society.

Political leadership in each village was exercised by the sakamow who together with a

---

[5]. The literature on hunting territories is extensive. See Frank Speck, "Significance of Hunting Territory Systems of the Algonkian in Social Theory" and Speck, Beothuk and Micmac. References in the historical record to a division of lands can be found in Chrestien LeClercq, New Relation of Gaspesia, (Toronto: The Champlain Society, 1910), p. 235; Joseph de Villebon, Acadia at the End of the Seventeenth Century, edited by John C. Webster and translated by Alice Webster (Saint John, N.B. 1934), 98; Halifax, Public Archives of Nova Scotia (PANS), RG 1 380:116-117, Titus Smith, General Observations on the Northern Tour", 1801-02.

[6]. For a discussion of this point, see Wicken, "Encounters with Tall Sails", chapter 1 as well as Virginia Miller and Ronald Nash, "Model Building and the Case of the Micmac Economy," Man in the Northeast, 34 (1987), pp. 41-56.

[7]. JR 3:79, Pierre Biard, "Relation of 1616".

[8]. For Nova Scotia, this is treated extensively in Wicken, "Encounters with Tall

group of elders resolved village issues. The chief did not wield absolute authority over his people but rather attempted to influence others through example.[9] Writing about Mi'kmaq inhabiting Saint George's Bay in southern Ktaqamkuk during the early nineteenth century, an English traveller observed that

> whatever power he [the Chief] may possess, arises more from the ascendancy acquired by his mild and conciliating manners, than from any respect which the Indians pay to the office itself. [10]

Decisions regarding the village were made in consultation with other male family heads. Elders played a crucial role in providing counsel as their age and experience was highly valued. In 1767, the surveyor Samuel Holland encountered sixty Mi'kmaq in Unimaki who told him they were waiting to meet "an old man more than 120 years of age who they say is the Eldest of the Tribe upon whose counsel they set great value."[11] Together with elders, the sakamow determined winter hunting areas, and settled disputes within the village. When the men went hunting to areas far removed from the community, leaving women and children behind, the elders later distributed proceeds from the hunt to individual households after the men had returned.[12] During the

---

Sails", pp. 91-115..

[9]. JR v. 2, p. 73, Biard, 31 Jan., 1612; " Letter from Louisbourg, 1756", in Acadiensis, 10 (1980), p. 116; Alvin Morrison, Dawnland Decisions: Seventeenth Century Wabanaki Leaders and their Responses to the Differential Contact Stimuli in the Overlap Area of New France and New England, Ph.D. dissertation, University of New York at Buffalo, 1974, pp. 50-51.

[10]. Lt. Edward Chappell, Voyage of His Majesty's Ship Rosamond to Newfoundland, (London 1818), p. 82.

[11]. Holland's Description of Cape Breton Island and other Documents, edited by D.C. Harvey, (Halifax 1935), p. 68.

[12] Archives nationales, AC, C11B 7:51, Saint-Ovide au ministre, 18 oct., 1726.

summer when several villages might assemble, the sakamow and Elders met to discuss issues relating to the community.[13]

There is considerable debate regarding both the character and history of political decision-making beyond the village level. Referring to unpublished oral traditions, some Mi'kmaq argue that six hundred years ago all villages were organized into a pan-Mi'kmaq organization as a result of conflict with the Haudenosaunee [Iroquois]. Called the Sante Mawi'omi (Grand Council or Holy Gathering), the Council divided Mi'kma'ki into seven separate districts. Each district may contain one or more village and one of the village sakamows elected to represent the district in Council meetings. In seventeenth and eighteenth European documentation, this individual is usually referred to as a "Captain." The titular head of the Council was the Grand Chief, who was elected by male family heads and was assisted by the Grand Captain. The Putus, or wampum keeper, safeguarded treaties of friendship and alliance made by the Council.[14]

While university-based researchers have agreed that some broader polity united the Mi'kmaq, they have not always concurred with conclusions regarding its character or the timing

---

[13]. Virginia Miller, "Social and Political Complexity on the East Coast: The Micmac Case", in The Evolution of Maritime Cultures on the Northeast and the Northwest Coasts of America, edited by Ronald Nash, (Vancouver 1983), p. 43; Nietfeld, Determinants of Aboriginal, pp. 494-95; Alvin Morrison, "Dawnland Directors: Status and Role of 17th Century Wabanaki Sagamores", Papers of the Seventh Algonquian Conference, edited by William Cowan, (Ottawa 1976), p. 10.

[14]. Donald Marshall Sr., Alexander Denny and Simon Marshall, "The Covenant Chain", in Drumbeat: Anger and Renewal in Indian Country, (Toronto 1989), pp. 75-76. Virginia Miller, "Social and Political Complexity on the East Coast: The Micmac Case" in The Evolution of Maritime Cultures on the Northeast and the Northwest Coasts of America, edited by Ronald Nash, (Vancouver 1983), pp. 44-45.

of its establishment. A number of researchers have suggested that there is no concrete evidence to show the Council's existence prior to the 1700s. In large part, their argument bases itself upon what they consider to be the fragmented nature of a hunting and gathering society. Forced to live in small semi-autonomous family-groups in order to survive limited their ability to form a broader social and political network spanning the large geographical region inhabited by Micmac-speaking peoples. In lieu of such evidence, they suggest the Council may have emerged as a defensive measure to counter the threat of European expansion. [15]

Debate regarding the Council's history illustrates the difficulties of reconciling community-based oral information with an empirically-focused European historical tradition.[16] Methodologically, both traditions harbour weaknesses when reconstructing social structures in which written records were not internally generated. On the one hand, Europeans, including French-speaking missionaries, were not directly privy to internal village and regional council meetings and thus could not have conveyed information about them. Moreover, researchers have not critically evaluated Mi'kmaq oral tradition, even though the society remained largely non-literate and separate from European societies into the early years of the twentieth century.[17]

---

[15]. Janet Chute, "Ceremony, Social Revitalization and Change: Micmac Leadership and the Annual Festival of St. Anne," Papers of the 23rd Algonquian Conference, edited by William Cowan, (Ottawa: Carleton University Press, 1992), p. 45; Nietfeld, "Determinants of Aboriginal," 473-75; Ralph Pastore, "Aboriginal Peoples and European Contact," in The Atlantic Region to Confederation, 35-37; Stephen E. Patterson, "Indian-White Relations in Nova Scotia, 1749-61: A Study in Political Interaction," Acadiensis XXXII,1 (Autumn 1993), 27-28.

[16]. Julie Cruikshank, "Getting the Words Right: Perspective on Naming and Places in Athapaskan Oral History," Arctic Anthropology 27, 1 (1990), pp. 52-55.

[17]. William C. Wicken, "`Heard it from my Grandfathers': Mi'kmaq Treaty Tradition and the Syliboy Case of 1928," University of New Brunswick Law Journal 44 (1995), 145-161.

There are also problems in isolating temporal periods from oral traditions professing to describe events five hundred years before the present. In this case, oral information may disclose more about social processes animating Mi'kmaq interactions with other societies than about specific events that can be catalogued and integrated into a European-voiced narrative.[18]

The lack of extensive European documentation from the sixteenth and seventeenth centuries renders tenuous any conclusive statements regarding the political structuring of Mi'kmaq society. There is, however, circumstantial evidence suggesting a broader social and political network uniting both villages and other peoples. In the early seventeenth century, Marc Lescarbot who spent the winter of 1606-7 housed at the French settlement of Port Royal wrote that one sakamow, Membertou was the leader of all the Mi'kmaq from the Gaspé to Cape Sable.[19] His ability to organize a joint war expedition of Mi'kmaq villages and neighbouring peoples in 1607, might indicate an alliance among various Mi'kmaq villages, though its extent is unclear.[20] More specific references to a larger political configuration date from a later period. In the 1640s, Jesuits living at Miskou reported a conference between the Mi'kmaq, Montagnais and Algonquin in which

---

[18]. Julie Cruikshank, "Oral Tradition and Oral History: Reviewing some Issues," Canadian Historical Review LXXV,1 (September 1994), pp. 403-420; Sylvie Vincent, "L'arrivée des chercheurs de terres: Recits et dires des Montagnais de la Moyenne et de la Basse Côte-Nord," Recherches Amérindiennes au Québec, XXII, 2-3 (1992), pp. 19-29.

[19]. JR 1:75, Lescarbot, "Relation Dernière", 1612.

[20] Marc Lescarbot, History of New France, v. II (Toronto: The Champlain Society, 1910), p. :354 and Lescarbot, "The Defeat of the Armouchiquois Indians by Chief Membertou and his Indian Allies in New France in the Month of July 1607", translated by Thomas H. Goetz, Papers of the Sixth Algonquian Conference, edited by William

> The Captain of our coasts takes the floor in the name of the Captains of Acadia, and or him of the Bay of Rigibouctou, his kinsman, from who he says he has commission to treat for peace."[21]

In the early eighteenth century, French government correspondence mentions council discussions among sakamows and elders from various regions. For example, in 1728, the Governor of Ile Royale, Saint-Ovide, made reference to "grands conseils" held among the Mi'kmaq during the Spring. Soon afterwards he was visited by the sakamow of Restigouche who informed him

> [T]hat one of their people had been mistreated by the English, this chief told me that he had been deputized by all the chiefs and elders of the Nation to inform me of the cruel treatment that these brothers had received from the english.[22]

Similarly, in 1721, the Mi'kmaq people are represented as a single political entity in a letter sent jointly by a number of Native groups to the Massachusetts Governor protesting English encroachment on Abenaki lands."

2. The Wuastukwiuk

Ethnically distinct but culturally similar to the Mi'kmaq, are the Wuastukwiuk. Finding these peoples' language difficult to pronounce, the Mi'kmaq called them "Maleseejik", or "speaks

---

Cowan, (Ottawa 1975), pp. 159-179.

21. JR 30:143, "Relation of 1645-46".

22. AC C11B 10:67v, 77-77v, Saint-Ovide au ministre, 3 nov., 1728.

badly", a word that has since been translated into English as "Maliseet"[23] and adopted by government officials and university academics. The name given to themselves, however, is "Wu-as-tuk-wi-uk meaning . . . People of the Wulstukw or Saint John River."[24]

Unlike the Mi'kmaq, the Wuastukwiuk did not live adjacent or close to coastal areas and, with the exception of a village at the mouth of the Wulstukw, were settled in inland areas most of the year.[25] This meant that families relied to a greater extent upon land-based animals than did the Mi'kmaq. In many respects, though, the Wuastukwiuk followed an economic cycle very similar to that of their Mi'kmaq neighbours, congregating in large summer villages during the warm weather months and dispersing into smaller hunting groups in winter. But the Wuastukwiuk depended to a greater extent upon agricultural foods, such as corn, pumpkins and beans. Though there is till considerable debate regarding whether farming practises predate European contact,[26] by at least the late seventeenth century, horticulture was firmly integrated into migration cycles. In his description of four years in captivity among the Wuastukwiuk, the Englishman John Gyles provides a unique account of this cycle. Settled during warm weather months at Meductic on the Wulstukw, Gyles' adopted family moved up river during Autumn to hunt, then retraced their path after the Spring thaw. Arriving at Meductic in the Spring, they

> planted corn, and after planting, went a Fishing, and to look for and dig Roots, till the Corn was ready to weed; and after Weeding took a Second Tour on the same Errand, and Return'd to hull our Corn, and after Hulling, we went some distance from the Fort [Meductic] and up the River to take Salmon, and other Fish, and dry them for Food till Corn was fill'd with the Milk, Some of which we dried then, the other as it ripen'd. And when we had gathered our Corn and dried it, we put some into Indian Barns, i.e. in Holes in the Ground and cover'd with

23.New Brunswick Museum, Ganong Scrapbooks, "New Brunswick Indians", Tribal Groups File, Newall Paul to W.F. Ganong, 20 Aug., 1889.

24. Fredericton, University of New Brunswick, Harriet Irving Archives, Tappan Adney Papers, "Plan of Organization of the Wulastukw or St. John River Tribe of Indians", 1946.

25. Unlike the Mi'kmaq, there is very little that has been written about the history of these peoples. A brief overview of the "Maliseet" is contained in Vincent Erickson, "The Maliseet-Passamaquoddy", in Handbook of North American Indians, vol. 15: The Northeast, edited by Bruce Trigger, (Washington 1978), pp. 123-136.

26. Harald Prins, "Cornfields at Meductic: Ethnic and Territorial Reconfigurations in Colonial Acadia", Man in the Northeast, no. 44 (1992), pp. 55-72; Kevin Leonard, “Woodland or Ceramic Period: A theoretical Problem,” Northeast Anthropology 50 (1995), 19-30.

Bark, and then with Dirt. The Rest we carried up the River upon our next Winter hunting. [27]

Given the paucity of source materials, reconstructing the exact location of summer villages in the pre-1760 period is not possible. A number of sites were occupied but whether all or just a few were continuously inhabited is not known. For example, in 1607, Champlain and Lescarbot travelled to the mouth of the Wulstukw where they were entertained by a village of 80 to 100 men. Called Ouigoudi, [28] the village was located in a large enclosure with trees fastened together to form a palisade. Inside, were several lodges "large and small, one of which was as big as a market-hall, wherein dwelt numerous families."[29] Up until 1645, the French trader, Charles de La Tour maintained a trading post in the area, suggesting the continuing presence of an adjacent village.[30] With the beginning of hostilities with New England in the late seventeenth century, the village was likely removed further inland though there are continuing references to Wuastukwiuk people frequenting the region afterwards. Indeed, the area may only have been temporarily abandoned during periods of conflict.[31]

Further up river, approximately six miles above the present day site of Fredericton, was

---

[27]. John Gyles, Memoirs of Odd Adventures and Signal Deliverences in the Captivity of John Gyles,, (Boston 1806), p. 11.

[29]. Lescarbot, History of New France, II: 356.

[30]. The archaeological excavation of de La Tour's fort and the adjacent Indian site is in J. Russell Harper, Portland Point: Crossroads of New Brunswick History: Preliminary Report of the 1955 Excavation, (Saint John, N.B.: New Brunswick Museum). The fort was destroyed by de La Tour's rival, Charles Menou d'Aulnay.

[31]. For example, in 1771 there are references to a "district" of Wuastukwiuk people living in the vicinity of the mouth of the Wulstukw. PANS, RG 1, 43:#123, William Campbell to Earl of Hillsborough, 9 Oct., 1771.

Ekpahak, a major gathering point in the eighteenth century.[32] In 1765, the Surveyor-General of Nova Scotia, Charles Morris described the village.

> An island opposite Opack, called Indian island is the place where the Indians of St. John's make their General Rendezvous, on this Island is their Town, consisting of about forty mean Houses or Wigwams built with slender Poles and covered with Bark. In the centre of the Town is the Grand Council Chamber, constructed after the same manner as the other Houses."[33]

As there was a burying ground on the island, it is likely that this had been the location of a village for some time.[34] Tappan Adney who worked closely with Wuastukwiuk people during the early part of this century, described Ekpahak as "the original village and capital of the St. John River Indians."[35] In 1714, it had a population of approximately three to four hundred men, women and children among whom, however, were Abenaki who apparently had migrated eastward, escaping from the wars with New England.[36] Further up river was Meductic, about seven miles below the present day site of Woodstock. In 1685, there were at least one hundred

---

32. The earliest reference I have found to this village is in AC G 466 #29, "État actuelle de la nouvelle Collonie françoise à la Rivière St. Jean", [1737].

33. CO 217 44:129v, Charles Morris "A Report of a Survey of the River St. John's...." 1765. Later references to the village site. PANS, MG 1, Wentworth Papers, 939:#13, Major Barclay, "Description of the Lands on the River St. Johns in the Bay of Fundy", 15 July, 1783; "Col. Allan's Report on the Indian Tribes in 1793", in Military Operations in Eastern Maine and Nova Scotia during the American Revolution, (New York: Kraus Reprint Co., 1971), first edition 1867, p. 306.

34. PANS, RG 20, Series "C", Book 6, p. 763, Land Grant to Tribe of Indians inhabiting St. Johns River, 20 Aug., 1768. Earlier references to the village are in "Eastern Indians Letter to the Governor, 27 July, 1721" in Collections of the Massachusetts Historical Society, 2nd Series, v. VIII, (Boston 1819), p. 263; PANS, RG 1 4:151, Armstrong to St. John's Indians, 27 Sept., 1735.

35. Adney Papers, Case 4, File 4, [Maliseet reserves], [n.d.].

36. AC, C11A 35:111, Bégon au ministre, 25 sept., 1715.

male adults living there.[37] Perched at the end of a portage route which linked the Wuastukwiuk with neighbouring Passamaquoddy and Penobscot peoples, the village was destroyed by an English force in 1759-60.[38] Though other areas were used during the winter hunt, these three summer villages appear to have been the principal foci of community populations before 1784.[39] It is not clear, however, whether Ouiguidi, located at the mouth of the river, continued to be inhabited after 1690. In 1751, a Nova Scotian official, Captain Paul Mascarene, wrote that the Saint John Indians had been to Chebouctou (Halifax) to renew the peace "which was done accordingly by the upper and lower part of St. Johns River."[40] The only sakamows present at the signing, however, were from Octpagh (Ekpahak), Medoctig (Meductic) and Passamadquoddy.[41] Unless Mascarene was referring to the Passamaquoddy people as Saint John River Indians, this would suggest that by mid-century, the village at the river's mouth had been abandoned, a

---

[37]. "Lettre de Monseigneur L'Evêque de Québec", in Mandemants, vol. 1 (Québec 1887), p. 214.

[38]. Adney Papers, Case 4, File 18, [n.d.]. Earlier references to Meductic being the location of a village are in Gyles, Memoirs of Odd Adventures; "Eastern Indians Letter to the Governor, 27 July, 1721. A letter written in 1720 by a Wuaskukwiuk sakamow refers specifically to a leader from Meductic. PANS, RG 1 7:#22, François La Salle to Governor Phillips, 10 Nov. 1720.

[39]. The possible location of these hunting grounds in Speck and Hadlock, "A Report on Tribal Boundaries..", pp. 364-374. That families did not linger near the summer villages during the winter is suggested in Governor de Villebon's correspondence in the 1690s. Between 1691 and 1700, de Villebon was stationed at Nashwaak. Throughout this period, he wrote that in the winter, France's allies could not be contacted until they came back from their winter hunting grounds. De Villebon, Acadia at the End, pp. 54, 69, 98.

[40]. "Journal of the proceedings ...with the Eastern Indians...at Fort at St. George's the 19th day of August Annoque Domini 1751", in Documentary History of the State of Maine, Baxter Manuscripts, vol. 23 (Portland, Maine 1916), p. 416.

[41]. PANS, RG 1 186, Minutes of His Majesty's Executive Council, 14 August, 1749.

move perhaps occasioned both by war and the devastating epidemics of the 1690s. This area, however, would have continued to be used for hunting and fishing, particularly in winter.

3. The Wabanaki Confederacy

During the seventeenth and eighteenth centuries, the Wuastukwiuk and Mi'kmaq were allied with Aboriginal peoples to the west. The most important of these alliances was with the Wabanaki Confederacy, an organization which grouped Wuastukwiuk, Passamaquoddy, Penobscot and other Eastern Abenaki peoples, stretching westward to the Cannabic River. Based on oral testimony collected during the early twentieth century from Penobscot elders,, Frank Speck argues that the Mi'kmaq were political allies but not members of the Confederacy.[42] Though the historical record does not directly validate Speck's conclusions, it does show widespread political and military linkages between Mi'kmaq and Wabanaki villages beginning in 1690. Mi'kmaq villagers cooperate extensively with their Wuastukwiuk and Penobscot brothers during the conflict with New England in the 1690's.[43] These linkages persisted into the eighteenth century as peoples east of the Cannabic tried to halt the spreading tentacles of English settlement. Penobscot warriors, for example, participated in Mi'kmaq attacks on Port Royal in 1710 and on Canso in 1720. In 1721, the French Governor of Ile Royale, Joseph de Saint-Ovide reported that during the summer, "the Maliseet (Wuastukwiuk) and Abenakis had held

---

[42]. Frank Speck, "The Eastern Alongkian Wabanaki Confederacy", American Anthropologist, 17 (1915), pp. 505-507.

[43]. Evidence for this cooperation is in Joseph de Villebon, Acadia at the End of the 17th Century, edited by J.C. Webster, (St. John 1934).

assemblies and had sent canoes into the villages of Cap Sable, of Minas and of the La Have."[44] After the conclusion of the 1725 peace, there are fewer references to joint political and military ventures between the Confederacy and the Mi'kmaq. Writing in 1793, however, Jonathan Allan noted the extensive kinship and political relations among the Abenaki, Wuastukwuik and Mi'kmaq. Indeed, Allan suggested that such linkages were so widespread that "there will be no permanent settlement made with anyone tribe without the sentiments & dispositions of the other are known.[45]

Political alliances were also made with peoples to the north and further west. Other oral testimony collected by Speck, suggested a longstanding relationship among the Wabanaki, the Mi'kmaq, the Algonquin and Mohawk living at Kahnaewake and Kahnesetake. The Odawa (Ottawa) mediated the negotiations which led to the formation of the alliance. Kahnaewake was selected as the central council fire and it was here that meetings were held every three years to renew the alliance. The four Wabanaki tribes sat on one side of the fire and the western delegates on the other. Speck suggests that the principal speakers for the Wabanaki were the Penobscot while the Odawa played a similar role for Western peoples.[46] Speck is not able to suggest when the alliance was made. However, given that Kahnaewake was established in 1667 and Kahnesetake in 1696, it likely could not have dated before this time. The earliest historical record

---

[44]. AC, C11B 5:341, Conseil de la Marine, nov. 1721. Runners carried messages on wampum belts.

[45]. "Col. Allan's Report on the Indian Tribes, in 1793" in Military Operations in Maine and Nova Scotia edited by Frederic Kidder, (New York 1971), p. 309.

[46]. Speck, "The Eastern Algonkian", pp. 495-97. Oral testimony regarding the alliance is in "The Wampum Records", in Passamaquoddy Texts, edited by John Prince, (Berlin 1921), pp. 7-9.

hinting at a political relationship is a letter sent in 1721 to New England authorities protesting encroachment upon Abenaki lands in violation of treaties signed with the English Crown. The letter's signatories were the principal Abenaki and Wuastukwiuk villages, the Mi'kmaq, the Kahnaewake and Kahnesetake Haudenosaunee, the Algonquins, the Hurons, the Montagnais from the north shore, the Papinachois and "other neighbouring nations.... whose Elders and Representatives have appeared at the place called Menaskek and spoken to their [the Abenakis'] chief."[47] Following the conclusion of a friendship treaty between the Wabanaki and the English Crown in 1725/26, extensive discussions regarding the treaty's articles occurred among alliance members.[48] Other evidence regarding the alliance before 1760 has not been found. Thus there are difficulties in determining both the strength of the alliance and the responsibility of individual members to each other. After 1760, however, there are continuing references to the alliance. In 1761, the Haudenosaunee sent runners bearing wampum belts "to all nations from Nova Scotia to the Illinois to take up the Hatchet against the English", suggesting that some form of communication with Wabanaki peoples had been maintained in the interim.[49] During the summer of 1780, Odawa, Huron, Algonquin, Abenakis and other nations from Canada met in council with Mi'kmaq and Wuastukwiuk chiefs on the Wulstukw River to coordinate a policy towards

---

[47]. "La Nation Abnaquise et des sauvages ses alliez .... 27 juil. 1721" in Collections of the Massachusetts Historical Society, pp. 259-263.

[48]. In June, 1727 John Gyles wrote that "Great Disputs this spring Concerning Affears, have been between ye Indians of ye several tribes from Cape Saples to ye mountain Indians, & ye french....", DHM 10:408, Gyles to Dummer, 22 June, 1727.

[49]. Papers of William Johnson edited by James Sullivan, vol III, (New York 1921), p. 405, Donald Campbell to William Walters, 17 June, 1761.

the British-American war[50] and in 1796, the Mi'kmaq and Wuastukwiuk met in council with various eastern and western nations at Kahnaewake.[51]

4. European Fisheries and Settlement

Europeans were fishing off the coasts of Mi'kma'ki sometime during the early sixteenth century.[52] Precise information regarding the number of vessels and men departing westward each year cannot be determined from extant sources. Charles de la Morandière has suggested that between 1510 and 1540, at least sixty French ports sent vessels to Ktaqamkuk [Newfoundland]. Research done by Laurier Turgeon and associates on notarial records provides some figures for one of these ports, Bordeaux. According to Turgeon, though vessels had departed for Ktaqamkuk as early as 1517, it was not until the second quarter of the century that the traffic increased significantly so that by 1546, at least twenty vessels were heading westward. Similar increases are suggested for other French ports. In 1555, one hundred vessels embarked westwards from Rouen while during the 1560's more than 40 fishing vessels departed annually from La Rochelle.

---

50. PANS, RG 1 45:#95, R. Hughes to Lord George Germaine, 21 Nov., 1780.

51. Ottawa, NAC, RG 10, 9:9140, Joseph Chew to Alexander McKee, 11 August, 1796.

52. See David B. Quinn, "Newfoundland in the Consciousness of Europe in the Sixteenth and early Seventeenth Centuries", in Explorers and Colonies: America 1500-1625, (London 1990), p. 304. A good general history of the French fishery has been done by Charles de la Morandière, Histoire de la pêche française de la morue dans l'Amérique septentrionale, t. 1 (Paris 1962).

Similar data for the Basque and Portuguese ports are lacking.[53] The earliest contemporary estimates of vessels fishing in Ktaqamkuk waters was made in 1578 by the Englishman Anthony Pankhurst. He estimated a total of 370 to 380 vessels which included fifty from England, 120 to 130 from Spain, 50 from Portugal another 150 from France, though these latter were smaller vessels.[54] Pankhurst's figures likely do not provide an accurate picture of all vessels fishing the Northeast Atlantic.[55] However, even if we accept his figures, this would suggest a minimum of between 8,000 and 10,000 men migrating to Ktaqamkuk every year.

Sometime during the early sixteenth-century fishermen moved southwards from Ktaqamkuk towards Mi'kma'ki. Though precise information is lacking, we may safely conjecture that the region was known to European sailors and explorers and thus would also have been known to fishermen.[56] Early sixteenth-century maps, for instance, show the appearance of a uniform

---

[53]. Laurier Turgeon, "Pour rédecouvrir notre 16e siècle: Le pêches à Terre-Neuve Les archives notariales de Bordeaux", Revue d'histoire de l'Amérique Française, 39 (1986), pp. 529-530.

[55]. Turgeon, "Pour rédecouvrir", p. 530.

[56]. The Cabot voyage: H.P. Biggar, The Precursors of Jacques Cartier, (Ottawa 1911), p. x; William F. Ganong,"La Cosa", 1929, pp. 37-38; David B. Quinn, England and the Discovery of America, 1481-1620, (New York 1974); the Real voyage 1501: H.P. Biggar, Precursors, pp. xvi-xvii; Carl O. Sauer, Sixteenth Century North America, (Berkeley 1971), p. 13; Quinn, England, p. 115; Verrazano voyage 1524: Lawrence Wroth, The Voyages of Giovanni da Verrazano 1524-1528, (New Haven 1970), p. 140; Gomez voyage : Bernard G.Hoffman, "The Historical Ethnography of the Micmac of the Sixteenth and Seventeen Centuries", Ph.D. dissertation, University of California, 1955, p. 23; Samuel E. Morison, The European Discovery of America: The Northern Voyages, A.D. 500-1600, (New York:1971), pp. 329-31; Sauer, Sixteenth Century, p. 69; Cartier voyage 1535: The Voyages of Jacques Cartier, edited by H.P. Biggar, (Toronto 1924), pp. 42, 49-55, 62-63. A description of these voyages can be found in Bernard Hoffman, Cabot to Cartier: Sources for a Historical Ethnography of Northeastern North America 1497-1550, (Toronto 1961) and Nietfeld Determinants of Aboriginal, pp. 232-263.

European nomenclature for the northern regions of Mi'kma'ki by 1526, reflected in the usage of "Cape Briton" to denote the landmass lying southwest of Ktaqamkuk.[57] Based upon this evidence, Bernard Hoffman has argued that by 1534 "the fisheries extended along the entire Atlantic coastline from Labrador to southern Nova Scotia."[58]

We may also assume that from the first half of the sixteenth century, interaction occurred on a regular basis between Mi'kmaq and European fishermen. These contacts occurred in various forms. As a seagoing people, Mi'kmaq travellers would have encountered Europeans as they sailed across the Cabot Strait from Ktaqamkuk to the mainland or as they followed the annual migration of seals and walruses as occurred in mid-June of 1597, when an English vessel reported seeing 300 Mi'kmaq in a harbour on the Magdelaine Islands.[59] Contact also occurred as fishermen dried their catch along the coastline of mainland Nova Scotia. From at least 1565, for example, one area frequented by Europeans was Canso which was also the site of a Mi'kmaq settlement.[60] Less frequently, contacts with Europeans fishing on the banks also took place as fishing vessels were forced into harbour because of rough seas or because their vessels needed

---

[57]. "The voyage of M. Hore and divers other gentlemen, to Newfoundland, and Cape Briton, in the yere 1536...." in Richard Hakluyt, The Principal Navigations, VIII:4. See also the biography of Richard Hore in DCB, 1:371-72.

[58]. Bernard G.Hoffman, "The Historical Ethnography of the Micmac of the Sixteenth and Seventeenth Centuries", Ph.D. dissertation, University of California, 1955, p. 198; David B. Quinn, North America, 1977, pp. 385-87.

[59]. "The voyage of M. Charles Leigh, and divers others to Cape Briton and the Isle of Ramea", in R. Hakluyt, The Principal Voyages VIII: 169, 172-174.

[60]. Marc Lescarbot, History of New France, edited by W.L. Grant, vol. II, (Toronto 1910), pp. 362-63.

repairs. As fishermen came to know the region, they occasionally steered landward to supplement their income with furs or to trade with Mi'kmaq villagers for fresh water, meat and berries.

Beginning in the early seventeenth century, both French and Scotch nationals attempted to build a permanent settlement in Mi'kma'ki. Neither succeeded until 1632 when the French nobleman, Isaac de Razilly, landed at the mouth of the La Heve River on the eastern coast of mainland Nova Scotia with a contingent of some 300 artisans and farmers.[61] Three years later, the remnants of this group migrated across to the Bay of Fundy where they established a farming settlement along the Annapolis River. From then until 1755, their population expanded both in size and area occupied. Up to 1700, the Acadians, as they came to be known, had encroached very little upon Mi'kmaq and Wuastukwiuk lands. The Acadian population remained small, totalling 358 in 1671 and 776 fifteen years later, with the majority of settlers farming along the Annapolis River.[62] Though new settlements had been established in 1671 at Chignecto and in 1682 at Minas, only in the latter part of the century did these populations exceed or equal that of the adjacent Mi'kmaq villages. For example, in 1703 the population of Minas was 507 which was likely 2.5 times greater than the total number of Mi'kmaq people living in the area, along the Cornwallis and Piziquit River systems. Similarly, the Acadian population of Chignecto in 1703 was 245 or twice the number of local Mi'kmaq residents.[63] Year after year, this pattern was

---

[61]. This general synopsis of Acadian settlement is based largely upon Andrew H. Clark, Acadia: The Geography of Early Nova Scotia to 1760, (Madison: University of Wisconsin Press, 1968).

[62]. "Familles établies à l'Acadie, 1671", Report of the Canadian Archives, 1905, Part III, (Ottawa 1906), Appendix A, pp. 1-6; "Un Recensement de l'Acadie en 1686", Bulletin de recherches historiques, 38 (1932), 677-96 and 721-34.

[63]. AC, G1 466 28, "Recensement de l'Acadie", 1703.

repeated elsewhere as the Acadian population, with few natural restraints, grew 3.75% annually.[64] The result was palpable, as more farm lands were required to feed the expanding population. As the eighteenth century dawned, new farms were established along the Chebenacadie River, the eastern coast of Nova Scotia, Abegweit, and the Petitcodiac River and Wulstukw Rivers.[65] From a total of 1324 in 1703, the Acadians grew to 6958 people in 1737 and to between 10,000 and 15,000 by mid-century,[66] while the population of Abegweit increased from 312 in 1730 to 2219 in 1752.[67] Concurrent with these increases, Ile Royale also grew following the landing of a French garrison there in 1714 and the construction of the fortress Louisbourg, begun in 1721. From 890 people in 1724, the population totalled 4300 in 1742 in addition to another 1330 troops and colonial officials.[68]

English settlement grew at a slower pace. Following the conquest of Port Royal in 1710 and the signing of the Treaty of Utrecht three years later, officials had attempted to establish

---

[64]. Raymond Roy, "La Croissance démographique en Acadie de 1671 à 1763", M.A., Université de Montréal, 1975, p. 58; Jacques Houdaille, "Quelques aspects de la démographie ancienne de l'Acadie", Population 3 (1980), p. 582; Gisa Hynes, "Some Aspects of the Demography of Port Royal, 1650-1755", Acadiensis, 3 (1973), p. 7.

[65]. The expansion of the Acadian population is chronicled in Andrew Hill Clark, Acadia: The Geography of Early Nova Scotia to 1760, (Madison 1968), pp. 201-225; and Clark, Three Centuries and the Island: A Historical Geography of Settlement and Agriculture in Prince Edward Island, Canada, (Toronto: University of Toronto Press, 1959), pp. 1-41. On the Saint John River, see Minutes of His Majesty's, 2 July, 1736, p. 358 which lists 78 Acadian inhabitants.

[66]. AC G1 466:28; Clark, Acadia, p. 201.

[67]. AC, G1 466:36A and 45.

[68]. AC, G1 466, doc. 67, Recensement de l'île Royale, 1724", and 77, "Rencensement de 1742". On Ile Royale, see Barbara Schmeisser, The Population of Louisbourg, 1713-1758, (Ottawa: Parks Canada, Mansucript Report, Number 303,

English-speaking settlers in Nova Scotia. Various schemes were forwarded to the Board of Trade but none were implemented in part because of continuing Mi'kmaq hostility towards the extension of English influence beyond the immediate neighbourhood of Annapolis.[69] Consequently until the founding of Halifax in 1749, the English population of Nova Scotia remained small, consisting almost exclusively of soldiers stationed at Annapolis Royal and Canso.[70] Staffed by the Fortieth Regiment of Foot, the size of the garrison hovered between 200 and 250 men.

From 1713 to 1744, this small population was supplemented by New England and English fishermen who, each year, sailed northwards to fish in the cod-rich banks of the Northeast Atlantic. Following the Treaty of Utrecht, operations had expanded so that by 1726, 681 fishermen were reported to have stepped ashore at Canso.[71] This number comes from figures collected by custom officials at Canso but does not include those who chose not enter harbour, preferring either to transport their fish back to New England or to dry their catch along the coastline. Following the conquest of Canso by a French contingent in 1744, the New England fishery decreased.

1976).

[69]. These are surveyed in Winthrop P. Bell, The Foreign Protestants and the Settlement of Nova Scotia, (Toronto: University of Toronto Press, 1961), pp. 21-63.

[70]. The garrison at Canso was established in 1720. It was captured by French forces in 1744 and not re-occupied after the end of the 1744-48 war.

[71]. Figures on the fishery are in CO 217 5:6. Data regarding number of vessels, tonnage and men entering Canso between 1723 and 1742 is in Wicken, "Encounters", Tables 4.6 and 4.7.

One reason for the decline in the Canso fishery was the establishment of an English settlement at Chebouctou after hostilities between England and France had ended in 1748. Founded in late June 1749 through the financial support of Parliament and headed by the newly-appointed Governor of Nova Scotia, Edward Cornwallis, the settlement quickly shed its Mi'kmaq appellation and henceforward was known as Halifax. By year's end some 1876 settlers huddled along the fog-bound shoreline of the harbour.[72] Four years later another major settlement was built, this time about seventy miles down the coast from Halifax, adjacent to Mirligueche, a Mi'kmaq village. Again, however, the area's Mi'kmaq appellation was discarded and a European name inserted in its place, Lunenburg. Unlike Halifax, however, Lunenburg was settled by German farmers and tradespeople whose numbers totalled 1,955 people one year later.[73] Soon after the expulsion of the principal Acadian farming communities in 1755,[74] New England farmers flooded northwards to claim title to farmlands along the Bay of Fundy formerly inhabited by the Acadians. A smaller number of New Englanders, mostly fishing families, settled along in southeastern Nova Scotia. The first official English census, taken in 1761 showed a total population of 7,794 inhabitants and in 1775, approximately 14,928 [75] with the majority

---

[72]. PANS, RG 1 35:10, Cornwallis to Board of Trade, 7 Dec., 1749.

[73]. Winthrop P. Bell, The Foreign Protestants, p. 447.

[74]. For a short synopsis of the expulsion and the events which precipitated it, see Naomi Griffiths, The Acadians: Creation of a People, (Toronto: McGraw-Hill Ryerson Limited, 1973), pp. 19-67; and Griffiths, The Contexts of Acadian History, 1686-1784, (Montreal: McGill-Queen's University Press, 1991), pp. 62-94.

[75]. PANS, RG 1, 37:#13 ½, Charles Morris, "A Description of the several towns in the province of Nova Scotia...." [1761]; NAC, MG 23 A1,1:349-351, Dartmouth Papers, "Abstract of the Number of Families settled in Nova Scotia from a Scale of the Province taken in August 1775"; PANS, RG 1, 47:79, J. Parr to Lord Sydney, 27 Dec., 1784.

concentrated in areas formerly settled by the Acadians along the Bay of Fundy.

The population of Cape Breton and Abegweit was considerably smaller. In October, 1774 there were estimated to be 1011 non-Mi'kmaq people living on Cape Breton with at least 935 of this total strung along the eastern coast between Arichat in the south and St. Andrew's Channel in the north.[76] This figure actually represented a net decrease in the non-Mi'kmaq population from the pre-1758 period when the island had been settled by French nationals. Moreover, since at least 45% of the 1774 total was Acadian, this suggests how little new settlement had occurred on the island after the conquest of Louisbourg in 1758.[77] Similarly, up until the early 1780s, there was little English settlement on Abegweit. By 1775, the population likely did not exceed 1,300 people, which represented a net decrease of almost a thousand people from the total Acadian and French population of 1752.[78]

English settlement of the Wulstukw Valley proceeded equally slowly. From the early 1760s until the Loyalist immigration of the early 1780s, there were four principal European settlements strung out along the River; Saint John with a population of 145 people in 1774, an Acadian settlement of thirty families further up the river,[79] Maugerville, settled in 1763 and located at the

---

[76]. CO 217 51:26, "A Return of the State of the Isle of Breton October 1st, 1774".

[77]. A 1771 census of the Acadian population showed 439 inhabitants on the island. Boston, Massachusetts Historical Society, Gay Collection, Mascarene Papers, 5:134, "An Enumeration of the Acadian families resident in Nova Scotia ...1771".

[78]. A.H. Clark, Three Centuries and the Island: A Historical Geography of Settlement and Agriculture in Prince Edward Island, Canada, (Toronto: University of Toronto Press, 1959), p. 56.

[79]. John Bartlett Brebner, The Neutral Yankees of Nova Scotia, (Toronto: McClelland and Stewart, 1969), first edition, 1937, p. 99. It is unclear whether this is the

fork of the Wulstukw and Oromocto Rivers which had 261 people in 1766 and the area directly across the river consisting of five villages, which had a combined population of 499 in 1783.[80] The eastern coast of New Brunswick was also settled by Europeans but mostly by Acadians who had either escaped deportation or returned from their enforced exile. In all, there might have been 20,000 Europeans living on Mi'kma'ki and Wuastukwiuk lands in 1775, excluding Ktaqamkuk, just prior to the signing of the 1779 treaty.[81]

Though significantly higher than the population at the beginning of the century, this total was only 5,000 more than the Acadian population of the mid-1750s and was concentrated on lands that had been occupied before 1755. This is shown by comparing the 1767 census with data from the pre-1755 period. The comparison reveals that in 1767, 39% of Nova Scotia's total English population of 11,396 lived in areas formerly inhabited by Acadian farmers while an additional 27% of the population lived in Chebouctou and area.[82] Significant changes in settlement patterns did occur along the eastern coast between Chebouctou (Halifax) and Cap Fourchu (Yarmouth). Though this area had been inhabited by French-speaking settlers before

---

same settlement enumerated in 1771 which showed 37 Acadian families living along the Wulstukw. No specific place of residence is given. Boston, Massachusetts Historical Society, Gay Collection, Mascarene Papers, 5:134, "An Enumeration of the Acadian families resident in Nova Scotia ...1771".

[80]. W.O. Raymond, The River Saint John: Its Physical Features, Legends and History from 1604 to 1784, (Sackville: The Tribune Press, 1950), first edition, 1910, pp. 165 and 187.

[81]. Brebner, Neutral Yankees, p. 99.

[82]. CO 217 22:121-121v, "A General Return of the several Townships in the Province of Nova Scotia the first day of January, 1767".

1755, its total population had likely never exceeded 400.[83] After 1749, two new settlements were founded, one at Mirligueche (Lunenburg) in 1753 and the other at Liverpool. In 1767, the combined population of the eastern coast was 3,083 people (14.4%) or nearly ten times the number of Europeans who had inhabited the region prior to 1755.

Concurrent with an expansion of settlement, was an increase in English military forces. A garrison was established at Canso in 1720 and in 1732 an attempt made to erect a small outpost at Minas. Following an assault upon the builder by a group of Mi'kmaq, the project was abandoned. Generally, before 1749 the English had little success in establishing their political dominion over Nova Scotia and were forced during wartime, to stay within garrison walls. Considerable more success was had in guarding the eastern coast fishery. During the 1720s and 1730s, a guard ship commissioned by the Massachusetts House of Representative roamed the eastern coast of Nova Scotia and the Gulf of Maine to protect the fishery.[84]

This changed with the foundation of Chebouctou in 1749. With a sufficient number of troops, the English were able to establish their new settlement there despite Mi'kmaq hostility, and to build new forts on the Piziquit River (Avon River) in the Autumn of 1749[85] and Fort

---

[83]. An estimated 57 families were living along the coast in 1748. Using six as the common number of people in each family, this would give a total population of 342. However, as Raymond Roy has pointed out, censuses generally under represented the number of people living along the coast. AC C11D 10 (n.p.), "Sur L'Acadie", 1748; Roy, "La Croissance démographique", pp. 30-32.

[84]. References to the guard ship are in Boston, Massachusetts States Archives (MSA), 38A:44, Joseph Marjory to Lt.-Gov. Dummer, 15 Aug., 1723; PRO, Admiralty 1, vols. 1694-1695, Thomas Durrell Letters.

[85]. An account of the construction of the fort is in CO 217 14:345v-346, Lawrence to Board of Trade, 5 Dec., 1753.

Cumberland located opposite Fort Beausejour on the Missiquash River, the following year.[86] After the capture of Beausejour in 1755, the English assumed a more influential position in the region, a reversal from the period between 1710 and 1748 when their presence was woefully inadequate.

5. Influence of European settlement

In discussing Mi'kmaq society after 1500, researchers have emphasized the ways in which that society changed as a result of interaction with fishermen, traders, settlers and European officialdom. These arguments can be divided into four subject areas, population, economy, religion and politics.

A detailed analysis of each issue is beyond the scope and capacity of this report. However, given that the treaties were signed by Mi'kmaq and Wuastukwiuk peoples, some understanding of their societies during the treaty-making period is necessary. Thus this section will analyze two areas which researchers have suggested radically alterations in Mi'kmaq and Wuastukwiuk society, population and economy.

Researchers have generally emphasized the high depopulation rates caused by the introduction of European diseases among the Mi'kmaq following contact.[87] Influenced

---

[86]. PANS, RG1 35:#13, Cornwallis to Duke of Bedford, 1 May, 1750; #20, Cornwallis to Board of Trade, 19 Aug., 1750; #29, Cornwallis to Board of Trade, 27 Nov., 1750.

[87]. Virginia Miller, "Micmac Aboriginal Population: A Review of the Evidence",

principally by the work of Henry Dobyns [88] in 1976 and 1982, Virginia Miller published two articles which suggested a depopulation rate as high as 90 to 95 per cent from the time of first contact to the early seventeenth century. Though such rates did not continue after 1600, Miller argues that a steady decline continued until the mid-nineteenth century when the population reached its lowest point.

The implications of Miller's arguments are far-reaching. If she is correct, then one must wonder about the circumstances in which Mi'kmaq and Wuastukwiuk peoples negotiated the treaties. Even though signed more than 100 years after the high mortality rates of the sixteenth century, population decline would have continued perhaps placing the Mi'kmaq in an untenable military situation and forcing them to reach an accommodation with superior English forces. Secondly, severe depopulation implies that valuable cultural and political knowledge was not transmitted to succeeding generations[89] perhaps leading to a breakdown of political leadership. Under such psychologically strained circumstances, we might assume that some sakamows had either been insufficiently instructed by elders or been prematurely thrust into a leadership position because of untimely deaths.

The principal problem in addressing this issue is both the lack of population data as well as specific references to disease among the Mi'kmaq and Wuastukwiuk populations. Such data does

---

Ethnohistory, 23 (1976), pp. 117-129; "The Decline of Nova Scotia Micmac Population, A.D. 1600-1850", Culture, II (1982), pp. 107-120; Nietfeld, "Determinants of Aboriginal", p. 395.

[89]. On the social and political effects of disease among the Catawbas see James Merrell, The Indians New World: Catawbas and Their Neighbours from European Contact through the Era of Removal, (Chapel Hill: University of North Carolina Press, 1987), pp. 18-21.

not exist for the sixteenth century and is sporadic for the pre-1786 period. Consequently, researchers have often been forced to rely upon data analyzed from other aboriginal populations to provide approximate depopulation rates for the Mi'kmaq. Thus, Miller in examining the pre-contact Mi'kmaq population, relies upon Henry Dobyn's analysis of sixteenth-century depopulation rates among the Timucuan peoples of southeastern Florida.

While necessary, such an approach is often problematic. The comparative method cannot replace hard data and so not surprisingly scholars have questioned Miller's conclusions. One wonders, for instance, the advisability of strictly comparing the Timucuan, the subject of Dobyns's 1983 study, and the Mi'kmaq. The former were sedentary agricultural-based communities, the latter a fishing and hunting society. We might assume that the Timucuan would suffer higher depopulation rates than the Mi'kmaq, since their population was more tightly concentrated in larger villages and less flexible in searching for alternative food resources. More important, however, Miller wrote in a time period when the historical epidemiology of North American aboriginal populations was still in its infancy. Dobyns was one of its first practitioners and blazed a path a generation of scholars followed, though not always to the same conclusions.[90] Dobyns, for instance, has been criticized for misreading historical data and thus inflating mortality rates among the Timucuan.[91] Equally unsettling is that Dobyns' analyses, and by extension, Miller's argument, is narrowly focussed upon mortality rates and does not take into account the influence of fertility on post-epidemic societies. As recent research has shown, aboriginal societies did not necessarily experience continual downward spirals but rather

[90]The breadth of this new research is reviewed in John D. Daniels, "The Indian Population of North America in 1492," William and Mary Quarterly XLIX,2 (April 1992), pp. 298-320.

reestablished, either wholly or partially, population losses.[92] For all of these reasons, the high depopulation rates suggested by Miller for the period before 1600 are questionable.

In examining the post-1600 period, Miller did not examine archival sources but rather relied exclusively upon a small number of printed sources. A careful search of French and English archival materials from 1600 to 1760 does yield some descriptions of both disease and population growth in Mi'kmaq communities. Again, however, this information is scant, rendering any definitive conclusions tenuous until a more careful demographic analysis has been completed. Despite this, the available information suggests that after 1600 the Mi'kmaq experienced periodic exposures to European diseases, interspersed with periods of population increases. This is suggested both by the timing in which diseases occur and comments made by sakamows and elders during the eighteenth century regarding population expansion.

Between 1611 and 1760 there are seven specific references to contagious illnesses affecting Mi'kmaq communities and one reference to disease among the Wuastukwuik.[93] In seven cases, neither the identity of the disease nor its impact upon the community is described. The sickness which affected Chedabouctou in the early 1660s, for example, infected all

[92]Russell Thornton, Tim Miller and Jonathan Warren, "American Indian Population Recovery following Smallpox Epidemics", American Anthropologist, 91 (1), pp. 28-45.

[93]There are two additional references to sicknesses among the Mi'kmaq, in 1635 among the Cape Breton Mi'kmaq and in 1645-46 among those living near Miskou, but in neither case are the illnesses identified as contagious. JR, 8:163, Julien Perrault, 1635; JR, 30:143, Paul Le Jeune, "Relation of 1645-46".

community residents regardless of age but neither its name nor its symptoms are identified.[94] Conversely, the epidemic which swept the missions of Sillery, a Jesuit mission near Quebec, and Tadoussac, in 1669 and affected the Gaspesian Mi'kmaq was reported to be smallpox.[95] Other references to widespread disease among the Mi'kmaq do not appear in the historical record till the summer of 1721 when people living near Minas were said to be suffering from un unknown sickness. Though the symptoms of the illness are not identified, smallpox is a likely candidate as the virus was then spreading havoc in Boston. [96] Eight years later, the French governor of Ile Royale reported that fourteen or fifteen people from Unimaki and Antigoniche had died of an unidentified illness.[97] In 1746 the head of the Executive Council at Annapolis Royal, Paul Mascarene, wrote that one hundred Mi'kmaq from Chebenacadie and almost the same number from Unimaki and Abegweit had died from a distemper, likely contracted from the d'Anville expedition, a 10,000-strong French expeditionary force which had landed at Chebouctou in August of that year. Governor William Shirley of Massachusetts noted that information from the Acadian inhabitants suggested that up to 66 per cent of eastern coast Mi'kmaq population had died.[98] Two years later, villages along the Northumberland Strait and

---

[94] JR, 47:63-65, Paul Le Jeune, "Relation of 1660-61".

[95] JR, 53:59-61, François Le Mercier, "Relation of 1669-1670".

[96]. AC, C11B 5:341, Conseil de la Marine, nov. 1721. On the smallpox epidemic in Boston during 1721 see Boston Newsletter, 24 February, 1722. In all 5,889 people were infected between the months of April 1721 and January 1722. Of this number, 844 died.

[97]. AC, C11B 10:187-187v, Saint Ovide au ministre, 1 nov., 1729.

[98]. Paul Mascarene to Admiral Warren and Governor Shirley, 26 Oct., 1746, in The Royal Navy and North America: The Warren Papers, 1736-1752, edited by Julian Gwyn, (London 1975), p. 365. Governor William Shirley to Duke of Newcastle, 21

from Unimaki were again afflicted with an unidentified illness.[99] The only recorded sickness among the Wuastukwuik occurred along the Wulstukw during the winter of 1693-94, reports estimating the death of some one hundred people.[100] This may be the same epidemic described by John Gyles who lived nine years as a captive among the Wuastukwiuk and Abenakis. The contagion, Gyles later wrote, affected both young and old, who would bleed from the mouth and nose "turn blue in spots and die in two or three hours." [101] That the virus spread during a period of joint Wuastukwiuk and Mi'kmaq war parties against northern New England settlements, would suggest that the illness had spread westward to Mi'kma'ki.

Sources suggest that the Mi'kmaq experienced periodic but regular exposure to European borne diseases; in 1610-611, 1660, possibly the 1690s, the 1720s and again during the 1740s. These are the only time periods in which European records mention serious illnesses within either the Mi'kmaq or Wusatukwiuk communities. We cannot necessarily conclude, therefore, that other viruses did not affect their villages. Indeed, as European settlement, trade and imperial conflict expanded, the variety and frequency of diseases entering the region would have

---

Nov., 1746, in Documentary History of Maine, edited by James P. Baxter, vol. 11, (Portland 1908), p. 345; James S. Pritchard, Anatomy of a Naval Disaster: The 1746 French Naval Expedition to North America (Montreal and Kingston: McGill-Queen's University Press, 1995), pp. 228-229.

99. AC, F3 50:435-448v,"Journal concernant ce qui est arrivé...le 25 juillet, 1748 jusqu'au 4 septembre..."

100. "Statements of Grace Higiman and others in Relation to Being Taken `Captive' by the Indians" in The New England Historical and Genealogical Register For the Year 1864, vol. XVIII, (Albany: J. Munsell 1864), p. 162. de Villebon, 17 Jan., 1695, 23 Aug., 1695 in Acadia in the 17th Century, pp. 75-76 and 82.

101. Memoirs of Odd Adventures, Strange Deliverances, etc. in the Captivity of John Gyles, (Cincinnati 1869), first edition 1736, p. 34.

multiplied. Between 1689 and 1752 there were regular outbreaks of smallpox and other contagious diseases in New England, Ile Royale and Halifax, [102] raising the possibility that neighbouring Mi'kmaq communities were infected. There is little information regarding the Wuastukwuik, though the continual passage of Mi'kmaq and Abenaki peoples through their lands, would suggest that infections contracted by either of these peoples might easily have been transmitted to communities spread out along the Wulstukw.

More likely, however, is that disease would spread during war. War with New England had enveloped the region from 1690 to 1698, from 1702 to 1712, and again from 1722 to 1726.Conflict precipitated population shifts, facilitating the dissemination of infectious diseases and lowering the population's resistance as nutritional intakes plummeted. Thus, significant population losses likely occurred between 1690 and 1726 as war enveloped the region for about eighteen years. Population loss, however, is more plausible among Mi'kmaq living along the eastern coast and the Bay of Fundy as they were closest to European settlements and lay directly in the principal centres of conflict. Massive depopulation resulting directly from European borne diseases again, descended between 1746 and 1748 with the arrival of the d'Anville Expedition at Chebouctou in 1746. The apparent high mortality rates would suggest that the infected communities had not previously been exposed to many of the diseases brought via France.

Noting that a population has been struck by European-borne parasitical infections should not be automatically interpreted as a cataclysmic event, rendering village and society dysfunctional. Various factors would have mitigated their impact. Mortality rates would have been smaller among the Mi'kmaq than among some Native peoples, such as the Huron and

Haudenosaunee who lived in larger villages. As fishers and hunters, epidemics would not have interfered with spring planting or harvesting and reducing available food resources.[103] Exploiting a variety of foods which could be changed relative to social needs, the Mi'kmaq had a greater flexibility than the Huron in adjusting to dislocations created by epidemics. Village sites could be quickly vacated and families divided into smaller hunting and fishing groups. This in tandem with the practises of abandoning the incurable would have limited the communication of air-borne viruses.[104] There is also evidence that in cases where illnesses were recognized, attempts were made to stop all contact with the affected villages. During the summer of 1694, some Meductic people arrived at Pentagoet, an Abenaki village on the Penobscot River but were told to "go no farther lest they should bring contagious disease into their territory."[105] Similarly, during the Louisbourg smallpox epidemic of 1732-33, the Mi'kmaq deliberately avoided contact with the French. That summer   the Governor of Ile Royale, Saint-Ovide, journeyed to Port Dauphin and then to Abegweit (Ile St. Jean) to sit in council with village leaders and to distribute presents given each year from the French monarch.. The year before 200 Mi'kmaq had been present at both places but in 1733, Saint-Ovide reported to Versailles that a mere twenty arrived at Port Dauphin and "they departed the moment after they received their presents" while no one was present to greet the Governor at Abegweit. As the French governor later wrote, "these people

[103]. John Gyles notes that the outbreak of disease among the Saint John River Indians resulted in not settling or planting at their village. Gyles, Memoirs of Odd Adventures, p. 34.

[104]. JR, 2:93-95, Biard, 31 Jan., 1612; JR, 2:279-81, "A Relation of Occurrences in the Mission of New France During the Years 1613 and 1614".

[105]. de Villebon, Acadia at the End of the 17th Century, p. 75.

fear greatly" smallpox.[106]

While smallpox and other diseases would have affected the Mi'kmaq population prior to settlement, [107] their influence was less dramatic than has previously been suggested. Though these diseases cannot be identified with certainty, the number of European fishermen frequenting the coasts of Nova Scotia and the presence of sedentary Mi'kmaq villages near the coastline for six to nine months of the year, makes this statement plausible. The initial exposure may have occurred well before 1600 providing time to recover population losses before the French settlement of Port Royal in 1605 and well before the beginnings of a permanent French presence, dating from 1632. Thus unlike the Huron example where the importation of disease coincided with the beginnings of major changes in economic and political life, the introduction of disease in Mi'kma'ki was more gradual and thus its effect muted by a longer period of adjustment.[108] Similarly, intervals between major epidemics in the post-1600 period, the flexibility of Mi'kmaq and Wuastukwiuk settlement patterns and attempts to limit contact with infected communities, would have allowed Mi'kmaq villagers time to recover population losses prior to the advent of other, and perhaps more virulent infections. As a result their population was sufficiently large to survive even infections to which their peoples had not been previously exposed and thus had not acquired immunity. These conclusions are tentative and await a more thorough study which would analyze the limited population data, taken by French missionaries between 1708 and 1735, for clues as to possible stresses in the society's age-profiles.

---

[106]. "Rapport de Monsieur de Saint-Ovide", 14 nov. 1732, CMNF III: 163-164; AC, C11B 11:254-256; AC, C11B 14:104-104v, Saint-Ovide au ministre, 18 oct., 1733.

[108]. On the Huron see Bruce Trigger, Natives and Newcomers: Canada's `Heroic

The fragmentary character of source materials forces us to adopt a similar cautious approach in evaluating possible economic changes in post-contact Mi'kmaq and Wuastukwiuk societies precipitated by the fur trade. With the arrival of fishermen off the coasts of Nova Scotia during the early sixteenth century, exchanges occurred between Mi'kmaq peoples and Europeans, the latter trading knives, hatchets, bells, beads and cloth for the finely crafted furs and skins of the Mi'kmaq. During the following two centuries, this trade expanded, eventually taken over by professional traders who were able to offer the Mi'kmaq and later the Wuastukwuik an array of goods, including guns, powder and shot. Did this trade precipitate a restructuring of the Mi’kmaq and Wuastukwuik economy or alternatively, were the affects more subtle, as people integrated the trade into existing subsistence patterns? This question has important theoretical implications, for if radical changes occurred, then early seventeenth century descriptions of Mi'kmaq society written by Marc Lescarbot and Pierre Biard reflect a people living in the midst of profound economic change. Equally important, economic dependence upon European trade goods could be interpreted to mean a strict co-relation between survival and trade, limiting Mi’kmaq alternatives in negotiating treaties with the British Crown.

David Burley, Virginia Miller and Patricia Nietfeld have all suggested alterations in Mi'kmaq subsistence patterns following the introduction of European goods.[109] Nietfeld has argued that the Mi'kmaq now spent more time in the interior hunting for fur bearing animals,

---

Age' Reconsider, (Montreal: McGill-Queen's University Press, 1985, pp. 226-251.

[109]. David Burley, "Proto-Historic Ecological Effects of the Fur Trade on Micmac Culture", Ethnohistory, 28 (1981), pp. 203-214; Virginia Miller, "The Micmac: A Maritime Woodland Group", in Native Peoples: The Canadian Experience, edited by R. Bruce Morrison and C. Roderick Wilson, (Toronto: McClelland and Stewart, 1986), p. 345; Nietfeld, "Determinants of Aboriginal", pp. 372-377.

trapping furs during Autumn and Winter for trade with the European fishing and trading vessels which would reappear off their shores in early Spring. This had disastrous consequences. According to Nietfeld, the relative importance of aquatic resources declined and as families now made longer journeys inland to hunt for beaver the important spring fishery, which tapped anadromous and catadromous fish, was disrupted. Moreover, with the arrival of spring, Mi'kmaq pitched their tents in coastal areas where they hoped to trade with the Europeans but which were unfavourably situated to procure needed food. Fish and game were now by European foods during crucial times of the year and soon became an entrenched part of Mi’kmaq life. Dependence was repeated throughout all of Mi'kma'ki gradually leading to the homogenization of the economy and minimizing whatever regional differentiations had characterized the pre-contact society.[110]

This argument proceeds more from assumptions regarding how Aboriginal peoples reacted to the fur trade than any empirical evidence. Indeed, an over-reliance upon remarks written by the Jesuit priest, Pierre Biard [1611-13], the Parisian lawyer Marc Lescarbot [1606-07] and the French trader, Nicolas Denys [1635-1671] renders the conclusions tenuous. As research on the fur trade in the Eastern James Bay region has shown, the Cree did not initially become dependent upon European goods.[111] Rather, the trade's opportunities were integrated into established seasonal rounds which were sufficiently flexible so as to allow the exploitation of resources

---

110. A similar viewpoint is made by Virginia Miller, "Aboriginal Micmac Population: A Review of the Evidence", Ethnohistory, 23 (1976), pp. 119-123.

111. Toby Morantz, An Ethnohistoric Study of Eastern James Bay Cree Social Organization, 1700-1850, (Ottawa 1983), p. 28, 111-113; Daniel Francis and Toby Morantz, Partners in Fur: A History of the Fur Trade in Eastern James Bay 1600-1870, (Montréal 1983), pp. 61-64.

during periods when some things were more plentiful than others. For the Mi'kmaq, the fur trade was such a "resource." Seen from this perspective, an increased emphasis upon hunting fur bearing animals would not necessarily have meant a fundamental shift in seasonal migrations but rather an economic adjustment occasioned by the availability of new opportunities.

One possible reason why European trade was integrated into the Mi'kmaq economy without significant disruptions was because coastal occupation coincided with the migratory patterns of the European fishery. While trade may have been informal and haphazard during the early years of the sixteenth century, an expansion of the trade precipitated a more formal exchange pattern. By the early seventeenth century, there were specific places where trade was conducted.

Similarly, the European trade was integrated into trading relationships between the Mi'kmaq and neighbouring peoples. In May of 1602, an English ship commanded by Bartholomew Gosnold encountered near Cape Neddick on the Gulf of Maine, sixe Indians, in a Baske-shallop with mast and saile, an iron grappel, and a kettle of copper, {who} came boldly aboord us, one of apparelled with a waistcoat and breeches of blacke serdge, made after our sea-fashion hose and shoes on his feet; all the rest (saving one that had a paire of breeches of blue cloth) were all naked....their weapons are bowes and arrowes: it seemed by some words and signes they made, that some Basks of St John de Luz, have fished or traded in this place.[112]

Bruce Bourque and Ruth Holmes Whitehead have suggested the significance of this passage, identifying these peoples as either Mi'kmaq or Etchemin traders who exchanged European goods for the furs of Native populations living along the Gulf of Maine during the late sixteenth and

[112]. John Brereton, "Briefe and True Relation of the Discoverie of the North Part of Virginia in 1602", in Early English and French Voyages 1534-1608, edited by Henry S. Burrage, (New York 1906), pp. 330-331.

early seventeenth centuries.[113]

As the intermediary role played by some Mi'kmaq suggests, the trade affected social and political structures. In his examination of Inuit society before 1600, William Fitzhugh has pointed out at the "geography of acquisition and distribution" changed as a result of the fur trade. Many of the materials used in manufacturing tools and weapons became redundant, making travel to specific sites to acquire them or trading with local Native populations for them, unnecessary. Efforts which had been used in acquiring these materials were replaced by an emphasis upon other skills, intensifying "competition for prestige and authority" and validating aggressive behaviour.[114] Many male skills associated with making stone knives and clubs would have become less necessary in Mi'kmaq society, perhaps creating social tensions between young and old. But since the trade was not initially conducted by professional European traders but by the occasional fishermen seeking to augment their profits, the time frame in which Mi'kmaq tools and weapons were replaced by European manufactures was a gradual one, helping to reduce the resulting social and political dislocations. This process continued during the seventeenth century as guns replaced bows, arrows and spears as the principal weapons used for hunting and for war.

Thus, the European fur trade would not have led to significant alterations in Mi'kmaq subsistence patterns. An increased emphasis upon hunting fur based animals predated the beginnings of the trade and enhanced any changes already occurring. At the same time, it is likely

---

[113]. Bruce Bourque and Ruth Holmes Whitehead, “Tarrentines and the Introduction of European Trade Goods in the Gulf of Maine,” Ethnohistory 32, 4 (1985): 327-341.

[114]. William Fitzhugh, "Early Contacts North of Newfoundland before A.D. 1600: A Review", in Cultures in Contact: The Impact of European Contacts in Native American Cultural Institutions, A.D. 1000-1800, (Washington 1985), pp. 36-37.

that tool and weapon replacement precipitated social and political tensions as the society adjusted to learning new skills, skills that eventually gained prestige and authority for their practitioners. Adjustments occurred but the manner in which they occurred has been overstated by suggesting that the Mi’kmaq could not survive for long without European goods and that this need determined the political-making process.

* * * * * * * * * *

Anthropologists and historians have generally assumed that dramatic changes occurred in Mi'kmaq and Wuastukwiuk society following contact with European society. Such arguments have been premised upon little empirical evidence and ignored more substantive data regarding the persistence of Mi'kmaq settlement. While change certainly did occur in both societies, the available evidence would suggest that it was not as catastrophic and far reaching as has been

hitherto argued. Though the population of Mi'kmaq and Wuastukwiuk villages was reduced and different tools and weapons used, these changes were integrated into established social and political patterns which predated the European arrival. This, coupled with the long period of contact which preceded extensive European settlement, made possible a less shocking period of cultural adjustment which in the end also had important consequences for both peoples as they faced the stormy years that lay ahead.

CHAPTER 3
THE EARLY TREATY-MAKING PERIOD
John G. Reid

In the Boston negotiations that led to the treaty of 1725, ending the hostilities that had persisted since 1722 between the Mi'kmaq, Wuastukwiuk, and Wabanaki peoples and the British, all of the Aboriginal peoples affected were represented by Penobscot negotiators.[1]

---

[1]In this chapter, the term "Wabanaki" will be used to designate all Aboriginal peoples from the Saco River northeastward, up to but not including the Wuastukwiuk. Individual groups will be defined by river location. As a representation of ethnicities, this is far from a perfect definition. As Bruce Bourque has shown, the period examined in this chapter was one "of geopolitical turbulence that ultimately transformed the ethnic composition of northern New England and the Maritime peninsula." While the Mi'kmaq were readily recognizable throughout, the distinct emergence of the Wuastukwiuk from the larger Etchemin grouping and the integration of the more southwesterly Etchemin with the Eastern Abenaki were ongoing. Bruce J. Bourque, "Ethnicity on the Maritime Peninsula, 1600-1759," Ethnohistory, 36 (1989), p. 274 and passim. Also, the ethnic identification of the Aboriginal people of the Saco valley has been assigned by some, but not all, analysts to the Pawtucket rather than the Eastern Abenaki. See Emerson Woods Baker II, "Trouble to the Eastward: The Failure of Anglo-Indian Relations in Early Maine" (Ph.D. thesis; William and Mary College, 1986), p. 22; Bert Salwen, "Indians of Southern New England and Long Island: Early Period," in Bruce G. Trigger, ed., Handbook of North American Indians: Volume 15, Northeast (Washington, D.C.:

Although the Mi'kmaq had never before entered into a formal agreement with British colonizers, and although the Wuastukwiuk involvement in such agreements had been quite limited, the two peoples were thus brought into a history of treaty-making that had developed over half a century. This chapter will explore the major characteristics of Wabanaki-British negotiations and agreements over this early period, from 1675 to the outbreak of war in 1722. It will also assess the significant changes that took place in the British understanding of the process, which would in turn influence the attitudes the British would bring to negotiations with the Mi'kmaq and Wuastukwiuk. In doing this, some attention will be given to the internal complexities of British institutions - particularly the role of the Board of Trade as an influential but essentially advisory body - and the political and other pressures that affected the actions of British negotiators. In order to analyse successfully the nature of the interactions between Aboriginal peoples and colonial officials, it is necessary to consider the structures and institutions of each society. Thus, the chapter will trace important elements of the historical development, in treaty-making and in the evolution of perceptions on the British side that had created the circumstances for the Boston conference of November 1725.

1. Wabanaki-English Negotiations and Treaties, 1675-1710

Smithsonian Institution, 1978), p. 161; Dean R. Snow, "Eastern Abenaki," Ibid., pp. 137-8. The use of the term "Wabanaki" in this chapter represents an effort to recognize that the peoples of the region, while diverse, shared important common cultural and linguistic characteristics as well as diplomatic and military alliance through the Wabanaki Confederacy. The separation between the Wuastukwiuk and the Wabanaki is, in terms of the foregoing definition, artificial, but it is maintained because of the avowed concern of this overall report with the Mi'kmaq and the Wuastukwiuk.

The year 1675 marked an important turning-point in Wabanaki-English relations, because it saw the outbreak of war between New England and the Wampanoag - known to the English as "King Philip's War" - and the rapid spread of hostilities to the Wabanaki territory. The outcome of those hostilities was different from that which occurred in the military overpowering of the Wampanoag and the Narragansett by the English. The Wabanaki made considerable headway against English settlements, and created a situation where peace negotiations inevitably had to recognize that reality. There was also a price to be paid, however, in the form of disruption of the Wabanaki planting and hunting economy. In the early stages of the conflict, fighting was chiefly undertaken by the Saco and Androscoggin, but in 1676 English attempts to disarm the Kennebec and Penobscot brought in those branches of the Wabanaki also. Hostilities continued actively until 1677, despite peace agreements with the New Englanders reached during the summer of 1676 by some leaders of the Saco, Kennebunk, and Androscoggin.[2]

Peace continued to be intermittently sought by both sides later in 1676 and in the following two years, and the result was a series of written agreements of varying degrees of significance. In late 1676, a one-sidedly pro-English document was signed between the Governor and Council of Massachusetts and Mog, a Wabanaki captive in Boston who

[2] On the agreements of 1676, see Massachusetts Archives (MA), 30:206, Cocheco agreement, 3 July 1676; William Hubbard, A Narrative of the Troubles with the Indians in New England, ed. Samuel G. Drake (2 vols.; Roxbury, Mass.: W. Eliot Woodward, 1865; first published 1677), II, 153-7. See also Kenneth M. Morrison, The Embattled Northeast: The Elusive Ideal of Alliance in Abenaki-Euramerican Relations (Berkeley: University of California Press, 1984), pp. 107-10; Baker, "Trouble to the Eastward," pp. 185-96.

was described as a representative of the Penobscot. Its provisions included war reparations to be paid by the Wabanaki, but any Aboriginal observance of it came to an end when Mog made his escape a few weeks later.[3] More solid in its results was a peace agreement reached at Pemaquid in the summer of 1677. The English signatories represented not Massachusetts but New York. The two colonies were in conflict at that time over which - according to English claim - had jurisdiction over the territory northeast of the Kennebec River, and New York had established its fort at Pemaquid in July 1677. Its commander lost no time in making peace with the Kennebec, and a few weeks later with the Penobscot and others. No original text has survived, but the treaty stipulated peace and mutual exchange of prisoners. It was never signed by Massachusetts, but did commit the Wabanaki to leave in peace the English settlements southwest of Casco Bay.[4]

The Pemaquid treaty led on eventually to the negotiation of peace terms between the Wabanaki and Massachusetts in the early spring of 1678. Saco, Androscoggin, and Kennebec sachems met with three long-standing English residents of the Piscataqua region, and an agreement was concluded at Casco on 12 April 1678. According to surviving accounts, it was neither lengthy nor finely crafted - at least by the standards of later treaties - but its terms were revealing. As summarized in 1832 by the historian

---

[3]Baker, "Trouble to the Eastward," pp. 196-7, 206-7; Hubbard, Narrative of the Troubles, II, 176-7, 188-93.

[4]William Willis et al., eds., Documentary History of the State of Maine, Maine Historical Society Collections, Series 2 (24 vols.; Maine Historical Society: Portland, Maine, and Cambridge, Mass., 1869-1916; hereafter DHM), 6:189-93, Anthony Brockholts, Caesar Knapton, and Matthias Nicolls to Governor and Council of Massachusetts, 17 July, 18 August 1677.

William D. Williamson, it made three provisions: "1. the captives present were to be surrendered, and those absent released without ransome; 2. all the [non-Aboriginal] inhabitants, on returning to their homes, were to enjoy their habitations and possessions unmolested; but 3. they were to pay for their lands to the Indians, year by year, a quit-rent of a peck of corn for every English family, and for Major [William] Phillips of Saco, who was a great proprietor, a bushel of corn."[5] This treaty represented the conclusion of the first Wabanaki-English treaty-making period, and it ended hostilities for the time being. It was a major retrenchment by New England on the claims embodied in the forced agreement with Mog in 1676, and recognized the continuing indebtedness of the English to the Wabanaki. It was the result of a style of negotiation in which prominent residents of the English communities affected met directly with Wabanaki leaders. The process was carried on virtually without reference to England, and there is no evidence of the various agreements of the late 1670s even being reported formally to the English government.

Nevertheless, the 1678 treaty had weaknesses as a basis for future peace. It provided, the evidence suggests, neither a procedure for payment of the English tribute of corn nor a mechanism for settling future disputes. An attempt was made in 1685 to remedy the second of those problems, in a treaty between the English provinces of Maine and New Hampshire, and the Kennebec, Androscoggin, Saco, and Pawtucket. This agreement, which dealt exclusively with practical measures designed to maintain peace, was reported to England by a New Hampshire signatory, but there is no evidence as to what, if any, attention was paid to it by the Lords of Trade, the committee of the English Privy Council charged with overseeing colonial affairs.[6] Certainly, its effects were soon overtaken by

other events. Tension continued to arise over English non-payment of the corn agreed in 1678. Conflicts between the English government and the regime in Massachusetts led in 1684 to cancellation of the Massachusetts charter and a period of rule under a "Dominion of New England" that was more directly under royal control. The Dominion itself fell in early 1689 as a result of the English Revolution that overthrew the Stuart dynasty in favour of King William III and Queen Mary, and only in 1691 was a new charter issued for Massachusetts. By that time, war had been declared by England on France, and its results in North America included the beginning of a military alliance between French Acadia and the Wabanaki, Wuastukwiuk, and Mi'kmaq.

The years from 1688 to 1699 were dominated, between the Wabanaki and New England, by intermittent but persistent hostilities. Again, the Wabanaki enjoyed considerable military success, notably in the capture of Pemaquid in August 1689. Queried by one of the fort's defenders on the Wabanaki purpose in the siege, a Penobscot speaker was quoted as declaring "that they wanted their own country and meant to take it and the fort."[7] But, as previously, war was disruptive to the Wabanaki economy when extended over a period of years. This was intensified in the summer and fall of 1692 by effective New England raids on Wabanaki planting-grounds, and at the same time disillusionment with the French alliance arose from unsuccessful military ventures and the English reoccupation of Pemaquid. It was in this context that a Wabanaki-English truce was agreed in July 1693, and a treaty concluded at Pemaquid on 11 August.[8]

The treaty of 1693 was negotiated between, on the one side, a Wabanaki delegation

---

[8]DHM, 23:4-5, Truce agreed at Pemaquid, 21 July 1693; see also Morrison, The

headed by the Kennebec and Penobscot sachems Egeremet and Madockawando, and on the other side the Massachusetts governor, Sir William Phips. Its written terms were embodied in two documents. One, signed by Phips, committed the English to peace on condition that the terms of the other were observed by the Wabanaki. It was the other document that contained the specifics. Allocating responsibility for the war to the Wabanaki and their alliance with the French, the treaty promised "hearty subjection and obedience unto the Crown of England" on behalf of all Aboriginal inhabitants of what were described as "the Eastern parts of the ... Province of the Massachusetts Bay." Within this area too, the English were to enjoy "all and singular their Rights of land and former Settlements and Possessions."[9] These terms were unprecedented in Wabanaki-English relations, and they apparently represented a remarkable swing in negotiations towards Wabanaki acceptance of subject status. However, there was much more to the 1693 treaty than met the eye. It was quickly denounced by other leaders on both sides as reflecting the self-interest of its principal signatories rather than any substantive agreement between peoples. John Usher, governor of New Hampshire, lost no time in complaining to the English government that the negotiations had unfairly excluded New Hampshire and that it had in any case been so ineffective that, for example, no prisoners had been exchanged. At the same time, a powerful Penobscot faction led by the sachem Taxous refused to give assent either to the negotiations or to the treaty, and there is evidence too of disquiet among the Kennebec.[10]

Embattled Northeast, pp. 126-8.

[10]PRO, CO5/751, No. 38, John Usher to the Earl of Nottingham, 30 October 1693; John Clarence Webster, ed., Acadia at the End of the Seventeenth Century (Saint John:

Criticism of the 1693 treaty intensified greatly after a further meeting between Phips, Egeremet, and Madockawando in May 1694, at which Madockawando sold to Phips a large tract of land on the St. George's River, between the Kennebec and the Penobscot. Usher again condemned Phips, for self-interestedly using a supposed peace process "only to Carry on an Indian Trade." Taxous moved quickly to resume the war, and within weeks had been joined by other Penobscot and Kennebec, including Madockawando himself.[11] The treaty was, in reality, a flawed one, raising serious questions on both sides as to the relationship between leadership and self-interest. It was also the product of an unusual personal dynamic between those who negotiated it. Phips had grown up during the 1650s and 1660s in a small English trading settlement on the Kennebec River, and the evidence of his biographer Cotton Mather combines with Phips's own testimony in a petition later in 1693 to indicate that he was personally well known to the Wabanaki delegates.[12] Yet Phips was also the first governor of Massachusetts under the charter of 1691, which explicitly put the position of governor under English government control. He was well aware that his own standing with the crown and in Massachusetts itself would be enhanced by apparent success in prompting the submission of the Wabanaki. The evidence suggests that he used whatever personal credibility he had with Madockawando

---

New Brunswick Museum, 1934), pp. 53-4, Journal of Joseph Robinau de Villebon, September-October 1693.

[11]PRO, CO5/924, No. 40 (i), Usher to William Stoughton, 28 July 1694; Webster, Acadia at the End of the Seventeenth Century, pp. 63-4, Account of a Journey made by Monsieur de Villieu, June-July 1694; Morrison, The Embattled Northeast, pp. 130-2.

[12]Cotton Mather, Magnalia Christi Americana, Books I and II, ed. Kenneth B. Murdock, with the assistance of Elizabeth W. Miller (Cambridge, Mass.: Harvard University Press, 1977), p. 337; PRO, CO5/857, No. 95, Petition of Sir William Phips,

and Egeremet to attain this goal, but without in reality reaching an agreement that could command genuine Wabanaki support or even avoid controversy on the English side.

Yet the apparently thoroughgoing nature of the Wabanaki concessions in the negotiation of 1693 made this questionable treaty a convenient starting point for the English in future negotiations. It was presented again to Kennebec, Androscoggin, and Saco leaders in 1699 in a series of negotiations that, in bringing to an end the hostilities of the 1690s, led on to a significant Wabanaki proposal and a period of reconciliation. At Mare's Point, on Casco Bay, a document was signed in January 1699 that reaffirmed the treaty of 1693, but in circumstances that were again open to doubt, as a close relative of one of the chief Wabanaki negotiators - Bomoseen, nephew of the Kennebec sachem Moxus - was being held prisoner at the site, to be released only on Wabanaki acceptance of "submission and Obedience unto the Crown of England."[13] By September, three Wabanaki messengers had communicated to Boston a new statement that looked forward to a peaceful relationship with New England but was significantly different from the treaty of 1693. The sachems would commit themselves, guardedly, to an acceptance that "King William Englishman's King is their King." They favoured renewal of English settlement eastward to Pemaquid, but by Wabanaki invitation rather than English right. Wabanaki planting-grounds were to be safeguarded, as well as village sites, and hunting, fishing, and cutting of firewood. The proposal also envisaged expansion of

---

[1693].

[13]MA, 30:438a, Order of the Massachusetts General Court, 30 November 1698; Ibid, 439-42, Renewed Submission of the Eastern Indians, 7 January 1699.

Wabanaki-English trade.[14]

In important respects, the Wabanaki proposal of September 1699 was in harmony with the current understanding of Wabanaki-English relations in New England. The language of Aboriginal subordination and submission, which had appeared so strongly in 1693 and had reappeared in early 1699, did not disappear altogether. Nevertheless, now as in 1678 there was a recognition -at least among certain influential New England leaders - that genuine negotiation with the Wabanaki was crucial to the English presence east of the Piscataqua River, and perhaps to the very survival of New England as a whole. This case was forcefully put by the new governor of Massachusetts - and of New Hampshire and New York - the Earl of Bellomont in early 1700, in the context of reports of widespread anti-English maneuvers by the Wabanaki and allied Aboriginal peoples elsewhere. "If ... there should be a generall defection of the Indians," Bellomont informed the English Board of Trade, "the English in a moneth's time would be forc'd on all the Continent of America to take refuge in their Towns, where I am most Certain they Could not Subsist Two moneths, for the Indians would not Leave 'em any sort of Cattle or Corn."[15]

The immediate English fears of widespread hostilities in the spring of 1700 were much exaggerated, but Bellomont's warning was as much a product of his considered strategic appraisal as of any specific set of circumstances. It was influenced by the advice

---

[14]MA, 30:447-8, Memorial of the Sagamores, 8 September 1699; PRO, CO5/789, p. 247, Minutes of Massachusetts Council, 9 October 1699.

[15]PRO, CO5/861, No. 31, Bellomont to Board of Trade, 20 April 1700.

of John Nelson, a former trader with the Wabanaki, and by criticism from New York of New England's seeming inability to negotiate productively with Aboriginal peoples.[16] Over the next three years, extending beyond the time of Bellomont's death in office in 1701 and into the early years of the governorship of Joseph Dudley, a series of conferences took place in which - even on the English side - the language of submission was eclipsed by that of friendship and coexistence. During the summer of 1700, the Massachusetts General Court moved to address the economic difficulties of the Wabanaki by establishing a trading house at Casco. Not quite a year later, when John Nelson and two other Massachusetts commissioners travelled to Casco to meet with a Wabanaki delegation headed by Moxus, they found that tensions still remained over such issues as unreturned prisoners and Wabanaki resentment of aspersions cast by the English on their Catholicism. Nevertheless, agreement was reached on further extension of trade, and a Massachusetts offer to supply a gunsmith for maintenance of Wabanaki firearms. Wabanaki representatives would not agree to block communications to their territory from French Canada, but they did offer neutrality in any future English-French war. Mutual respect was symbolized by the raising of stone cairns by the two sides, and amid reciprocal gift-giving it was reaffirmed by Penobscot, Kennebec, and Androscoggin delegates who visited Boston in December 1701.[17]

---

[16]PRO, CO5/861, No. 31, Robert Livingston to Bellomont, 8 April 1700; Richard R. Johnson, John Nelson, Merchant Adventurer: A Life Between Empires (New York: Oxford University Press, 1991), pp. 110-12.

[17]PRO, CO5/787, pp. 390-1, Minutes of Massachusetts Council, 9 July 1700; PRO, CO5/862, No. 101 (i), Heads and Propositions, 3 June 1701; Ibid., No. 101 (ii), Minutes of Massachusetts Council, 27-29 December 1701.

The major threat to the persistence of any such understanding between English and Wabanaki, however, was the stress on the relationship that would inevitably follow renewal of war between England and France, as took place in 1702. There were three possibly volatile consequences that could follow. One was French intervention, although in itself this was likely to be much less influential than the English feared. French documentation makes it clear that the French governor of Acadia, Jacques-Francois de Mombeton de Brouillan, was extremely pessimistic by late 1702 that Wabanaki-English relations could be disrupted.[18] A second, factor, however, was Wabanaki factionalism. A powerful group, headed by leaders such as Moxus and Bomoseen, was heavily committed to dialogue with the English. But others were less strongly convinced, and open French-English conflict might harden and strengthen their position. Thirdly, New England defensiveness, and its expression in a spirit of subjugation, was always a possible influence. That it had been obscured since 1699 did not mean that it had ceased to exist, and even the conciliatory tones generally used at this time by Governor Joseph Dudley were at times replaced by bluster and threat. Dudley met with Moxus and a large Wabanaki delegation at Sagadahoc in July 1702, a few weeks after the news of war between England and France, and the two maintained regular contact during what proved to be a tense year. At a further meeting at Casco in June 1703, the Wabanaki present rebuffed Dudley's suggestion of military alliance, preferring to reaffirm a neutral position. Within weeks, however, pro-French Wabanaki attacked English settlements, and a declaration of war hastily issued by Dudley on the prompting of the Massachusetts

---

[18]France, Archives des Colonies (AC), C11D, 4:212, Brouillan to the Minister of

General Court ensured that the conflict could not be contained.[19]

From now until the end of hostilities in 1713, English rhetoric swung strongly back towards the related notions of submission and rebellion: that Wabanaki behaviour must necessarily be governed by one or the other. Wabanaki participation in military activity was intermittent and not always wholehearted. It carried a heavy price in terms of economic and societal disruption, and migration by some Wabanaki to Canada proved to be an imperfect solution at best. Nevertheless, in phraseology used repeatedly in New England documents of the time, the Wabanaki were officially considered by the English to be "bloody Rebells."[20] The Wabanaki-English relationship had moved through several phases since 1675. On the English side, acceptance of the principles underlying the treaty of 1678 had been severely weakened by the terms of the treaty of 1693, however flawed it had been. The re-emergence, at the turn of the century, of English negotiation in a spirit of coexistence, and of the primacy of a pro-English group among the Wabanaki, had failed long to survive the outbreak of French-English warfare in 1702. Whether treaty-making could be revived in the future would be determined only when peace negotiations began.

2. Shifts in British Perceptions, 1696-1721

Marine, 30 December 1702.

[19]PRO, CO5/862, No. 125 (ii), Memorial of Sagadahoc Conference, 27 July 1702; Samuel Sewall, The Diary of Samuel Sewall, 1674-1729, Vol. 2, 1699/1700-1714, Massachusetts Historical Society Collections, 5th series, Vol. 6 (Boston, 1879), p. 87; PRO, CO5/863, No. 51 (ii), Proclamation Declaring the Pennicooke and Eastern Indians Rebels and Enemies, 18 August 1703.

New England official ambivalence towards the Wabanaki, as seen in fluctuation between the rhetoric of coexistence and that of submission, was produced in part by attitudes and calculations originating in New England. Yet it was mirrored, and at times directly influenced, by a similar ambiguity in the perceptions of the relevant sectors of the government of England - of Great Britain, from the time of the Union of England and Scotland in 1707 - and notably of the Board of Trade. The organization of the Board of Trade in 1696 marked a significant turning point in the structuring of English imperial administration. The succession of committees and councils that had existed in earlier years - culminating with the Lords of Trade - had not generated any consistent approach to trade or imperial affairs. The Board of Trade had its own limitations, but it did function as a focal group for information and ideas, as well as providing for continuous record-keeping. Its creation was the result of political pressure on the crown in early 1696, as war-related losses of English merchants prompted a proposal in the House of Commons to create a parliamentary council with strong powers in the areas of trade and colonial affairs. The crown headed off this potential extension of parliamentary power by quickly creating the Board of Trade, with duties in the same areas. The Board of Trade, however, did not have executive powers. It functioned as an advisory body to the Privy Council, which itself was an institution in decline. As a long-term trend, government decisions were increasingly being initiated through the departments of the major officers of state, and through the smaller "Cabinet Council." The Privy Council still had significance in offering advice directly to the monarch, and as the origin of orders of the

King or Queen in Council. Nevertheless, the Board of Trade typically exerted its influence through one of the Secretaries of State, who took colonial business to the Privy Council or the Cabinet Council for action.[21]

The appointment of two Secretaries of State - with administrative responsibilities for domestic, foreign, Irish, and Scottish affairs - had originated in the early seventeenth century. By the 1680s, a firm distinction had emerged between the Secretary of State for the Southern Department, whose tasks included corresponding with English diplomatic representatives in southern and western Europe, and the Secretary of State for the Northern Department, whose areas included northern and eastern Europe. They shared domestic duties. Colonial responsibilities fell to the Secretary for the Southern Department, who was normally the longer-serving of the two Secretaries: the more junior Secretary would take over the Southern Department when the more senior left office. Potentially, the Secretaries wielded extensive power and influence, though - in a system where personal connections and power bases were crucial - this varied from individual to individual. The same was true of the Board of Trade. The most important power that it lacked in colonial affairs was the power to appoint governors. But its correspondence

[21]On the founding and early operations of the Board of Trade, the key modern study is I.K. Steele, Politics of Colonial Policy: The Board of Trade in Colonial Administration, 1696-1720 (Oxford: Oxford University Press, 1968). Still useful is Oliver Morton Dickerson, American Colonial Government, 1696-1765: A Study of the British Board of Trade in its Relation to the American Colonies, Political, Industrial, Administrative (Cleveland: Arthur H. Clark Co., 1912). On related aspects of English and British administrative structures, see also Jennifer Carter, "The Revolution and the Constitution," in Geoffrey Holmes, ed., Britain After the Glorious Revolution, 1689-1714 (London: Macmillan, 1969), pp. 39-58; Geoffrey Holmes, British Politics in the Age of Anne (London: Macmillan, 1967); and Mark A. Thomson, The Secretaries of State, 1681-1782 (London: Frank Cass, 1932).

with governors and with others who had economic or political interests in the colonies ensured to it a body of knowledge that could translate into strong influence, particularly in matters of long-term strategy. Whether it actually did so, though, depended upon the composition of the Board, the competence of its members, and their political compatibility with the ministers of the Cabinet Council. In general, as I.K. Steele has shown, the initial energy and effectiveness of the Board of Trade between 1696 and 1702 was checked after the accession of Queen Anne, and declined further in 1707 as the membership came to be dominated by Members of Parliament - who frequently had little expertise in colonial matters - rather than administrators. A further complete change in personnel on the accession of King George I in 1714, though still with parliamentarians predominant, brought efforts to restore the Board's grasp on colonial affairs, but its weakness remained that it was increasingly far removed from the real decision-making power of government.[22]

At the time of its founding, however, the Board of Trade quickly came to grips with a series of broad, strategic issues affecting North America, of which relations with Aboriginal people was one. John Nelson made a series of submissions to the Board in which he argued that the French had attained a crucial advantage over the English by building up constructive relations with Aboriginal peoples, and that the English had no alternative but to try to emulate their success. He focused especially on the Houdenasaunee, but also urged that the friendship of the Wabanaki should be gained

---

[22]Steele, Politics of Colonial Policy, pp. 170-2, and passim.

through trade and diplomatic activity.[23] By 1699, the Board of Trade had adopted many of Nelson's ideas as its own. To Secretary of State James Vernon, it argued that the British must seek out the opportunity to trade with Aboriginal peoples in the Great Lakes region and further west, and that it was essential to maintain what it described as "His Majesties Right to the sovereignty of the Five Nations of Indians."[24] The reports of Bellomont, and the news of the French-Houdenasaunee settlement of 1701, added urgency to these goals and they persisted despite changes in Board of Trade personnel. In June 1709, the Board commented to the crown on what it regarded as the harmful effects of Houdenasaunee neutrality - especially in freeing French and Wabanaki forces to make war on New England - and reasserted British claims to sovereignty over the Houdenasaunee in virtually the same words as it had used to Vernon a decade earlier. The words of the 1699 submission were also repeated as the Board called for British freedom to trade with Aboriginal peoples further west.[25]

These goals, reinforced by reports coming from New York officials in the spring of 1711 of French diplomatic initiatives among the Houdenasaunee, were carried into the British-French negotiations that led eventually to the Treaty of Utrecht in 1713. Although evidence is incomplete as to the exact sequence of communications that took place, an undated British document filed with material from March 1712 clearly represents an early proposal for what would become Article 15 of the treaty. It explicitly called on the French to pose no obstacles to British trade with Aboriginal peoples, and to recognize British sovereignty over the Houdenasaunee.[26] Specific negotiations followed, during which the French gave guarded approval, provided reciprocal assurances on French trade were given by the British and provided that commissioners were given the task (after the treaty) of defining which Aboriginal peoples other than the Houdenasaunee were subjects of or

---

[23]PRO, CO5/859, No. 129, CO323/2, No. 79, John Nelson to Board of Trade, 2 November, 2 December 1697; see also Johnson, John Nelson, pp.87-91.

[25]PRO, CO324/9, pp. 307ff., Board of Trade to Queen Anne, [2 June 1709].

[26]PRO, SP103/98, f. 258, British Demands, [March 1712].

allied with the British or French. The French Minister of Marine, Jerome Phelypeaux, Comte de Pontchartrain, expressed doubt as to the entire principle of the British proposal, on the ground that it involved a degree of trade freedom that conflicted with the mercantilist concept of colonization. When the British persisted, however, he agreed to hand the issue over to the Utrecht negotiators rather than endanger the overall peace process. The result was embodied in December 1712 in the formal French counter-proposals to a British draft of the treaty, and it appeared in the form that would become Article 15:

> Galliae Subditi Canadam incolontes, alias quinqe Nationes Sive Cantones Indorum Magnae Britanniae Imperio Subjectos, ut et caeteros americae Indigenas, eidem amicitia conjunctos, nullo inposterum impedimento aut molestia afficiant, pariter Magnae Britanniae Subditi cum Americanis Galliae vel Subditis vel amicis, pacifice se gerent, et utrique Commercii cause frequentandi Libertate plena gaudebunt. Sicut pari cum Libertate Regionum istarum indigenae Colonias Britannicas et Gallicas ad promovendum hinc inde Commercium pro lubitu adibunt, absqe ulla ex parte Britannicorum Seu Gallicorum molestia aut impedimento Qui nam vero Britanniae Seu Galliae Subditi et Amici censeantur ac censeri debeant id per Commissarios accurate dinstincteqe describendum erit.[27]

---

[27]Translation: "The subjects of France inhabiting Canada shall not bring any impediment or harm to the five nations or cantons of Indians subject to the rule of Great Britain or to other native peoples of America joined in the same friendship. Likewise the subjects of Great Britain will conduct themselves peacefully towards the Americans who are subjects or friends of France. And they will each enjoy full liberty of commercial interchange. So too with equal freedom the native people of these regions shall from now on visit the British and French colonies to promote trade as they desire, without harm or impediment from the British or French. As to which are truly subjects and friends of Britain or France, they will be enumerated and the commissioners must define them accurately and distinctly in writing." PRO, SP104/26, p. 217, French counter-proposal, [December 1712]. I am grateful to Professor Geraldine Thomas for her valuable assistance with the translation of this document. On the earlier stages of its negotiation, see PRO, SP103/98, ff. 345-6, French Response to British Demands, 20 March 1712; PRO, SP103/100, f. 220, Observations on British Proposal, 12 August 1712; Ibid., ff. 246-7, Memoir of Pontchartrain, [17] August 1712; Ibid., f. 283, British Response, [25 August 1712].

For an article that provided for such extensive freedoms to both colonists and Aboriginal inhabitants, Article 15 proceeded through the negotiations with remarkably little difficulty. The British were convinced that they had achieved their two goals of gaining access to the interior trade and establishing beyond doubt their sovereignty over the Houdenasaunee. The reality, as the French were no doubt aware in making the apparent concession of agreeing to the article, was more complex. The Houdenasaunee had not submitted to British sovereignty, and the existence of Article 15 offered no reason why they should do so. The provisions regarding freedom of trade gave no guarantee of British commercial expansion, which would depend - in the context of the complex societal and cultural underpinnings of trade - much more on the ability to build friendship and alliance with Aboriginal peoples than on the Treaty of Utrecht.[28] Furthermore, the promised deliberations of commissioners to define the supposed status of Aboriginal peoples never took place, despite being scheduled in both 1714 and 1719. On both occasions, discussions over Article 15 were deferred or displaced by consideration of issues deemed to be more urgent.[29] Thus, there was no further refinement or clarification of the article, and although it was cited in future years by both British and French colonial officials, no agreement emerged over what it meant. Over time, the British government - and the Board of Trade in particular - was forced to realize that Article 15 had brought few practical benefits, and that there was still a serious problem to be faced in reconciling

[29]See France, Affaires Etrangeres, Correspondance Politique, Angleterre (National Archives of Canada, MG5, A1), 262:373-5, Henry St. John, Viscount Bolingbroke, to Marquis de Torcy, 29 July 1714; PRO, SP103/16, n.p., Letter of Martin Bladen, 29

earlier British claims to the subjection of Aboriginal peoples with the clear need for negotiation and, if possible, reconciliation.

As the Board of Trade grappled with this question, relations with the Mi'kmaq, Wuastukwiuk, and Wabanaki assumed central importance in its view of North America. "What method can you propose," it asked Nova Scotia lieutenant-governor Thomas Caulfeild in July 1715, "for gaining and preserving the Indians to Our Interest, particularly those of Penobscot and the Eastern Indians?"[30] This was no idle query. It was made a short time after the Board had heard from Caulfeild of the Penobscot's refusal of an invitation to swear allegiance to the new British king, George I, on the ground that "je ne proclame point de roy Estranger dans mon pays." The Board had also heard reports on continuing contacts between the Mi'kmaq and the French in Cape Breton, portrayed as an illustration of the effectiveness of French religious conversion of Aboriginal people and intermarriage with them.[31] By the time the Board came to issue instructions to a new Nova Scotia governor, Richard Philipps, in 1719, it was prepared to move explicitly to emulate the French example. Philipps must, the instructions prescribed, "cultivate and maintain a strict friendship and good Correspondence with the Indian Nations inhabiting within the precincts of your Government, that they may be reduc'd by Degrees not only to be good Neighbours to His Majesty's Subjects, but likewise themselves become good Subjects to His Majesty." The methods to be used included gift-giving and financial

---

December 1732.

[30]PRO, CO218/1, pp. 252-4, Board of Trade to Caulfeild, 22 July 1715.

incentives for intermarriage.[32] Just over two years later, the Board submitted to the crown a lengthy analysis of the state of British colonization in North America, and identified "a good understanding with the Native Indians" as one of three essential general goals to be pursued. Again, it favoured imitating what it believed to be the French model, advocating regular distribution of presents, the dispatch of British Protestant missionaries, the direct use of trade for strategic creation of alliance, and the extension of the Nova Scotia provision for intermarriage "to all the other British Colonies."[33]

The Board of Trade's submission of September 1721 did give evidence that it had recognized that the creation of workable British-Aboriginal relationships was no simple matter, and that it had given attention both to the French example and to certain of the protocols of Aboriginal diplomacy. Yet the document also showed clearly the ambivalence that was inherent in any such British formulation. First of all, the legacy of long periods of interaction - frequently, of conflict - between British colonizers and Aboriginal inhabitants in various parts of North America could not so easily be set aside. Secondly, while it was all very well for the Board of Trade to advocate, as it did in 1721, that colonial governors should make "Treaties and Alliances of Friendship with as many Indian Nations as they can," or to imply in Philipps's instructions that the way in which Aboriginal inhabitants would be "reduc'd by Degrees" to become British subjects was an essentially benign process, the reality was that unilateral demands and assertions were not

---

[32]PRO, CO5/189, pp. 427-8, Instructions to Richard Philipps, 14 July 1719. Although formally issued by the Lords Justices, the instructions had been drafted by the Board of Trade. See PRO, CO218/1, pp. 417-48, Board of Trade to Lords Justices, and Draft Instructions, 19 June 1719.

[33]PRO, CO324/10, pp. 412-18, Board of Trade to the King, 8 September 1721.

retracted.[34] It was a fact for Philipps in July 1720, as he informed Wuastukwiuk representatives - who were polite but not submissive - that they and their lands were "dans ce Governement du Roy George." It was equally obvious to the Board of Trade, as it reflected on the renewal of Mi'kmaq-British hostilities in 1722, that the actions of "the Indian Natives" were illegitimate and French-inspired: "altho' this Province [Nova Scotia] was solemnly given up to the Crown of Great Britain by the Treaty of Utrecht the Possession his Majesty has of it is a very precarious One."[35] The tension between the language of submission and the language of diplomacy - with their associated actions - was still unresolved.

3. Wabanaki-British Negotiations and Treaties, 1711-1722

The outbreak of renewed hostilities between the Wabanaki and New England in 1703 led to an extended period of economic and societal stress on the Wabanaki, the results of which included a significant migration to Canada. By 1711, however, Wabanaki disillusionment at being pressured to fight by French officials, and discontent with conditions in Canadian mission settlements, had led to a significant reverse migration. Cautious overtures began between Wabanaki and British, and by early 1713 the commander of the British fort at Casco was reporting to Governor Dudley on meetings

[34]PRO, CO5/189, p. 428, Instructions to Philipps, 14 July 1719; PRO, CO324/10, p. 417, Board of Trade to the King, 8 September 1721.

[35]PRO, CO217/3, No. 18 (xi), Philipps to the Wuastukwiuk, 27 July 1720; PRO, CO218/2, pp. 23-5, Board of Trade to Lord Carteret, 26 September 1722.

with Kennebec sachems who declared "that the French had deceived and drawn them in."[36] Dudley's reaction was to favour negotiations of a sort, although he had already encouraged Moody to offer the Wabanaki misleading accounts of French surrenders at the Utrecht conference, had informed the Board of Trade mendaciously that the Wabanaki had "for these sixty years acknowledged their dependance upon the Croun of great Britayn," and now for a time - in consultation with the General Court - demanded Wabanaki children as hostages as a precondition for considering peace.[37] Finally, a conference was called for Portsmouth, New Hampshire, in July 1713. It was attended by representatives of the Kennebec, Penobscot, and Wuastukwiuk, as well as by Dudley and council members from Massachusetts and New Hampshire. That there was some suggestion that the Mi'kmaq could also be taken to be represented by the Aboriginal delegates is indicated by Dudley's description of fifteen Cape Sable Mi'kmaq prisoners he had recently returned as "men of your Tribes," although the treaty eventually signed set the Wulstukw River as the northeastern boundary of the area affected.[38]

From the beginning, the initiative at the Portsmouth conference was taken by Dudley; at the subsequent ratification conference at Casco, the initiative shifted to the Wabanaki sachems. Dudley's speech at Portsmouth cited the 1693 treaty and other subsequent agreements that, Dudley argued, had been broken by the Wabanaki. Thus, the

---

[36]DHM, 9:315-16, Samuel Moody to Dudley, 3 January 1713; Morrison, The Embattled Northeast, pp. 159-61.

[37]DHM, 9:317-19, 333, Dudley to Moody, 12 November 1712, 17 January 1713; PRO, CO5/865, No. 95, Dudley to Board of Trade, 2 December 1712.

[38]DHM, 23:40, Dudley to Aboriginal Delegates, 13 July 1713.

Wabanaki must accept full responsibility for their "open Rebellion." Before any substantive negotiation had taken place, Dudley signalled his intent to produce British-drafted articles of submission for Wabanaki signature. They were finalized on 13 July, and presented on the following day. Along with Wabanaki submission to the British crown, the text recognized the right of New England settlers to "Enjoy all and Singular theire Rights of land and former Setlements," though "Saveing unto the said Indians Theire own grounds and free liberty of Hunting Fishing Fowling and all theire lawfull liberties and Priviledges" as existed on the date of signing the 1693 treaty. Also promised was regulation of trade by the governments of Massachusetts and New Hampshire.[39] For the Wabanaki, the ending of the economic disruptions of war and the re-establishment of trade on a firm footing were important matters settled at Portsmouth. On the questions of land and submission, however, the sachems assembled at Casco had further comments to make. In the context of the importance attached by Wabanaki speakers to the oral record, as opposed to British assumptions of the primacy of written texts, these comments were profoundly significant. They emerge from a written record of the speeches that is brief enough to offer only fragments of the speeches made. One of the observations attributed to the sachems clearly stated an understanding that the obligations imposed by the treaty were reciprocal and did not represent a one-sided submission: "If the Queen att home makes this Peace contained in these Articles as Strong and durable as the Earth Wee for our Parts shall endeavour to make it as strong and firm here." And to the British claim that the French had ceded to them "all the Land on this side Placentia,"

[39]DHM, 23:40-5, Proceedings of Portsmouth Conference, 13-14 July 1713; PRO,

the sachems objected directly: "the French never said anything to us about it and wee wonder how they would give it away without asking us, God having at first placed us there and They having nothing to do to give it away."[40]

Even leaving aside, therefore, the possibility of faulty translation, or any inference that the New England resident Thomas Bannister referred to the Portsmouth conference when he observed to the Board of Trade in 1715 that "I have been present when an Article of the Peace has run in one Sence in the English, and quite contrarie in the Indian, by the Governours express order," the Portsmouth and Casco proceedings of 1713 gave clear evidence of the existence of different understandings of the conclusions reached. The matter was further complicated by the ambivalent position of the French. While France had indeed assumed the right in the Treaty of Utrecht to cede Aboriginal territory, the official French view was that the Wabanaki territory was not included in the cession of Acadia/Nova Scotia to Great Britain, and Governor Vaudreuil of Canada thus felt able to offer the assurance that "leur [the Wabanaki's] terre etant a eux les Anglois n'y peuvent pretendre aucun droit."[41] Complications were soon introduced too by New England actions that were seen by Wabanaki leaders as breaches of the 1713 treaty. First, the Massachusetts House of Representatives passed legislation to deregulate the fur trade in direct contradiction of the treaty, resulting in chaotic prices, allegations of abuse by

---

CO5/931, No. 10, Submission and Agreement of the Eastern Indians, 13 July 1713.

[40]DHM, 23:45-50, Journal of the Commissioners, [15-22 July 1713].

[41]PRO, CO5/866, No. 53, Thomas Bannister to Board of Trade, [15 July 1715]; Public Archives of Nova Scotia (hereafter PANS), RG1, Vol. 3, No. 67, Vaudreuil to the Minister of Marine, 14 November 1713.

unscrupulous traders, and an upsurge in liquor trading, about all of which Wabanaki representatives complained in vain at conferences in January and July 1714.[42] Ultimately more explosive was the issue of the expansion of New England settlement on the Kennebec and Androscoggin Rivers, under the so-called Pejepscot Patent. Dating originally from the 1630s, the patent had passed through several ownerships and had been enlarged by purchases from the Kennebec and Androscoggin by the time it was bought in 1714 by a group of wealthy Massachusetts merchants. The new proprietors, with the knowledge and consent of the Massachusetts General Court, moved quickly to establish the towns of Brunswick and Topsham on the Androscoggin, and to build a fort at Brunswick.[43]

The summers of 1715 and 1716 were tense throughout the territories of the Mi'kmaq, Wuastukwiuk, and Wabanaki, which were now regarded by the British as an unbroken stretch of British land running from peninsular Nova Scotia to northern New England. The summer of 1717 brought the problems into focus, as Wabanaki representatives - five from the Kennebec, and single representatives from the Androscoggin, Penobscot, and Pigwacket - met with a new Massachusetts governor, Samuel Shute, on Arrowsic Island at the mouth of the Kennebec. Shute, a retired lieutenant-colonel of the British army, came into direct conflict with the Wabanaki speaker Wiwurna, one of the Kennebec sachems. Some of the points raised were general. Wiwurna's comment that "Other

---

[42]DHM, 23:51-7, Boston Conference, 11-16 January 1714; Ibid., 23:64-80, Portsmouth Conference, 23-28 July 1714; Morrison, The Embattled Northeast, p. 172.

[43]Gordon E. Kershaw, "Gentlemen of Large Property and Judicious Men": The Kennebeck Proprietors, 1749-1775 (Portland: Maine Historical Society, 1975), pp. 18-19.

Governours have said to us that we are under no other Government but our own," and his reference to "our Lands," brought brusque rebukes from Shute and no giving of ground by Wiwurna. More specifically, Wiwurna denied that Wabanaki lands had been alienated, cited a British undertaking at Casco in 1713 - though one unrecorded in writing - that no more forts would be built, and offered that the Wabanaki would "cut off our Lands as far as the Mills, and the Coasts to Pemaquid" in order to create a Wabanaki-British boundary. "We have done with the Treaty at Piscataqua [Portsmouth]," he declared, "and now proceed to a new one." The process did not go far at this conference. Following a temporary breakdown in the discussions, the Wabanaki delegates chose to replace Wiwurna with a new speaker, the Penobscot sachem Querabenawit, who presented Shute with a wampum belt and agreed to reaffirmation of the treaty of 1713, with the modification that the trade provisions were no longer valid, and with specific Wabanaki consent "that our English Friends shall Possess, Enjoy and Improve all the Lands which they have formerly Possessed, and all which they have obtained a right and title unto: Hoping it will prove of mutual and reciprocal Benefit and Advantage to them and us, that they Cohabit with us."[44]

While the displacement of Wiwurna was interpreted by the British as a Wabanaki retreat - which, in the limited context of the conference, it was - the wording of the agreed statement on land was significant, defining New England settlement according to previous limits and citing the principle of reciprocal advantage. It was also noteworthy that Querabenawit, two years earlier, had been one of the Penobscot sachems who had

[44]PRO, CO5/868, ff. 195-201, Conference at Arrowsic, August 1717.

explicitly refused allegiance to George I and declared that "je ne veux point prester serment de fidelite a personne."[45] The principles of reaching an accommodation with the British in the interests of peace and trade, and of tolerating a limited British presence on the lower Kennebec and even as far northeast as Pemaquid, were not new. Querabenawit's intervention at Arrowsic represented an effort to protect these principles against the damage that might come from a breakdown in negotiations arising from Shute's loss of face in exchanges with Wiwurna. But the points made by Wiwurna were not likely to disappear, and any further aggressive actions by New Englanders would inevitably strengthen the position that Wiwurna now held as a leader of a Wabanaki faction that favoured meeting aggression with force if necessary. The Pejepscot proprietors soon provided the occasion for further tension. The completion of a survey on the Kennebec in 1719 led to their assertion of a claim to both sides of the river up to and including Swan Island, an important traditional Kennebec centre some distance upstream from the confluence of the Kennebec and the Androscoggin at Merrymeeting Bay. The proprietors initiated settlement at places to be named Cork and Somerset, and the construction of a fort opposite Swan Island. Although most Kennebec had by now moved far upriver to Norridgewock, the provocation was clear and the situation became increasingly volatile as settlers began to complain that the Kennebec were killing their cattle. A conference at Casco in January 1720, at which the Kennebec were prominently represented by the pro-British Bomoseen, produced mutual reassurance but no solution. Another, in November at Arrowsic - after the Massachusetts General Court had refused requests by

[45]PRO, CO217/1, No. 125 (iii), Response of Penobscot, [April 1715].

Shute to consider Wabanaki requests for regulated trade and a boundary - saw Wiwurna demand directly that "the People may be removed from Merry Meeting." It closed, according to later Wabanaki testimony, with the meeting-place surrounded by New England troops. The Wabanaki agreed to give up hostages and pay 200 beaver skins in return for settlers' losses of cattle, and then heard the promise of the New England commissioners in attendance that continuing Kennebec "Insolence" would mean that "we ... will not leave you till we have cut you off Root and Branch from the Face of the Earth." For the Wabanaki, there followed several months of factional maneuvering, diplomatic activity with allied Aboriginal peoples, and uneasy negotiation with a cautious Vaudreuil, who withheld open French support. By the summer of 1721, with influential support from the missionary Sebastien Rale, Wiwurna and the Kennebec were ready to deliver an ultimatum of their own.[46]

In July 1721, headed by Wiwurna and Rale, some 250 Wabanaki marched on Georgetown, the British settlement on Arrowsic, to pay the 200 beaver skins and demand release of the Wabanaki hostages. Refused any such commitment, Wiwurna delivered verbally in Abenaki, and in writing in French, a communication addressed to Shute as "Grand Captaine des Anglois" from the various branches of the Wabanaki Confederacy - including the Wuastukwiuk - and from seven allied peoples including the Mi'kmaq. "Je tes lais redit pour la derniere foy," the letter declared, "ma terre nest atois ne par droit de

[46]DHM, 23:83-7, Report of Commissioners, [15 July 1720]; PRO, CO5/869, ff. 100-5, Conference at Georgetown [Arrowsic], 25-6 November 1720; Ibid., ff. 106-7, Letter of the Wabanaki and Allied Peoples, 28 July 1721; Morrison, The Embattled Northeast, pp. 182-4; Douglas Hay, "Wowurna," in George W. Brown et al., eds., Dictionary of Canadian Biography (12 vols. to date; Toronto: University of Toronto

Conqueste, ne par Donation ni par acheptesse." Demanding British withdrawal as well as release of the hostages, the letter demanded a reply in the French language within three weeks: "ci ens ce terme tu ne m'ecris pas que tu te retirera de dessus ma terre je ne te diray plus de te retirer."[47] The colonists did not retire, and over the ensuing months not only did a New England ship capture and turn over for imprisonment the Penobscot chief Joseph d'Abbadie de Saint-Castin but also New England forces raided Norridgewock in an unsuccessful effort to capture Rale. In June 1722, Kennebec forces attacked at Merrymeeting Bay, and the Massachusetts declaration of war on the Wabanaki for their "Open Rebellion and Hostility" that followed in July meant that future negotiation would have to await the end of armed conflict.[48]

* * * * * * * * * *

When the Mi'kmaq and the Wuastukwiuk became involved in the developments that led up to the treaty of 1725 and its subsequent ratifications, they joined an evolving treaty-making process that had been in motion for fifty years. The Wuastukwiuk, with their linkage to the Wabanaki Confederacy, had participated in the negotiations of 1713,

---

Press, 1966- ; hereafter DCB), II, 476.

[47]PRO, CO5/869, ff. 106-7, Letter of the Wabanaki and Allied Peoples, 28 July 1721; Hay, "Wowurna," DCB, II, 669.

[48]Hay, "Wowurna," DCB, II, 669; Georges Cerbelaud Salagnac, "Joseph d'Abbadie de Saint-Castin, Baron de Saint-Castin," DCB, III, 3; Thomas Charland, "Sebastien Rale," DCB, II, 544; PRO, CO5/868, f. 311, Declaration Against the Eastern Indians, 25 July 1722. Joseph d'Abbadie de Saint-Castin was a son of the French military officer Jean-Vincent d'Abbadie de Saint-Castin and his Penobscot wife Pidianske. Joseph, according to his biographer in DCB, preferred to live according to the Penobscot rather than the French side of his heritage.

and both peoples had been represented in the letter presented at Arrowsic in 1721. But treaty-making with the British, insofar as it had involved them, had been peripheral to their main interests in a way that differed from its central importance for them from 1725 onwards. The process of treaty-making between the English and the Wabanaki from the 1670s had been difficult and ambiguous. Much of the ambiguity had stemmed from the central ambivalence of British attitudes, as between the desire to subdue and the necessity to coexist. This was evident both in the conduct of negotiations by New England representatives and officials, and in the more strategic perceptions that came from Britain itself. The Mi'kmaq and the Wuastukwiuk had experience of such ambivalence well before 1725. It was clear, for example, in the 1703 arret of the French Conseil du Roi, which granted to the Mi'kmaq some 768 square kilometres on the Shubenacadie River, "en pleine propriete," along with permission to hunt and fish throughout the peninsula and on neighbouring islands. Aimed at enabling the Mi'kmaq to gather in one central location where they would be "proprietaires du fonds de terre qu'ils cultivent," the grant clearly offered special status within the French colony of Acadia. Yet it also presumed sufficiently on the legitimacy of French authority to provide penalties for any trade by the Mi'kmaq with trading partners other than French inhabitants, and carried the implication more generally that what the French crown granted it could take away.[49] Similarly, in the Treaty of Utrecht, France assumed the right of ceding the territory of a people whose own oral record indicated that, as Mi'kmaq spokespeople from Minas declared in 1720, "cete terre icy que Dieu nous a donne ... ne pouvez nous estre dispute par personne....

---

[49]PANS, RG1, Vol. 3, No. 14, Arret, 20 March 1703.

Nous somme Maistre independant de personne et voulons avoyr nostre pays libre...."[50] This declaration itself was made in the face of British claims to control of Mi'kmaq territory and to jurisdiction beyond the British regime's immediate base at Annapolis Royal. Given that one of the contexts of British claims was the concurrent effort of the Board of Trade to promote harmonious relationships with Aboriginal people through trade and diplomacy, the paradox of imperial attitudes was evident yet again. As hostilities gave way to negotiation in the mid-1720s, the question was whether treaty-making could now become an effective means of promoting the accommodations and the reciprocity that the Mi'kmaq, Wuastukwiuk, and Wabanaki had sought so often in the past.

CHAPTER 4

TREATY MAKING IN THE 18TH CENTURY

In interpreting the Maritime treaties, researchers have not expended considerable effort in determining how Mi'kmaq and Wuastukwiuk delegates might have understood their treaty relationship with the English Crown. Thus the historical record is scanned for information which would provide a solid basis to understand the political and military context of eighteenth century Nova Scotia. While valuable, this approach nevertheless fails to dig deeper into the historical record, searching for clues which might tell us something more substantive of the internal rhythms of Mi'kmaq and Wuastikwiuk society. This is not unlike the difficulty that European historians have confronted over the past thirty years or so in searching for information to shed light on the lives of the peasantry, who as in France, constituted ninety per cent of the population. Cultural history, as it most prominent practioners have found, may not always offer satisfying answers but does reveal both the contradictory character of historical sources and the contradictions which ordinary people confronted in their everyday lives.[1]
The previous chapters have in some ways, attempted to grapple with this problem, albeit in a limited manner. We now know something more of the region's history from early contact through to the eighteenth century. We also know something about the events which transpired to the west of the Mi'kmaq and the Wuastukwiuk which involved their allies, the Abenaki in a bitter and protracted war with New England throughout the late seventeenth and early eighteenth centuries. As John Reid so eloquently points out, even where treaty minutes do exist, ambiguity remains, a product of the deep cultural and

---

[1]. For a revealing debate on cultural history, see Robert Finlay, "The Refashioning of Martin Guerre," American Historical Review 93,3 (June 1988), 553-571; and Natalie

historical traditions which separated Northeastern Aboriginal peoples from their English neighbours. This chapter now enters the very heart of the treaty making period by examining the crucially important events which transpired between 1725 and 1761. Again, however, our approach is less political in nature, than cultural. Our aim is less to write a narrative of the wars and events of the period than to provide a broader cultural understanding of treaty-making. This may, at first, appear to be a perplexing manner to proceed but our alternatives are constrained by the limited character of our source materials. There are discussions afoot in Mi'kma'ki, great councils of leaders, men and women, who hotly debate their future. One question we know almost certainly was voiced: And what has been said by the Englishmen at Annapolis Royal of this treaty? Ultimately, it is the answer to that question that we await.

This chapter thus proposes to accomplish three tasks, first to outline what the treaties said, second to sketch out the cultural and political context in which negotiations were held and finally to evaluate how this is translated into the treaty conferences.

1. Treaty Signing and Protocol

While analyses have been made of the protocol which surrounded Houdenasaunee treaty negotiations with other nations, very little has been done on Mi'kmaq treaty-making.[2] In contrast to the extensive transcriptions of Houdenasaunee-European

Davis' reply "`On the Lame,'" 572-603 as well as Davis' The Return of Martin Guerre (Cambridge: Harvard University Press, 1983).

[2]. For example, Michael K. Foster, "On Who Spoke First at Iroquois-White Councils: An Exercise in the Method of Up streaming" in Extending the Rafters, edited by Michael K. Foster, Jack Campisi, Marianne Mithun, (Albany: State University of New York Press,

discussions, there are few records of treaty negotiations between European officials and Mi'kmaq and Wuastukwiuk leaders. Despite this, it is possible to provide the general context in which discussions occurred and, using treaty minutes from Wabanaki-New England discussions, to suggest the protocol which might have governed negotiations.[3]

There is little evidence regarding how discussions or meetings were arranged, though ostensibly an array of messages were relayed between each party before face to face discussions began. During much of the eighteenth century, Nova Scotian officials relied upon Micmac-speaking Acadians to convey messages to sakamows and elders. Written in French, the letters would have been translated orally to the Micmac by the messenger. In some cases, messages were sent to the Acadian deputies who, lacking any special knowledge of Micmac, would have been forced to find someone in their community who did.[4] On at least one occasion, in 1751, English officials sent wampum belts. In that year, Governor Cornwallis sent a belt to the Wuastukwiuk as a "token of accommodation".[5] It is not clear, however, whether the belt was made in New England

---

1984), pp. 183-207. The only analyses I have encountered regarding Wabanaki protocol is Willard Walker, "Wabanaki Wampum Protocol", Papers of the Fifteenth Algonquian Conference, (Ottawa: Carleton University Press 1984), pp. 107-122.

[3]. The exception is "A Conference Held at Watertown in the Colony of Massachusetts Bay, between the Honourable the Council of the said Colony in behalf of the said Colony and of all the United Colonies, on the one part, and the Delegates of the St. John's and Mickmac Tribes of Indians in Nova Scotia, on the other part", 10 July, 1776 in American Archives, Fifth Series vol. 1, edited by Peter Force, (Washington 1848), pp. 838-850.

[4]. For example, in March 1726 the deputies of Minas, Cobequit and Chignecto were sent circular letters which were to be communicated to the Mi’kmaq. The letters concerned the peace signed in Boston and invited the Mi'kmaq to ratify the treaty at Annapolis. Minutes of His Majesty's Executive Council, 26 March, 1726, p. 111.

[5]. CO 217 13:20, Cornwallis to Board of Trade, 4 Sept., 1751. In 1778, there are references to belts of wampum being sent to the Passamaquoddy, Wuastukwiuk and

from where it was sent, or whether it was produced in Nova Scotia.

In contacting English officials, Mi'kmaq and Wuastukwiuk peoples relied upon a variety of measures. During the period immediately after the conquest of Annapolis Royal (Port Royal), delegates representing the villages of La Heve and Cape Sable simply presented themselves at a house adjacent to the English fort and from there sent word requesting a meeting with the Governor.[6] This rather sudden approach, however, was atypical and perhaps occasioned by the absence of an individual literate in a European language. Indeed, throughout most of the pre-1760 period, messages were normally conveyed to English officials in writing. Composition of these letters was done by missionaries, and in their absence, by an Acadian. While some Mi'kmaq had learnt to write European languages, the missionary's writing was likely to be more easily understood by English officials. For example, in 1761 an English officer remarked that he had problems reading a letter written by the Chief of the Listiguj [Restigouche] Mi'kmaq, and "it was with some difficulty that [he] gleaned the meaning."[7] This dependency was partly the missionaries own doing, as clerics like Abbé Maillard chose not to instruct the Mi'kmaq in the art of writing roman characters fearing that they then would be

---

Mi'kmaq by the United Colonies. CO 217 54:70v, Michael Francklin to Lord George Germain, 6 June, 1778.

[6]. Boston Newsletter, 19 March, 1711.

[7]. PRO, WO34:12, 99v, Captain Roderick MacKenzie to Jonathan Belcher, 28 March, 1761. The letter which MacKenzie refers to can be found on folio pages 90-91 in the same volume. The letter is not so difficult to understand as MacKenzie appears to suggest. The problem is that the writers' first language is not French and consequently sentence structure is different from what MacKenzie would have been accustomed to.

more influenced by other Europeans.[8] Moreover, by providing the Mi'kmaq with necessary skills to deal with European society, the missionaries would undermine their own position and influence.[9] Letters written by the missionaries dealt with different issues including responses to peace overtures, complaints regarding English actions, and demands that prisoners held in Boston be speedily returned.[10]

Written messages were an important prerequisite to further negotiations by determining whether there was a basis for face to face discussions. The acceptance of a wampum belt sent by Cornwallis in 1751 by the Wuastukwiuk was interpreted by the Governor as a willingness on the latter's part to negotiate a peace.[11] Likewise, the proposals conveyed to the English Governor in August of 1754 by the Mi'kmaq were

---

[8]. Micheline Dumont-Johnson, Apôtres ou Agitateurs: la France missionnaire en Acadie, (Trois Rivières: Boréal Express Ltée, 1970), pp. 81-82.

[9]. Inge Clendinnen in her study of the Franciscan mission in the Yucatan between 1544 and 1562, says that by teaching the Natives Spanish, the priests would have "opened the way to corrupting influences by challenging their own role as mediators between Spaniard and Indian." Ambivalent Conquests: Maya and Spaniard in Yucatan, 1517-1570, (Cambridge 1987), p. 52. This point is developed at some length in Wicken, "Encounters," pp. 357-364.

[10]. For example, MSA, 51:265-267, Gaulin to Governor and Council of Massachusetts, 8 July, 1713; Eastern Indians Letter to Governor of Massachusetts, 27 July, 1721, in Collections of the Massachusetts Historical Society, 2nd series, v. VIII, (Johnson Reprint Company 1968), first edition 1819, pp. 259-263; "Declaration de Guerre des Micmacs aux Anglais", [July] 1749, in Canada-Français, vol. 1 (Québec 1888), pp. 17-19. [written probably by Le Loutre]; PANS, RG1 187:91-96, Le Loutre to Nova Scotia Executive Council, 27 August, 1754, Executive Council Minutes, September, 1754. A similar situation existed among Wabanaki groups. For example, PANS, RG 1, 6 doc 19, Penobscot Indians to Major Caulfield, 3 Jan., 1715 [written by Pierre La Chasse]. It is also likely that letters sent by Passamaquoddy chiefs in the same time period was written by a missionary. PANS, RG 1, 7 doc 22, Les chefs de Passamaquoddy à Governour Phillips, 23 nov., 1720.

[11]. CO 217 13:20, Cornwallis to Board of Trade, 4 Sept., 1751.

rejected by the Executive Council and no further discussions occurred.[12]

Conferences and treaty ratifications were held during June, July and August as travel then was easiest and Wabanaki and Mi'kmaq sakamows and elders were more readily available. Before and after these months, individuals were more likely to be engaged in acquiring needed provisions for their families. This was particularly true of the Autumn when crops were harvested and fish and meat were smoked for the winter. As Loron, a delegate for the Penobscot, told the English commissioners who were contemplating an Autumn meeting, "You can't expect but a few when we come again, as it will be the Season for hunting."[13]

The signing of a treaty was only the last step of a long and sometimes labourious process. In part, this is because delegates who negotiated on behalf of their people could not make any final decision until their peoples had been consulted. The process was also complicated by the fact that treaties signed with any individual village were not isolated occurrences but rather were part of a more general peace-making process which included the Wabanaki and their Mi'kmaq allies. Both these factors lengthened the peace making process. Two examples come to mind. First, the initial discussions regarding the December 1725 treaty had begun during the Spring of 1724, and continued into the summer.[14] During the following year, each side consulted with its allies before negotiating a final settlement. In October, 1724 Lieutenant-

---

[12]. PANS, RG 1, 187:92-97, Executive Council Minutes, 9 Sept., 1754.
[13]. "A Journal of Proceedings....19 August, 1751", in Documentary History of the State of Maine, Baxter Manuscripts, vol. 23, (Portland 1916), p. 420.
[14]. Documentary History of the State of Maine, Baxter Manuscripts, vol. 23 (Portland 1916), p. 188.

Governor Dummer of Massachusetts requested the Nova Scotian government "to lett him know what Demands Should be thought proper to be made in behalf of this Government,"[15] expecting that negotiations would begin soon. Dummer, however, was to be disappointed for the consultation process among the Wabanaki was more complicated. As in all negotiations with New England, consultation proceeded at two levels. First, delegates conferred with their own people and then runners bearing wampum belts recounting the issues raised by negotiations were dispatched to Confederacy members and allies.[16] The timing of the negotiations was crucial if a swift response was desired. As in 1724, the discussions had ended in late summer, and thus it was not possible for the allied peoples to hold councils and reply immediately since families were then preparing for the Autumn and winter hunt. Therefore, the Penobscot delegates would not have expected a reply to their messages until late the following summer since this was traditionally the period in which council meetings were held. Because of this, the Penobscot delegates only returned to the negotiating table in November, 1725.

The second example concerns the 1752 treaty which the Mi'kmaq signed with the English Crown. Generally, historians have understood the treaty as an isolated event in which one small band of Mi'kmaq, perhaps weary of war making, decided to establish a peace with the English independent of other villages. However, the treaty was part of a general movement towards peace which had been discussed in Wabanaki and Mi'kmaq

---

15. Original Minutes of His Majesty's Council at Annapolis Royal, 1720-1739, 3 Nov., 1724, edited by Archibald M. Macmechan, (Halifax Public Archives of Nova Scotia, 1908), p. 78.

16. Documentary History of the State of Maine, Baxter Manuscripts, vol. 23 (Portland 1916), p. 188.

villages for more than eighteen months. Indeed, the process had begun in mid-April, 1751 when the Lieutenant-

Governor of Massachusetts instructed agents at Fort St. George to inform the "several tribes of Eastern Indians including the St. Francois Tribe that he wishe(d) to hold a general council with them to confirm the Peace."[17] At a joint conference with the Penobscot and Wuastukwiuk in mid-August, one of the Wuastukwiuk sakamows "promised to go to Halifax with some Deputies from his Tribe to Treat at Peace...and to bring the Micquemacques in.,[18] though even before this Penobscot and Wuastukwiuk delegates informed the Massachusetts government "that there will be no more acts of hostility committed at Chebacta (Chebouc-tou)."[19] That pledge was honoured as in February of 1752, Governor Cornwallis was able to report that there had been no hostilities "since the attack on Dartmouth nine months ago."[20] Cornwallis sent a belt of wampum to the Wuastukwiuk as a token of accommodation in late August, 1751 [21] while similar peace overtures were made to the Mi'kmaq.[22] This message was conveyed to Jean Baptiste Cope by William Piggot in early August of 1752 but was only one in a series of

---

[17]. Lt.-Gov to Lithgrow and Bradbury, 11 April, 1751, in Documentary History of the State of Maine, vol. 23, Baxter Manuscripts, (Portland 1916), pp. 383-84.
[18]. CO 217 13:27, Mascarene to Cornwallis, 27 Aug., 1751.
[19]. Jabez Bradbury to Lieutenant-Governor, 3 August, 1751, in Documentary History of the State of Maine, vol. 23 (Portland 1916), p. 386.
[20] PANS, RG 1, 35 doc 67, Cornwallis to Board of Trade, 16 Feb., 1752.
[21]. CO 217 13:20, Cornwallis to Board of Trade, 4 Sept., 1751. The Governor of île Royale, Raymond, had by the middle of November leanrt of the peace overtures being made by each side. AC, C11B 31:62v, Raymond au ministre, 14 nov., 1751.
[22]. Though Cornwallis in his letter to the Board on 3 November, 1751 does not explicitly state that overtures were made to the Mi'kmaq but only to the "Indians", I have interpreted this to include the Mi'kmaq as these were the people which most directly threatened the

communications that was transmitted between the Mi'kmaq and English colonial officials prior to the signing of the 1752 treaty.[23]

English insistence upon negotiating an agreement binding upon all Abenaki peoples solidified existing relationships by forcing continual consultation among the Confederacy's members and allies. In an August 1751 meeting at Fort St. George to re-affirm the 1725 treaty the English were reticent to conclude a treaty which did not include all Aboriginal peoples of the region and thus were upset at learning that Norridgewock delegates were not present. One of the English Commissioners stated their concerns..

> As the Norridgewocks do not appear, you can't but be sensible that a partial peace would be very dishonourable and attended with many Difficulties - because it's impossible to distinguish the Indians of one Tribe from another, and in Case any Mischief should be done to us by the Indians, we shall resent it, and be apt to destroy our Friends as well as our Enemies."[24]

As a result, the negotiations did not resume again until October of the following year when Norridgewock delegates were present.[25]

Individuals present at the negotiations and treaty signing varied. In the discussions

---

English settlement at Chebouctou. RG 1, 35 doc 60, Cornwallis Board of Trade, 3 November, 1751.

[23]. AC, C11B 32:163-163v, Prevost au ministre, 10 sept., 1752. That Cornwallis communicated directly with Cope is also shown by PANS, RG 1, 186: 214-215. Executive Council Minutes, 14 Sept., 1752. Similarly, discussion which eventually resulted in the Wuastukwiuk and Chignecto Mi'kmaq signing a treaty in August, 1949 had begun several months before. See CO 217 32:40, Mascarene to M. de la Gallisonière; Governor of Massachusetts to Governor Wentworth, 3 June, 1749 in Documentary History of the State of Maine, Baxter Manuscripts, Second Series, vol. 23, (Portland 1916), p. 319.

[24]. Documentary History of the State of Maine, Baxter Manuscripts, v. 23, (Portland, Maine: 1916), p. 416.

[25]. "Treaty with the Eastern Indians at St. Georges Fort, 1752", in Documentary History of the State of Maine, First Series. v. 10, (Portland 1856), pp. 168-184.

and ratifications surrounding the 1725 treaty, Massachusetts was represented by the senior colonial official, normally the Governor, but in 1725, the Lieutenant-Governor, William Dummer who temporarily assumed command following Governor Samuel Shute's departure two years earlier. In the 1750s, however, the Governor's place was assumed by four commissioners appointed by the House of Representatives specially appointed to negotiate the treaties. In Nova Scotia, the situation differed. From the time of his appointment as Governor of Nova Scotia in 1717 until 1749, Richard Phillips spent most of his time in England so that he had little direct contact with either Mi'kmaq or Wuastukwiuk peoples. At the negotiations in Annapolis Royal in early June 1726, his place had been assumed by Captain John Doucett, the captain of the garrison. With the establishment of Halifax in 1749, the newly appointed Governor, Edward Cornwallis assumed a more direct role in the colony's relations with the Mi'kmaq, a policy continued by his successors, who were present at the discussions which preceded the signing of the 1752 and 1761 treaties. As elections for a House of Assembly did not occur until 1758, negotiations and discussions took place solely with officials appointed by the Crown.

Representation from the Abenaki, Wuastukwiuk, and Mi'kmaq also varied. In initial discussions, each sent delegates to negotiate on their behalf. In the case of the 1725 negotiations, both the Mi'kmaq and Wuastukwiuk were represented by the Penobscot who had been delegated by them to negotiate with New England. According to Loron, this had been confirmed through wampum belts sent to each tribe who then

> sent their Belts to the Penobscot Tribe for A Confirmation of their Agreeing to what shall be Concluded, which Belts are lodged with our Chiefs which is

> equivalent to a Writing or Articles under their Hands.[26]

After this date the Mi'kmaq assumed a direct role in discussions with English officials though their concerns continued to be funnelled through Penobscot negotiations with New England.[27]

Mi'kmaq and Wuastukwiuk delegates to treaty discussions were chosen by a council of leaders. At the 1752 meeting at Fort St. George, for example, the Wuastukwiuk were represented by Joseph who told the English commissioners that the "Sagamores of the St. John’s Tribe ordered me to come and attend at this Treaty." [28] The selection of delegates took place during the summer at a Village Council where the delegates were also instructed regarding questions and concerns to be addressed to the English.[29]

After the initial negotiations had been concluded and agreed in Council by each of the allies, then the sakamows and elders met with English officials to resolve any final issues and to ratify the treaty. These discussions could take several days. The ratification at Casco Bay in 1726 began on 21 July and ended only on the 11th of August while a further ratification the following year took ten days.

The number of Aboriginal people attending the ratification was considerable. For

---

[26]. "Conference with the Delegates", 12 Nov., 1725, Documentary History of the State of Maine, Baxter Manuscripts, v. 23, (Portland 1916), p. 189.

[27]. See for example, "Indian Conference" Boston, 25 August, 1740, Documentary History of the State of Maine, vol. 23, Baxter Manuscripts, (Portland 1916), pp. 263-64.

[28]. "Treaty with the Eastern Indians at St. George's Fort, 1752", in Documentary History of the State of Maine, first Series, vol. 10, (Portland 1856), pp. 172-173.

[29]. "Indian Conference at Boston", 25 June, 1736 in Documentary History of the State of Maine, vol. 23, Baxter Manuscripts, (Portland 1916), p. 236. In an August, 1740 conference, Loron said "Whatever I have said in these discussions I had from the People after several Days consultation." "Indian Conference, 25 August, 1740", Documentary History, vol. 23, (Portland 1916), p. 269.

instance, a total of 34 Mi'kmaq and 22 Wuastukwiuk men were present at Annapolis Royal on 4 June, 1726 though many more were likely present.[30] This is because many of the men from Cape Sable and surrounding regions were accompanied by their wives and children.[31] At the 1726 negotiations, the Mi'kmaq were represented by at least nine villages. Table 4.1 lists the residence of those who signed the treaty and the number of individuals from each village present. In many cases, a village was represented by two individuals who were identified in the treaty as sakamows of their village.[32]

One reason why treaty signing were well attended was because as a society where the spoken word was the means to remember the past, the Mi'kmaq and Wabanaki depended upon what was said to remember the terms of the agreement. The importance of this is suggested by Wabanaki remarks made at the 1752 treaty negotiations at Fort Saint George.

TABLE 4.1
Number of Mi'kmaq Signing 1726 Treaty
Listed according to village of origin

Village	Number
Cape Sable	12
Chebenacadie	3
Chignecto	2
Gediak	1
La Heve	1

[30]. These figures include only those individuals who can be positively identified through the treaty, the 1708 census or the registers for Saint-Jean Baptiste parish. These numbers therefore exclude fourteen individuals who could not be identified.

[31]. This is suggested by the registers for Saint-Jean Baptiste parish for June, 1726 which shows the baptism of the two year child of Pierre Puisne of Cape Sable who signed the treaty, the marriage of Pierre Chegau of Cape Sable, the brother of one of a signatory, and the marriage of a man and a woman from the Eastern coast. PANS, RG 1 26, Register of Baptisms, Marriages and Burials at Annapolis Royal, 1702-1728.

[32]. This was true of Chebenacadie, Minas, Cape Sable and Port Royal.

Minas	3
Port Royal	10
Richibouctou	1
Unimaki	1
Unknown	14

CO 217 5:3-4

Responding to the Commissioners insistence that he read the 1749 treaty, the Wabanaki speaker said that "there is no need of it; we remember it well."[33] As an oral-based society, the terms of each agreement was passed down from one generation to the next. As Samuel Penhallow wrote soon after the signing of the Casco Bay ratification in July 1726, the Abenakis had "no other record of conveying to posterity, but what they communicate from father to son, and so to the son's son".[34] Consequently, an important component of the signing process was the presence of not only elders and sakamows but also the youth who would eventually assume leadership positions. Not surprisingly, therefore, the treaty signed by the Mi'kmaq at Annapolis Royal on 4 June, 1726 included a significant number of younger men, all of them from the either the Annapolis or Cape Sable region. Of the Mi'kmaq men who can be identified, I have counted five fathers and eight sons as well as two fathers and two sons-in-law. This represents 50% (17 of 34) of all Mi'kmaq men whose names can be identified on the treaty.

In some cases, negotiations did not begin until hostages had been exchanged. In late February, 1711, for instance, some Mi'kmaq from La Heve arrived at Annapolis Royal and sent message to the Fort

> that if the Governour would send them a Hostage, one of them would come in an treat with him; upon which Lt. Pomery was sent, and one of the Indians came in with Mr. Aden whom Sir Charles Hobby...in the absence of Governor Vetch courteously received and entertained."[35]

---

33. "Treaty with the Eastern Indians at St. George's Fort, 1752" in Collections of the Maine Historical Society, First Series, vol. IV, (Portland 1856), p. 176.

34. The History of the Wars of New England with the Eastern Indians or a Narrative of their Continual Perfidy and Cruelty (Boston: J. Harper, 1859), first edition, 1726, p. 82.

35. Boston Newsletter, 19 March, 1711.

Similarly, during the negotiations at Boston in 1724/25, the Wabanaki appear to have provided English authorities with hostages.[36] After this date, however, records do not contain extensive references to hostage exchanges as part of treaty protocol though during 1760 both Cape Sable and Wuastukwiuk sakamows agree to lodge hostages with English authority as a testimony to their friendship.[37]

Only one record has been found which suggests the preliminary discussion which preceded the beginning of more formal talks.[38] Dating from a December, 1701 meeting at Boston between the Abenaki and the Massachusetts government, the record illustrates the importance of imagery and wampum in Wabanaki relations with other nations. Calling themselves messengers, the Abenakis said that their people had asked them

> to make a path from Merrymeeting to this place, and then presented a Belt of Wampum which he stretched out fairly at Length on the Floor, saying we have made the Path fair and smooth as this Belt of Wampum.

The English replied that the path was fair and smooth to which the Abenaki delegate responded "We make this Path that we may have news pass between us to hear how things go." One messenger then took a pack of Beaver containing ten skins and stated that what their words "proceeds from our hearts". The English responded that they hoped peace would prevail between them even if war should break out in Europe to which the Messenger agreed. Laying down the pack of beaver on the ground, he asked the English to accept the belt of wampum and beaver skins. After the English had done so, formal

---

[36]."Conference with the Delegates", 27 Nov., 1725, in Documentary History of the State of Maine, Baxter Manuscripts, vol. 23, (Portland 1916), pp. 192-93.
[37]. PANS, RG 1, 188:121-122, Executive Council Minutes, 11 Feb., 1760; and p. 149, Morris to Executive Council, 1 June, 1760.

discussions began.

Though several delegates were present at the conferences, Wabanaki and Mi'kmaq oral presentations were made by one individual, who in European documentation, is referred to as the Speaker. In bi-lateral discussions, there was only one Speaker.[39] Though documentation for Mi'kmaq-English treaty negotiations is lacking, in 1737 an English interpreter referred to "John Andross alias Musquessa to be of the Mickumuch Tribe by Information (who had) appeared at Georges Fort Speaker of that Tribe."[40] In multi-lateral negotiations, the process was more complicated. In June 1695, for instance, the Kennebec, Pentagoet, Meductic and Madazasia people arrived at Nashwaak on the Saint John River "with the leading chiefs from all their lodges" in order to treat with the French governor, Joseph de Villebon. Before beginning discussions, the fourteen chiefs first decided who would speak for them, eventually picking a chief from the Kennebec River.[41] Similarly, at the 1752 negotiations involving the Penobscot, Passamaquoddy, Wuastukwiuk and Norridgewock peoples, most of the speaking was done by Louis, a Penobscot man who stated that, "What I say, all the Indians now present say." This frustrated English attempts to talk directly with individual chiefs as Louis replied to

---

[38]. Conference, 27 Dec., 1701, Documentary History of the State of Maine, vol. 23 (Portland 1916), p. 32.

[39]. See for instance, "The Conference with the Eastern Indians...at Falmouth in Casco-Bay, in July and August, 1726",in Collections of the Maine Historical Society, vol. 3 (Portland 1853), pp. 378-405.

[40]. Walter McFarland "Deposition Regarding Indian Tribes in Maine", 27 June, 1737 in The Essex Institute Historical Collections, 72 (1942), p. 175.

[41]. Joseph de Villebon, Acadia at the End of the Seventeenth Century, (St. John: New Brunswick Museum, 1934), p. 78.

questions directed towards them.[42] However, in multi-lateral discussions, this did not always occur so that other sakamows often spoke as well.

Conferences were divided into morning and afternoon sessions. At each session, one party took the floor, after which the other party might withdraw to consider the proposals which had been made. Consultation among the delegates could take several hours. As in Houdenasaunee councils, there would also have been numerous informal discussions between Wabanaki and English delegates, as each side sought to clarify the other's position.

An important prerequisite for the success of the discussions were competent translators. There is no evidence to suggest that any of the New England governors or commissioners empowered to treat with the Wabanaki spoke or understood Abenaki or any other northeastern Aboriginal language. Among Nova Scotian officials, Michael Francklin was likely the only individual who had some understanding of Algonkian languages, having spent some time in captivity among an unidentified community.[43] This may have been one of the reasons why he was appointed Superintendent of Indian Affairs for Nova Scotia in 1777, an office he continued to fill until his death in 1782. Many English officials spoke and wrote French, making possible some direct communication

42. "Treaty with the Eastern Indians at St. George's Fort, 1752" in Collections of the Maine Historical Society, First Series, vol. 10, (Portland 1856), pp. 174-175. At one point, the English commissioners said to Louis, "Pray let the Norridgawocks answer for themselves."

43. PANS, RG 1, 45:#15, Michael Francklin to John Pownall, 4 May, 1776.

with Mi'kmaq and Wabanaki chiefs, some of whom also spoke French.[44] Knowledge of French among village and district leaders, however, was not widespread. For example, in 1745, an English prisoner, William Pote, recounted meeting one of the Wuastukwiuk sakamows who attempted to explain the reasons for hostilities with the English. But, as Pote relates, "he was So Imperfect in ye french Toneu, yt I Could not Understand ye true meaning of his Discours."[45] Perhaps not surprisingly, Paul Mascarene, born of French Huguenot ancestry, represented the Nova Scotian government in all formal Wabanaki-New England discussions between 1725 and 1752.

The degree to which Wabanaki and Mi'kmaq peoples spoke and understood English before 1779 is difficult to evaluate. Prior to the 1740s, no records have been found which would show fluency in English among any member of either the Mi'kmaq or the Wuastukwiuk community. Though this does not necessarily mean that no-one could speak the language, fluency would have been a rarity given the sporadic and transitory character of interactions between the peoples. Contact occurred, but most often along the eastern coast of Nova Scotia where fishermen regularly ventured into harbour either for water and provisions or to trade with the local population.[46] As in many instances, Acadian or metis settlers acted as intermediaries between the two parties, this would have minimized the

---

[44]. For instance, the chief of Restigouche in 1760, Joseph Claude, could speak French as did the chief of Unimaki in 1716. On the latter, see "Voyage fait à l'isle Royalle ou du Cap Breton en Canada, 1716 sur la fregate l'Atalante commandée par Monsieur de Courbon Stleger," Revue d'histoire de l'Amérique Française, 13 (1959-60), p. 432.

[45]. "Journal of Captain William Pote, Jr., in Collections of the New Brunswick Historical Society, no. 1-3 (1894), p. 267.

[46]. A more extensive analysis of these contacts is in Bill Wicken, "August 1726: A Case Study in Mi'kmaq-New England Relations", Acadiensis, (Autumn 1993), pp. 1-18.

immediate necessity that either or both parties should learn the other's language.[47] Linguistic separation between the two societies, however, slowly changed as English settlement expanded into Abenaki territories and larger numbers of Mi'kmaq and Wabanaki peoples spent time either imprisoned in Boston jails or working as indentured servants of white Massachusetts settlers.[48] Paul Laurent, a native of Mirligueche and in 1760 a chief of the La Heve Mi'kmaq, had once been "a prisoner in Boston, and lived with Mr. Henshaw, a blacksmith.[49] Similarly, in May 1745, an English captive, William Pote, encountered a "Cape Sable Indian who had lived Six or Seven Years in Boston, and could speak verey good English."[50] Most Mi'kmaq people, however, likely spoke very little English. For example, during the early 1790s, George Henry Monk, then superintendent for Indian Affairs in Nova Scotia, recounted meeting Mi'kmaq of all ages who "speak very little English".[51]

Lacking bilingual speakers within the leadership of either party, all discussions were translated orally by designated interpreters. Wabanaki discussions with New England officials were invariably interpreted by an Englishman. This, at times, created

---

[47]. Metis communities were located along the eastern coast of Nova Scotia from Cape Sable to Canso.

[48]. Records regarding Wabanaki and Mi'kmaq prisoners in Boston jails can be found in Massachusetts Acts and Resolves , 10:122, 462, 548, 551, 11:33, 78, 143. References to indentured servants are fewer. It was common practise, however, for women and children prisoners to be sold as servants. See v.11, pp. 192 and 353.

[49]. Col. Frye to Governor Belcher, 7 March, 1760 in Collections of the Massachusetts Historical Society, First Series, vol. 10 (1809), (Boston 1809), p. 115.

[50]. The Journal of Captain William Pote, Jr. During his Captivity in the French and Indian War from May 1745 to August, 1747, (New York: Dodd, Mead & Company 1896), p. 24.

[51]. Monk Papers, MG 23 G11-19, 3:1075, March 1794. This particular incident relates to a man and his wife, the man's sister and niece who "come from the woods...about Wilmot."

tensions as the Wabanaki were not always confident that the interpreter could correctly translate the Indians' words and phrases into the appropriate sentences. For example, at the treaty signing at Casco Bay during the summer of 1726, the Penobscot, given the choice between three interpreters, requested that a Captain Jordan translate for them "because we understand him plainest."[52] The Wabanaki were often accompanied by their own interpreters, who did not have any formal function in the proceedings. They did, however, listen closely to the discussions and advised Wabanaki sakamows of discrepancies between the English wording of the agreement and the translation offered by the official interpreters.[53] By June of 1727, the Penobscot had become so wary of the English translations of the Boston treaty that they arrived at Fort Saint George with the Jesuit priest Lauverjeat, demanding that Gyles read the treaty while the priest wrote down Gyles words in "Indian", a proposal that was heartily rejected.[54]

In negotiations with the Mi'kmaq, Nova Scotian officials faced a difficult situation. With no-one capable of speaking Micmac, they had few options but to rely upon Acadian or Mi'kmaq interpreters. At a treaty signed with Mi'kmaq residents of the Annapolis River

---

[52]. "The Conference with the Eastern Indians, at the Ratification of the Peace, Held at Falmouth in Casco-Bay, in July and August, 1726" in Collections of the Maine Historical Society, vol. III (Portland 1853), p. 382.

[53]. At the ratification of the Boston Treaty at Casco Bay in 1726, the Jesuit priest Etienne Lauverjeat, two of the Saint-Castin brothers and Alexandre le Borgne de Bellisle were present. They subsequently told the Abenaki of the discrepancy between the oral translation and the written document. For an example of this discrepancy, see "Traité de Paix entre les Anglois et les Abenakis", Caske Bay, août, 1727, in Collection de manuscrits contenant lettres, mémoires et autre documents historiques relatifs à la Nouvelle-France, recueillis aux Archives de la Province de Québec ou copiés à l'étranger, (CMNF), t. 3, (Québec 1884), pp. 134-135. This particular example will be discussed below.

in November of 1722, the articles were first

> "translated into French, was read to them (the Mi'kmaq) Paragraph by Paragraph and explained by one of themselves, who well understood that Language into Indian to the rest, who did not understand the French.[55]

At the ratification of the Boston treaty at Annapolis in June, 1726, officials employed Prudent Robichau and Abraham Bourg to translate the discussions though it is not explicitly stated that the treaty was translated orally into Micmac or Maliseet.[56] Dependence upon the Acadian population to serve as interpreters, placed the English in an often tenuous situation as they could not always rely upon the Acadians for a fair translation. In one incident during the summer of 1714, a Jesuit missionary reported that an English delegation from Annapolis come to solicit the loyalty of the Wuastukwiuk, were `poorly' served by their two Acadian interpreters, Jean Landry and Melanson. As the intendant of New France later recounted to the Minister in Versaillies, the two Acadians "who spoke the Indian language, far from supporting the proposals that the English had made to the Indians strongly advised them not to pledge loyalty to the English."[57] Not surprisingly, English officials were keen to find someone upon whom they could rely to not only faithfully interpret their words but who could also inform them as to the internal dynamics of Mi'kmaq society.

After negotiations had been concluded, and the articles read in English, French and Micmac and/or Wuastukwiuk, each party signed the accord. Mi'kmaq and Wuastukwiuk

---

[54]. John Gyles, "Memorial of a conference at St. Georges River", June, 1727, in Documentary History of the State of Maine, vol. 23, (Portland 1916), p. 214.

[55]. "Treaty Signed at Annapolis Royal, 13 Nov., 1722" in New England Courant, 7 January, 1723.

[56]. Minutes of His Majesty's Executive Council, 1720-1736, edited by A. MacMechan, (Halifax: PANS 1900), p. 116.

names were written by an English official and beside this they affixed at the totem of their village or district. It is not clear whether this was done by all individuals or whether only by sakamows.[58] The signing ceremony was staged near or adjacent to the English flag "in as publick and Solemn a Manner as Possible."[59] After this, the governor distributed presents which was reciprocated with an offering of furs.[60] The presents, usually consisting of food, clothing, knives, guns and powder were considered by the Mi'kmaq and Wuastukwiuk to confirm English friendship.[61] After this, the King's health was toasted and the guests feted with fresh meat, rum and cider. During the celebration, the Mi'kmaq, as in their relations with the French, would likely have shown their goodwill towards the English governor by dancing and by each male family head expressing their satisfaction with the treaty.[62] For example, at the conclusion of the conference in 1779 with Wuastukwiuk and Mi'kmaq sakamows,

> a Malecete Captain began a Song and Dance in honor and praise of the Conference and those concerned therein; on his finishing a Mickmack Captain

---

57. AC, C11A 35:111v-112, Bégon au ministre 25 sept., 1714.
58. Examples of these totems can be found in the 1725 Boston treaty, the ratification of the peace at Annapolis Royal in June, 1726 and July at Casco Bay and the 1749 treaty signed at Chebouctou.
59. In Annapolis, 1726 signing, the ceremony took place at the "flagg Bastion". His Majesty's Executive, 4 June, 1726, p. 116; the 1760 treaty at a pillar at the Governor's farm in Halifax, PANS, RG 1, 37:#15.
60. The reciprocity of gifts is suggested by William Tailer, Elisha Cooke et. al. to Governor Belcher, 21 Dec., 1730 in Documentary History of the State of Maine, vol. 11, (Portland 1916), p. 75.
61. Penhallow, The History and the Wars, p. 82; Minutes of His Majesty's, 31 May, 1726, p. 116.
62. Paris, Archives nationales, Archives de la Guerre, 3393:#23, Maillard a Raymond, 27 nov., 1751.

began another Song and Dance to the same purpose.[63]

Copies of the English text of the treaty were given to both Mi'kmaq and Wuastukwiuk peoples. These treaties were presumably kept by village or district sakamows. As evidence from the mid-eighteenth century indicates, the treaties were consulted in order to clarify points of disagreement. In 1745, for example, a Wuastukwiuk sakamow summoned an English prisoner, William Pote, "To Read a Contract between their Tirbe and ye Governour of Anappolis that had been made about 14 years."[64] At times, the treaties were stored with a trusted Acadian. Anthony Casteel, relates that in May, 1753, a group of Mi'kmaq entered the house of an Acadian resident of Cobequit. One of the group "demanded the articles of peace that Cope had before lodged there. The Frenchman of the house went to his chest & produced them; there was neither seal nor case to them when produced. They ordered me to go out of the house with them, and gave the articles into my hand, desiring me to read them."[65]

These, however, may not have been the only records kept by Mi'kmaq leaders. Given the problems that surrounded the 1725 treaty, it is possible that Mi'kmaq delegates kept records in their own language regarding the treaties. Such records would have been made using hieroglyphics, a complex writing system used at least from the late

---

63. "Treaty with the Indians" 24 Sept., 1778 in Collections of the New Brunswick Historical Society, (1894), p. 317. A transcript is available at PANS, O/S # 514. Similar celebrations are mentioned for the signing of the 1761 treaty in Halifax. RG 1, 188:255, Nova Scotia Executive Council Minutes, 8 July, 1761.

64. "Journal of Captain William Pote", pp. 266-267.

65. "Anthony Casteel"s Journal" in Collection de documents inédits sur le Canada et l'Amérique publié par le Canada-Français, t. 3 (Québec 1890), p. 117.

seventeenth century.[66] Both historians and anthropologists have accepted the testimony of early missionaries that hieroglyphics had been developed as a means to instruct the Mi'kmaq in Christianity. However, there is also evidence to suggest that this writing system pre-dated European contact. The Trappist missionary, Christian Karder, who spent a number of years living among the Mi'kmaq of Pomquet wrote in 1862 that he was of the opinion that the

> hieroglyphics were invented by the Indians, that the first missionaries found them among the Indians..... It is beyond doubt that the missionaries increased the number and perfected them. If the [Mi'kmaq] had been in ignorance about these hieroglyphics what could have induced the missionaries to propagate such difficult signs which they themselves had to learn before-hand? And what a difficult task is it for the successors of these missionaries to study these hieroglyphics? I would have been undoubtedly much more easy to teach them our alphabet.[67]

During the eighteenth century, hieroglyphics written on birch bark was used to remember Christian prayers and rituals.[68] Often, one individual assumed the position of chanter, ostensibly using the hieroglyphics to lead others in prayer and song.[69] Given that hieroglyphics were an established mnemonic devise from at least the late seventeenth century, it is possible that they were also used by sakamows and elders to remember treaties signed with the English Crown. In lieu of any direct evidence, however, this suggestion remains speculative.

---

[66]. On this form of writing see David L. Schmidt and Murdeena Marshall, Mi'kmaq Hieroglyphic Prayers: Readings in North America's First Indigenous Script (Halifax: Nimbus Publishing, 1995), pp. 1-15.

[67]. Archives nationales de Québec à Rimouski, Fonds Capuçins, "Report of the German Missionary Christian Kauder of Tracadie to His Grace the Right Rev. Gregory von Scherr....," 24 Feb., 1862.

[68]. Pierre-Antoine-Simon Maillard, "Lettre de M. l'abbé Maillard sur les missions d'Acadie et particulièrement sur les missions micmaques (1756)," in Les Soirées canadiennes, (1863), pp. 355, 365.

In sum, discussions between northeastern Aboriginal peoples and English officials did not, nor could not occur over a short time period nor even in one place. Rather, discussions were convoluted affairs, spanning months and sometimes even years. A speedy conclusion was hampered both the seasonal economic patterns pursued by both the Mi'kmaq and Wuastikwiuk but, more importantly by the centrality of consensus-making to the political process. Sakamows did not hold absolute authority to make decisions for the community but rather depended upon consensual support. Practically, this meant that a long and, what must have seemed to the British, a laborious process ensued, spanning months and months. Discussion was also hampered by a fundamental difference in language and culture. Though New Englanders had had ample experience in dealing with the Houdenasaunee and neighbouring Aboriginal communities, they lacked an extensive understanding of Micmac. This, as we will see, created difficulties which emerged again and again.

2. What the Treaties Say

The 1725, 1749, 1752 and 1760/ 1761 treaties bear a common resemblance. All known extant copies of the treaties, with the possible exception of the 1752 treaty, were first written in English. All were signed at English settlements and all contain articles regarding how relations between the English Crown and Mi'kmaq and Wuastukwiuk

---

[69]. Ibid., pp. 384-385.

peoples would be governed. Many of these articles are similar. This is because the 1725 treaty served as the model for all subsequent treaties so that in re-affirming their friendship and peace with the English Crown in 1749 and 1761, Aboriginal delegates were actually re-establishing the laws which would govern their relations, laws which had been temporarily suspended as a result of war.

The principal elements of the 1725/26 treaty can be quickly summarized. The treaty was actually divided into two separate documents. In the first document, the Mi’kmaq and Wuastukwiuk recognized the English Crown's "jurisdiction and Dominion Over the Territories of the said Province of Nova Scotia or Acadia" and agreed not to molest any English subjects who had already established settlements or would lawfully do so in the future. Known as the Articles of Submission and Agreement, this portion of the treaty went on to list a number of additional articles which would regulate Mi’kmaq interactions with English-speaking peoples in the future. These included that any wrongs committed against either Mi'kmaq or Wuastukwiuk peoples or in any misunderstanding with English subjects, redress would be made "according to His Majesty's laws," and neither people would assist English soldiers and any prisoners presently held by them would be speedily returned. The second part of the treaty is known as the reciprocal promises made to the Mi’mkaq and Wuastukwiuk by English officials. The major component of this portion of the treaty stated that the English agreed not to molest either the Mi'kmaq or Wuastukwiuk "hunting, fishing and shooting and planting on their planting grounds."

In 1749 and again in the 1760 articles were re-affirmed by Wuastukwiuk sakamows. Though the 1760 specifically renewed the 1725/26 treaty, the articles did not include the

reciprocal promises but only the Articles of Submission and Agreement. The case of the Mi'kmaq treaties is slightly different. Here, while the 1752 treaty re-affirmed the 1725 Boston treaty, the 1760 treaty made no mention of it, and so, at least on the face of the treaty text, neither the articles of submission nor the recrprocal promises were renewed. The text of the 1752 treaty is also different, in that it introduces articles which had not been a part of the Boston treaty. These articles provided that the Mi'kmaq would have "free liberty of hunting and fishing as usual" as well as

> "free liberty to bring to Sale to Halifax or any other Settlement with this province, skins, feathers, fowl, fish or any other thing they shall have to sell, where they shall have liberty to dispose thereof to the best Advantage." [70]

As well, the treaty provided that provisions would be given to the Mi’kmaq "half Yearly for the time to come". In order to maintain the friendship between the two societies, the Governor invited the sakamows and or their delegates to come to Halifax every year on the first of October to ratify the peace. At that time, they would be provided with presents of "Blankets, Tobacco, some Powder and Shott".

The 1760/61 treaties also introduce new articles. While the 1725/26 articles are not specifically referred to, nevertheless much the language is repeated, often word for word. At the same time, new articles are introduced. For example, while the 1752 treaty had, for the first time, enunciated a trading relationship between the Mi’kmaq and the English, the 1760/61 treaties provide for the establishment of truckhouses where the Mi’kmaq are to trade their furs. As well, the treaties state that the Mi’kmaq will provide hostages which will act to ensure their continuing fidelity to the terms of the treaties.

3. The English Crown and the Eighteenth-Century Treaties

How did the Crown understand these treaties, which after all, were made with a peoples living at the farthest edges of the Empire? The answer to that question cannot be adequately resolved within this report, for this would entail a detailed analysis of colonial governments in North America and their relationship with the colonies' governing body, the Board of Trade. Such an analysis would also have to analyse the evolution of Imperial law as it conflicted with the very different situations it confronted in North America. At best, what can be done, is to briefly sketch the cultural context in which treaties were made.

As the principal body responsible for England's colonial Empire, the Board of Trade considered treaties signed with the Aboriginal societies as a sacred trust. This is explicitly stated in the Board's instructions to the Governor of Nova Scotia in December of 1761. Referring to general problems with various Aboriginal societies in North America, the Board informed the Governor that the

> Indians have made and do still continue to make great Complains, that Settlements have been made and Possession taken of Lands, the Property of which they have by Treaties reserved to themselves, by Persons claiming the said Lands under Pretence of Deeds of Sale and Conveyance illegally, fraudulently and surreptiously obtained of
> the said Indians.....and being determined upon all Occasions to support and protect the said Indians in their Just Rights and Possessions to keep inviolable the Treaties and Compacts which have been entered into with them do [forbid to]....pass any Grant or Grants to any Persons whatever of any Lands within, or adjacent to the Territories possessed, or occupied by the said Indians, or the Property, or Possession of which has, at any Time been reserved to or claimed by them.[71]

---

[70]. Cummings and Mickenberg, Native Rights, p. 307.
[71] PANS, RG 1, 30:#58, Board of Trade to Henry Ellis, 9 Dec., 1761.

As pointed out in Chapter Three by John Reid, in the period immediately after 1713, the Board of Trade took very little interest in colonial affairs.[72] According to Oliver Dickerson, up until 1749, the "whole treatment of Indian affairs was without any clear defined general plan."[73] After 1749 when Dunk Halifax became President of the Board and began to exercise a firmer hand in directing the policies of the Colonial governments, did a clearer policy emerge.[74] In part, Halifax was only able to do so because of the increased frequency with which English vessels transversed the Atlantic after 1720. Reflective of the Board's new interest in Nova Scotia was the energy and monies expended to establish a settlement at Halifax, the first English village to be founded outside Annapolis Royal. Thereafter the Board took a keen interest in Cornwallis' efforts, expressing particular concern when reports of Mi'kmaq hostility towards the new settlement reached London. Desirous of establishing a peaceful rapport with both the Mi'kmaq and Wuastukwiuk, the Board was visibly upset with the Executive Council's decision in October, 1749 to offer a bounty of ten pounds "for every Indian killed or taken Prisoner".[75] In expressing its disapproval of the 1749 Proclamation, the Board was beginning to enunciate an Indian policy which would, over the next fifteen years, conflict with policies of colonial officials in Nova Scotia.[76] The Board's primary concern was to reduce its financial responsibility towards Nova Scotia and to promote the colony's

---

[72]. Oliver Dickerson, American Colonial Government, 1696-1765, (Cleveland 1912), p. 34; Robert Clinton, "The Proclamation of 1763", Boston Law Review, 89 (1989), p. 336.
[73]. Dickerson, American Colonial, p. 338.
[74]. Dickerson, American Colonial, pp. 48-49.
[75] PANS,. RG 1 186:22, Minutes of His Majesty's Executive Council, 4 October, 1749.
[76]. The proclamation was not officially rescinded until 17 July, 1752. PANS, RG 1, 186:187-189, Minutes of His Majesty's Executive Council, 17 July, 1752.

economic development. By opening up new agricultural settlements and fishing villages, the Crown's fiduciary responsibilities would decrease and the economic benefits to England would increase.[77] The Board therefore recommended that a peaceful relationship with the Mi'kmaq and Wuastukwiuk be built and encouraged its representatives to do so, though force was not ruled out as a remedial measure.

This, however, was against the inclinations of colonial officials who often harboured suspicions of both Mi'kmaq and Wuastukwiuk peoples. They were, after all, living their lives in an isolated colonial town, bereft of the the comforts, the refined sociability that many of them had either known as younger men, or aspired to, as part of their future. As was also true of their French counterparts, English officers considered Aboriginal peoples to be their cultural inferiors. They were, as one New England minister wrote in 1724, a people "living in a state of Nature" who did not possess the two essential components of every civilized nation, agriculture and a system of government.[78] Because of this, they were unpredictable, unreliable, and therefore not to be trusted. Their closest allies, the French military, viewed the Mi'kmaq with equal uneasiness. In their

---

[77]. This is explicitly stated in RG 1 29:#25, Board of Trade to Charles Lawrence, 4 March, 1754. In justifying the expenses from supplying annual presents to the Mi'kmaq as stipulated in the 1752 treaty, Governor Hopson wrote that if the peace succeeds, "the expense of the rangers would immediately cease and agriculture.....would prosper so that no settlers would have to be victualled at government expense. Thus would have well-supplied markets, as well fishery would prosper, thus removing the necessity of provisioning soldiers in some areas of the Province." PANS, RG 1, 35:#77, Hopson to Board of Trade, 6 Dec., 1752.

[78]. See Rev. John Bulkley, "An Inquiry into the Right of the Aboriginal Natives to the Lands in America and the Titles Derived from them," 1724, in Collections of the Massachusetts Historical Society for the Year 1795, First Series, v. 4 (New York: Johnson Reprint Corp., 1968), pp. 159-181. Though not written by an English colonial official, the essay nevertheless does suggest the current of thought among the educated classes regarding Native peoples.

correspondence, French officials in Acadia and Ile Royale depicted the Mi'kmaq as a cruel, vengeful, undisciplined people who more often resembled animals in their behaviour than human beings. French officers were appalled by Mi'kmaq behaviour in war; they drank too much, tortured and killed their prisoners, and deserted their French allies in the midst of campaigns. Officials like the Daniel de Subercase, Governor of Acadia, between 1705 and 1710, believed that the Mi'kmaq should be treated as subjects of the Crown and not as allies.[79] Particularly suggestive of French officials perceptions of the Mi'kmaq are the words written in 1707 by Philippe de Costabelle, then stationed at Plaisance who 1713 became the first Governor of Ile Royale. Describing the difficulties in modifying what he considered to be the inhuman treatment of English settlers, Costabelle wrote that the Mi'kmaq were "free in the woods like wolves and bears."[80] This attitude was shared by the English Governor of Nova Scotia between 1720 and 1749, Richard Phillips who referred to the Mi'kmaq as "animals". Indeed, English and French officials occupied a common cultural background which governed their relationships in peace and war. Thus the French Governor of New France, Vaudreuil wrote to the Francis Nicholson at Annapolis Royal in January, 1711 that everyone knows "that since three or four years how many times I have hoped to make a finish to a war that has never been to my taste", referring directly to the "cruel and barbaric" warfare conducted by the Indian nations.[81] Similarly, the Governor of Ile Royale responded in October, 1749 to allegations by Cornwallis regarding attacks upon an English vessel, wrote that "it is sad to have men

---

[79]. AC, C11D 6:168, Subercase au ministre, 20 dec., 1708.
[80]. AC, C11C 5:128, Costabelle au ministre, 10 nov., 1707.
[81]. AC, C11A 32:32v-33, Vaudreuil à Nicolson, 14 jan., 1711.

of honour being exposed to the surprises of these (Mi'kmaq) people."[82] A poignant illustration of this is that captured French officers were lodged and feted in private lodgings by their English counterparts in Boston, while Indian prisoners were held in chains at the local prison.

Such attitudes had a direct bearing on treaty discussions. In mid-August, 1725 four months before the Boston treaty Hibbert Newton, a member of Nova Scotia's Executive Council, and Captain John Bradstreet travelled to Louisbourg where they discussed issues relating to the Mi'kmaq with the French Governor there. In a frank exchange of views Newton and Bradstreet said

> we valued the Indians so very little and knew how little their word was to be depended on that we took no notice of them, nor never shall, till they come in with a method whereby we may be very well assured by hostages and other good pledges at their good behaviour.[83]

Similarly, in October, 1749, Governor Cornwallis wrote to the Board of Trade that treaties with Indians meant nothing and nothing "but force will prevail."[84]

Thus in examining the treaties one must remember that English participants entered the negotiations distrusting the Aboriginal people they would encounter, fully expecting that any treaty would be quickly broken. English participation, moreover, was likely to result from instructions issued by the Board of Trade and not necessarily from the Governor or Executive Council's initiative and only enhancing existing tensions.

---

[82]. CO, 217 40:152v, Desherbiers à Cornwallis, 15 oct., 1749.

[83]. Boston, Massachusetts Historical Society, Gay Papers, F.L. Gay Collection, Nova Scotia Papers, vol. IV, "The proceeding of Hibbert Newton Esq. and Capt. John Bradstreet with Mr. Saint- Ovide," August, 1725.

[84]. CO, 217 9:110, Cornwallis to Board of Trade, 17 October, 1749.

4. The Mi'kmaq, the Wuastikwiuk and the Treaties

More difficult to piece together is Mi'kmaq participation and understanding of the treaty making process. As pointed out earlier, minutes of the treaty negotiations were either not made or have not survived while very little information is available regarding council discussions among Mi'kmaq and Wuastukwiuk sakamows and elders.

According to the 1725 and subsequent treaties, the Mi'kmaq and Wuastukwiuk recognized the English Crown's "jurisdiction and Dominion Over the Territories of the said Province of Nova Scotia or Acadia." Subsequent articles implicitly made both peoples subjects of the English Crown. Given the lack of English military influence throughout the region before the Loyalist immigration of the early 1780s, such recognition is questionable. Indeed, from soon after the English conquest of Annapolis Royal through to the mid-1750s, a number of Mi'kmaq sakamows verbally expressed that neither England nor other European powers could claim Mi'kmaq land to their own. As William Johnson wrote regarding the Houdenasaunee and Western nations, they would never declare

> themselves to be Subjects or will ever consider themselves in that light whilst they have any Men, or an open Country to retire to, the very Idea of Subjection would fill them with horror.[85]

How then are we to explain this apparent contradiction? One possible explanation is that during the negotiations, the precise content of the treaty was not correctly communicated to Mi'kmaq and Wuastukwiuk delegates. This is suggested by

---

[85]. William Johnson to Thomas Gage, 31 Oct., 1764 in The Papers of Sir William Johnson, p. 395.

representations made both by Loron, the speaker for the Penobscot people and by French speaking delegates who attended the ratification of the Boston treaty at Casco Bay in July of 1726. In a letter addressed to the Lieutenant-Governor, Loron stated that

> Having hear'd the Acts read which you have given me I have found the Articles entirely differing from what we have said in presence of one another, 'tis therefore to disown them that I write this letter unto you.[86]

Loron took exception to several of the treaty's articles. Though all of his objections were not included in the letter written to Dummer, Loron was particularly upset by those articles which purported that he and his people had acknowledged King George to be their King and had “declar'd themselves subjects to the Crown of England." Rather, Loron wrote that during the negotiations

> when you have ask'd me if I acknowledg'd Him for King I answer'd yes butt att the same time have made you take notice that I did not understand to acknowledge Him for my king butt only that I own'd that He was king his kingdom as the King of France is king in His.[87]

Similarly, French-speakers present at the ratification at Casco Bay wrote that the articles read to the Indians of Panaouamské had not included references to the fact that they came to submit themselves to the English King, that they accepted responsibility for beginning hostilities with the English, and that they would accept to live according to English law. Rather, the oral translation of these articles had emphasized that the Panaouamské had "come to salute the English Governor to make peace with him and to renew the ancient

---

[86]. Loron Sagourrat to Dummer, (n.d.) in Documentary History of the State of Maine, vol. 23, (Portland 1916), p. 208.
[87]. Loron to Dummer, (n.d.) in Documentary History of the State of Maine, vol. 23, (Portland 1916), p. 209.

friendship which had been between them before."[88]

Mistranslations of treaty articles might have occurred for several reasons. As Algonquian based languages, both Micmac and Wuastukwiuk were fundamentally different from both English and French. Consequently many of the words and ideas contained in the treaties could not be translated. Therefore, in translating the treaties, interpreters, some of whom were likely ill-equipped to deal with the subtle nuances of the language, either consciously or unconsciously mistranslated those articles in which both the Mi'kmaq and Wuastukwiuk recognized King George as their King and accepted his jurisdiction over their lands. Translation difficulties were exacerbated by a general English distrust of Aboriginal people. English officials were likely aware of the difficulties in convincing Mi'kmaq and Wuastukwiuk delegates to recognize English sovereignty. However, as argued in earlier sections of this chapter, colonial officials in Massachusetts and Nova Scotia viewed Native occupation of North America as an unacceptable situation. For this reason, they would not have insisted that Mi'kmaq and Wuastukwiuk delegates properly understood the treaties they were signing. That such occurrences were not uncommon in English discussions with Native peoples is suggested by William Johnson's complaint regarding the content of treaty minutes from a 1751 conference with the Houdenasaunee which had been conveyed to the Board of Trade.

I have been Just looking into the Indian Records where I find in the Minutes of 1751

> that those who made ye Entry Say, that Nine different Nations acknowledged themselves to be his Majesty's Subjects, altho I sat at that Conference, made entrys of all the Transactions, in which there was not a Word mentioned, which

[88]. "Traité de paix entre les anglois et les abenakis", 1727, in Collection de manuscrits, vol. III, (Québec 1884), pp. 134-135.

could imply a Subjection. [89]

CHAPTER 5
THE POST-TREATY PERIOD

1. Population

With the beginning of the Loyalist immigration to Mi'kma'ki in the early 1780s, the relationship between Mi'kmaq and Wuastukwiuk peoples and the English Crown was irrevocably altered. In 1775, there had been a total non-Aboriginal population of approximately 20,000 but with the outbreak of war between England and the thirteen colonies, the demography of the region changed rapidly. In July of 1775, the Secretary of State instructed the Governor of Nova Scotia,

> to make gratuitous grants to all persons who may be driven to seek shelter in Nova Scotia from the tyranny and oppression that prevails in those colonies, where rebellion has set up its standard.[1]

By November of 1785, 14,952 Loyalists had fled to Nova Scotia, 10,824 to what soon came to be known as New Brunswick[2], while an additional 121 refugees arrived in Cape

---

[89]. Johnson to Gage, 31 Oct., 1764, in The Papers of Sir William Johnson, (New York), p. 395.

[1]. Public Archives of Nova Scotia (PANS), RG 1, 32:#10, Dartmouth to Legge, 1 July, 1775. For a general explanation of changes in government land policy relative to the Loyalists, see Margaret Ells, "Clearing the Decks for the Loyalists", Canadian Historical Association Report, (1933), pp. 43-55.

[2]. In 1784, Nova Scotia was partitioned into two separate colonies, Nova Scotia and New Brunswick. For an analysis of the events that preceded the partition, see W.S. McNutt, New Brunswick: A History: 1784-1867, (Toronto: MacMillan of Canada, 1963), pp. 42-47.

Breton and another 420 in Abegweit.[3]

[3]. CO 217 41:238-238v, "A Return of all the Disbanded Troops and other Loyalists settling in Nova Scotia", 25 Nov., 1785.

In all, approximately 40,000 loyalists immigrated to Mi'kma'ki and the Wulstukw Valley during the early 1780s, about 19,000 settling in peninsular Nova Scotia and 13,500 in the new colony of New Brunswick.[4] As Margaret Ells has shown from an exhaustive survey of Nova Scotia land records dating from 1783 to 1800, most Loyalists remained in Nova Scotia. Though a total of 6,620 individual families received grants of land, only 724 later departed the colony.[5] As this figure does not include immigrant families who left before receiving a land grant or who left after selling their lands to larger landholders, the number of emigres was likely higher.[6]

By the end of the century, there were approximately 75,000 to 80,000 people living in Mi’kma’ki with about one-fifth of Nova Scotia's population living in Halifax and one-tenth of New Brunswick's inhabiting Saint John.[7] These numbers represent a population increase of 400 per cent over the past twenty-five years, an expansion that far exceeded any previous period of European settlement in Mi'kma'ki and the Wulstukw Valley.

---

[4]. Graeme Wynn and Larry McCann, "Maritime Canada, Late 18th Century" Plate # 32 in Historical Atlas of Canada: From the Beginning to 1800, (Toronto: University of Toronto Press, 1987); Marion Gilroy, Loyalists and Land Settlement in Nova Scotia, (Halifax 1937); Esther Clark Wright, The Loyalists of New Brunswick, (Fredericton: The Author, 1955).

[5]. Margaret Ells, "Settling the Loyalists in Nova Scotia", Canadian Historical Association Report, 1934, p. 107.

[6]. Neil MacKinnon, The Unfriendly Soil: The Loyalist Experience in Nova Scotia, 1783-1791, (Montreal: McGill-Queen's University Press, 1986), p. 171.

[7]. Graeme Wynn, "The Geography of the Maritime Colonies in 1800: Patterns and Questions", in They Planted Well: New England Planters in Maritime Canada, edited by Margaret Conrad, (Fredericton: Acadiensis Press, 1988), p. 138.

Comparable information regarding Mi'kmaq populations is not available. When censuses were made of the Mi'kmaq and Wuastukwiuk, there were likely to have been more problems in providing accurate information than was the case for non-Aboriginal settlements. Generally in Québec, New Brunswick, Nova Scotia and Prince Edward Island census information was taken by individuals who were unfamiliar with Mi'kmaq and Wuastukwiuk communities and consequently would have not known that people were absent fishing or visiting relatives. Significantly, Indian agents who were more familiar with the communities had problems in taking population counts. As the agent for the Listiguj Mi'kmaq wrote in 1891 after a completing a census of that population in July and August.

> On account of the absence of several Indians in the summer season, I had to take this census twice in order to be certain of not omitting any of them. I went through all the houses, and there I took the names of all those who were present and, as far as possible, of those who were absent....It may be that several are not down on the list on account of their absence; but I did my best with the help of an interpreter. Those who are thus omitted from the list are young men who are absent from the country.[8]

Earlier in the century, a census taker for Gloucester County [New Brunswick] had noted that in addition there were a number of Mi'kmaq who were "transient Indians in different parts of the County" and whose names he had not been able to record.[9]

---

[8]. Ottawa, National Archives of Canada (NAC), RG 10, vol. 2565, File 15,111, D. Poirer to L. Vankoughnet 17 Aug., 1891.

[9]. An added problem was the unwillingness of the Mi'kmaq to provide a census taker with the required information. For example, in 1872 after taking a census of Guysborough County Angus Cameron wrote that he had found the Mi'kmaq "very shy in giving me the desired information. But after some conversation I convinced them that it was by the authority of the Dominion Government I was visiting them and asking them such questions." NAC, RG 10 2134:27,046-1, Angus Cameron to Joseph Howe, 23 Aug., 1872.

Similarly, in November of 1873, the Indian agent for Pictou County, Nova Scotia added when enclosing a census of the Mi'kmaq living in his district that "it (the census) may not be strictly correct but it is the nearest proximate I can make with the means at present within my reach."[10] We would expect, therefore, that censuses of Mi'kmaq and Wuastukwiuk peoples underrepresented their actual population.

Before the federal census of 1871, Nova Scotian censuses generally did not include the Mi'kmaq.[11] Indeed, up until 1851, they were not included in any population counts and whatever figures do exist stem directly from enquiries launched by the House of Assembly. The first general estimate of the Mi'kmaq population made after 1775 was ostensibly prepared in 1783 by the Superintendent for Indian Affairs, George Henry Monk. His figures listed a total of 179 families living at Ramsheg, Pictou, Antigoniche, Cape Breton, River Philip, Chebenacadie, Petitcoudiac and Wigawich (Sheet Harbor).[12] Since these figures do not include people living along the Eastern coast - with the exception of Wigawich - the South Shore and the Fundy coast from Digby to the Missiquash River, we would suppose that the actual population was considerably higher. Subsequent data regarding the Mi'kmaq is also fragmentary,[13] though in 1838 there were

---

[10]. NAC, RG 10, vol. 1913, File 2621, R. MacDonald to [ ] 3 Nov., 1873.

[11]. The exception is the 1767 census which has separate columns for `Whites', `Indians' and `Negroes'. Though 30 separate townships are listed, a total of only 28 Mi'kmaq are listed, four individuals at Barrington, 3 in Cornwallis, 20 in Hopewell and 1 in Liverpool. CO 217 22:121.

[12]. NAC, MG 23 G11-19, 3:1028, Monk Papers, Letterbook of George Henry Monk, (n.d.).

[13]. In 1800 as a result of enquiries made by the House of Assembly, figures were compiled for Queen's and Pictou Counties, the latter showing a population of 136 people

reputed to be 1425 Mi'kmaq people living in Nova Scotia.[14] These figures, however, are not very helpful as no information is provided regarding family size and settlement location.

For New Brunswick, tabulations of the Mi'kmaq and Wuastukwiuk were taken in 1841 and again seven years later. Compiled by the colony's Indian Commissioner, Moses Perley, both censuses provide aggregate figures for men, women, boys and girls living in 16 different locations. Age definitions for "boys" and "girls" are not given. Information from the two censuses is summarized in Table 5.1.

Documentation regarding Mi'kmaq living adjacent to the Baie des Chaleurs is equally sketchy. In the 1840s, census data reveals three kin-related villages, the first with a population of 27 was located on the New Brunswick side of the Restigouche River. This figure, however, should not be interpreted as definitive as the census indicates that about 50 or 60 additional people pass "to and from the Canada side of the Ristigouche."[15] A second village was located at Mission Point on the north side of the Restigouche which in 1844 had a population of 353 people, housed in 75 wigwams. The third settlement, Cascopediac (New Richmond) was located on north side of the Baie des Chaleurs and in

---

and the former, a population of 96. PANS, RG 1, 430: #47 and #57. In 1841, a census of the Mi'kmaq population living in Queen's County was made once again, this time showing a total population of 178 people. PANS, MG 15, 18:#15, "An account of the Number of Indians in the County of Queens taken in 1841."

[14]. Joseph Howe, "Report on Indian Affairs", 25 Jan., 1843 Journal and Proceedings of the House of Assembly, Appendix no. 1, (Halifax 1843), p. 3.

[15]. Public Archives of New Brunswick (PANB), RG 3/RS 557/Records of Indian Affairs; "Return of the Indian Population in the County of Restigouche for the Year Ending 31 Dec., 1848."

1844 had an approximate population of 89 people.[16]

In regards to the Mi'kmaq population of Abegweit, a census made by Moses Perley in 1842 showed 295 people, a total which included 60 men, 60 women and 175 children.[17] An extensive search of other relevant data for Abegweit has not been made.

2. Hunting and Fishing

As European settlement expanded, new farms were built adjacent to river systems and fishing villages erected along the coastline. Settlers encroached upon traditional fishing and hunting areas, creating difficulties for some Mi'kmaq and Wuastukwiuk families in providing for themselves during the colder winter months. The Lieutenant-Governor of Nova Scotia, John Wentworth wrote in May, 1793,

> The extended roads and settlements have been the means of destroying and driving off the wild beasts which formerly supplied them (the Mi'kmaq) with food and [nourishment] and the last two winters being unusually mild the hunting was more difficult and the (Indians) were reduced to the greatest extremity and I fear some of them perished.[18]

Similarly, in November, 1797, Charles Alexi, the chief of the Cape Sable Mi'kmaq complained to the Superintendent of Indian Affairs of Nova Scotia, George Monk that the English settlers were

---

16. Report of the Affairs of the Indians in Canada Laid Before the Legislative Assembly, 20 March, 1845, p. 23.

17. NAC, RG 10, 470:548, Moses Perley, "A Return of Indians of Micmac Tribe Resident on Prince Edward Island, June 1842."

18. PANS, RG 1, 50:#18, Wentworth to Dundas, 3 May, 1793.

TABLE 5.1
POPULATION OF MI'KMAQ AND WUASTUKWIUK VILLAGES LOCATED IN NEW BRUNSWICK, 1841 AND 1848

	1841	1848
WUASTUKWIUK VILLAGES		
Saint John	105	51
Kingsclear	158	187
Meductic	29	36
Tobique*	123	113
Madawaska	27	-
Renous	43	44
MI'KMAQ VILLAGES		
Eel Ground	108	61
Red Bank	50	73
Burnt Church	201	191
Pocmouche**	75	127
Pokscudie	12	-
Bathurst	27	55
Richibucto	188	230
Buctouche	93	96
Dorchester	126	74
Shediac	12	64
Totals	1377	1402

* For 1848 the population for the villages of Madawaska and Tobique were combined by the census taker.
** For 1848, the population for the villages of Pocmouche and Pokscudie were combined by the census taker.

SOURCE: Public Archives of New Brunswick, RG 3/RS 557/ Records of Indian Affairs 1848.

> the cause of all their distresses in making Continual Encroachments upon their Hunting Grounds and becoming Hunters themselves instead of leaving for the Indians the little that remained.[19]

[19]. NAC, MG 23 G11-19, 3:1084, Monk Letterbook, (12 Nov 1797). In describing his survey of northern Nova Scotia in 1801-02, Titus Smith wrote that the Loyalist immigration had led to large numbers of moose being killed by white hunters. RG 1,

Settler encroachment on hunting lands both reduced the territory of various species and precipitated changes in wildlife populations. Forest fires often had a telling affect as in southwestern Nova Scotia during the late eighteenth century, likely precipitated by the steady but constant expansion of the European settlements. After completing a survey of the region between 1800 and 1802, Titus Smith wrote that the caribou

> are very few compared to what they have been heretofore owing to the fires which have burnt over the open barrens and destroyed the white Reindeer moss....which is their principal foods.[20]

Mi'kmaq and Wuastukwiuk peoples responded to changes in wildlife and fish populations by integrating new economic activities into established subsistence patterns. Farming, for instance, continued to be an important component of the economic cycle for Wuastukwiuk peoples as it had during the pre-1786 period though agricultural crops likely assumed a more prominent place than they had before, a situation that was also true of many Mi'kmaq.[21]

380:117, Titus Smith, "General Observations on the Northern Tour." Other references to white hunters killing moose and other animals can be found in PANS, MG 1, Wentworth Papers, 939:#48, Extract from John Wentworth's Field Book, 8 April, 1784.

[20]. RG 1, 380:112-113, Titus Smith, "General Observations on the Northern Tour."

[21]. An extensive discussion of agricultural practices among the Mi'kmaq before 1760 is contained in Wicken, "Encounters with Tall Sails", chapter 1.

In doing so, however, they faced the hostility of European immigrants who sometimes forced the Mi'kmaq to re-locate elsewhere. In a petition submitted to the Lieutenant-Governor, Sir James Kempt on 6 May, 1823, twenty Mi'kmaq families from southwestern Nova Scotia stated they

> were formerly settled at Eel Brook in this (Argyle) Township and was drove off by the Lands being granted and since that have settled on three different tracts of Land and have also been removed in the same manner at Last your petitioners settled on a Tract of Land up the Tusket River Twenty Miles from Salt Water the Last season we built one House and a number of Hutts and raised one hundred Bushel of potatoes, Some Indian Corn and considerable garden Stuff Last (fall) three men came on the Land with the intention of taking possession your petitioners having been so often remov'd, be your Excellency will take the (case) into your consideration and grant them the Land they now occupy or such other Lands as you Your Excellency may think proper.[22]

Generally, Mi'kmaq and Wuastukwiuk peoples did not farm in the same manner as their Euro-American neighbours. Rather, after planting during the springtime, they may have been absent from their "lands" for several days and weeks at a time, fishing and hunting in the region adjacent to their "farmland", as well as visiting friends and family in other more distant districts. A family's absence, a customary practise of not fencing their lands and a reticence to adopt European style housing, would have facilitated encroachment upon their lands by neighbouring Euro-American farmers. Following the immigration of first Planter and later Loyalist immigrants, good agricultural land became scarce so that lands occupied by Mi'kmaq families who incorporated farming into their annual economic cycle, came under increasing pressure.

---

[22]. PANS, RG 20, Series A, vol. 88, Petition of John Baptist Elexey to Sir James Kempt, 6 May, 1823. A more extensive analysis of this petition is in Bill Wicken, "Mi'kmaq Land in Southwestern Nova Scotia, 1771-1823", in Making Adjustments: Change and Continuity in Planter Nova Scotia, 1759-1800, edited by Margaret Conrad,

Fishing and hunting continued to be an important food source well into the late nineteenth century. This is shown by an examination of the federal census of 1871 which indicates large numbers of adult males engaged in fishing and hunting activities. Tables 5.2, 5.3, and 5.4 show occupation listings for Mi'kmaq and Wuastukwiuk men as recorded in 1871. This census has been chosen because it is the first federal census attempted by the Canadian government. Given the time constraints imposed on completion of this report, it was not possible to complete a comprehensive examination of all relevant areas. Instead the tables give only a partial overview of this population. Census data for Abegweit and Newfoundland was not analyzed. While information regarding Mi'kmaq and Wuastukwiuk people living in the Gaspe region of Quebec, Maria and New Brunswick is comprehensive, such is not the case for Nova Scotia where only the mainland population has been surveyed.

Data for Québec and Nova Scotia has been taken directly from the 1871 census while information regarding New Brunswick has been compiled from data collected and organized by Evelyn Newell. Though her recorded information is accurate, she at times has omitted occupational information. These omissions, however, are relatively minor and do not dramatically affect the final tabulations. Mi'kmaq and Wuastukwiuk peoples were identified as "Indians" in the census. Though their ethnic name is not given, we can identify their affiliation according to geographical location.

Generally, occupations of women are not listed in the census. This, despite the fact, that many women would have made baskets, tanned furs, fished, collected berries and

---

(Fredericton: Acadiensis Press 1991), pp. 113-122.

worked in the fields. It is beyond the scope of this report to analyse the participation of Mi'kmaq and Wuastukwiuk women in the economy. However, it should be kept in mind that they worked and laboured, in ways that were similar, though also different from their husbands and sons.

As shown by each table, a significant portion of Mi'kmaq and Wuastukwiuk men exploited traditional food and forest resources in 1871. The percentage of individuals doing so, however, varied considerably in each community. At Restigouche, 73 of 93 males (76.8%) declared that they were solely engaged in agricultural labour while only 15 (15.8%) men said that they gained their livelihood in some way from either hunting or fishing.[23] This contrasts sharply with Maria where 12 of the 13 men whose occupation was given in the census were either a fisherman, a hunter or a combination of the two. A similar situation prevailed in New Brunswick where 111 of 328 men whose occupations were given (33.8%) declared their involvement in either the hunt or the fisheries. Table 5.5 shows that almost 50 per cent (49.9%) of all respondents in Nova Scotia hunted. This figure includes 16 per cent who provided details regarding furs and skins hunted but whose `occupation' did not include the descriptive `hunter.' Thus, the decreasing importance of the fishery in the Mi'kmaq economy, apparent in the census, should not interpreted as a cataclysmic event but reflecting an evolution in Mi'kmaq society in which alternative subsistence strategies, such as coopering and basket making were tried, and the scope of other activities, such as hunting were enlarged.

---

[23]. It should also be noted, however, that of these 73 men, only 40 were heads of households (66.6%) while the 15 men engaged in either hunting and fishing constituted 25% of all male household heads.

TABLE 5.2
OCCUPATIONS OF MI'KMAQ MEN
LIVING IN MARIA ACCORDING TO THE
1871 CENSUS

Occupation	Male Head Household	Other Males 18 +	Totals
Farmer/Hunter	2	-	2
Fishermen/Hunter	1	-	1
Farmer/Fishermen/Hunter	7	2	9
Cooper/Trader	1	-	1
Not Given	1	5	6
Totals	12	7	19

SOURCE: 1871 CENSUS

TABLE 5.3
OCCUPATIONS OF MI'KMAQ MEN
LIVING IN LISTIGUJ ACCORDING TO THE
1871 CENSUS

Occupation	Male Head Household	Other Males 18 +	Totals
Farmer	34	26	60
Farm Labourer	6	7	13
Farmer/Hunter	8	-	8
Farmer/Fisherman	3	-	3
Hunter	1	-	1
Hunter/Fisherman	3	-	3
Cooper	1	-	1
Carpenter	2	-	2
Carpenter/Farmer	1	-	1
Tinsmith	1	-	1
Not Given	2	-	2
Totals	60	35	95

SOURCE: 1871 Census

TABLE 5.4
OCCUPATIONS OF MI'KMAQ AND WUASTUKWIUK MEN LIVING IN NEW BRUNSWICK ACCORDING TO THE 1871 CENSUS

	Male Family Head	Other Males 18+	Total
Hunter	62	25	87
Hunter/Fisherman	14	31	7
Hunter/labourer	1	-	1
Hunter/Basket Maker	1	-	1
Labourer/Hunter	1	-	1
Farmer/Hunter	1	-	1
Fisherman	7	1	8
Fisherman/Hunter	1	-	1
Farmer/Fisherman	2	-	2
Cooper	19	5	24
Cooper/Basket Maker	4	-	4
Cooper/Farmer	1	-	1
Basket Maker	10	6	16
Farmer	23	5	28
Farmer/labourer	2	-	2
Labourer	80	43	123
Labourer/Farmer	1	-	1
Carpenter	3	-	3
Lumberman	2	-	2
Tinsmith	3	-	3
Trader	1	-	1
Teacher	-	1	1
Not given	23	37	60
Totals	262	126	388

SOURCE: Evelyn Newell, The Aboriginal Population of New Brunswick in 1871. (Fredericton: Mi'kmaq-Maliseet Institute, University of New Brunswick, 1991).

TABLE 5.5
OCCUPATIONAL DESCRIPTION OF MI'KMAQ INHABITANTS OF MAINLAND NOVA SCOTIA ORGANIZED ACCORDING TO COUNTY TAKEN FROM THE 1871 CENSUS

	ANN	DIG	YAR	SHEL	QUEE	LUN	HAL	GUY
Population	53	223	24	10	108	43	30	73
Households	12	49	6	2	22	7	7	15
Cases	8	47	8	3	25	9	8	24
Cooper	4	9			4		1	12
Cooper/Hunter	-	-					7	3
Hunter	3	17			12	7		
Fisherman	-	4		1	2	1		
Hunter/Fish	-	2		2	1	1		2
Cooper/Fish	-	-						3
Cooper/Farmer	-	-						
Farmer	1		4					
Farmer/Hunter	-				1			
Farmer/Labourer			1					
Labourer	-		4		1			
Basketmaker	-		3					
Basket/Hunter	-		1					3
Other	-		3					1
Not Given	5		9		1			
Hunts *	2		13		4			2

LEGEND: Ann= Annapolis County; Dig = Digby County; Yar = Yarmouth County; Shel = Shelburne County; Quee = Queen County; Lun = Lunenburg County; Hal = Halifax County; Guy = Guysborough County;

OCCUPATIONAL DESCRIPTION OF MI'KMAQ INHABITANTS OF MAINLAND NOVA SCOTIA ORGANIZED ACCORDING TO COUNTY FROM THE 1871 CENSUS
(con't)

	ANT	PIC	CUM	COL	HANT	KING	TTL	%
Population	85	126	47	24	173	61	1080	
Households	16	23	12	6	35	13	224	
Cases	18	29	12	7	43	16	257	
Cooper	17	2	8	2	8	6	73	28.4
Cooper/Basket					1		1	
Cooper/Hunter			1	2	2	4	19	7.3
Hunter	1	1	2	3	6	2	54	21.0
Fisherman						1	9	3.5
Hunter/Fish							9	3.5
Cooper/Fish	1	1			1		6	2.3
Cooper/Farmer					2		2	0.7
Farmer					4		9	3.5
Farmer/hunter					1		2	0.7
Labourer		3			5		13	5.1
Basketmaker			1		7	1	12	4.7
Basket/Cooper					5	2	7	2.7
Basket/Hunter							4	1.6
Other		2					6	2.3
Not Given	2	6	1		1	1	26	10.1
Hunts*	9	3	4		4	2	43	16.8

LEGEND - Ant = Antigonish County; Pic = Pictou County; Cum = Cumberland County; Col = Colchester County; Hant = Hants County; King's County.
* Individuals whose given occupation does not include the descriptive "hunter" but who, according to Schedule 5, has hunted moose/caribou/deer or fur bearing animals

While the majority of men declared only one "occupation", a number combined occupations - that is they gained their livelihood through some combination of skills such as farming and hunting or coopering and basketmaking. Taken together, the tables reveal 67 of 496 men (13.5%) combined two or more types of livelihood.

Though the data presented here does not include Mi'kmaq peoples living in Newfoundland, Prince Edward and most of Nova Scotia, it nevertheless does suggest the continuing importance of traditional economic activities in animating Mi'kmaq and Wuastukwiuk life during the late nineteenth century. Since many peoples spoke English only with difficulty and would likely have been reticent to provide extensive information to the census taker, we would suppose that the figures provided in the tables under represent the actual number of individuals who hunted, fished or made baskets.

3. Remembering the Treaties

In 1761, a Frenchman, Saint-Luc de la Corne was shipwrecked along the shores of Bay Sainte-Anne on the northern end of Cape Breton Island and being rescued by local Mi'kmaq inhabitants, engaged them to guide him to the English fort at Cumberland.[24] Twenty years later, an English vessel was cast ashore at the same place and the survivors were once again rescued from certain death by local Mi'kmaq residents. Taken to the Mi'kmaq encampment, the six Englishmen were told the events surrounding the shipwreck of la Corne upon the insistence of an Old Woman “who appeared to be the Mistress or Mother of the families present". The purpose of the story was not lost on the

---

[24]. Journal du Voyage de M. Saint-Luc de la Corne, (Québec: Des Presses

six Englishmen who were told that despite the assistance given la Corne, he failed to pay the Mi'kmaq the thirty pounds which had been promised them.[25]

Though of relatively minor importance in the region's history, the story illustrates the importance that oral information has played in influencing relations with non-Mi'kmaq people. Ostensibly an elder of her community in 1780, the old woman had remembered a similar shipwreck twenty years before and had insisted that the Englishmen be told of the event. In doing so, she revealed not only the importance of elders as repositories of information but also their importance in subtly influencing appropriate actions.

Indeed, this is precisely the role that elders and sakamows have played in Mi'kmaq and Wuastukwiuk society, re-telling stories that their fathers and mothers had told them and re-affirming the Eighteenth Century treaties signed with the English Crown. During the 1920s and 1930's, there are references to the treaties being read at the Saint Ann's Day celebration on Cape Breton Island.[26] Similarly, during the 1930's, a treaty was shown to the writer Clara Dennis by the Grand Chief of the Mi'kmaq. Dennis recounts.

> The chief showed me, too, the old parchment treaty. `We get it from the King long ago to keep it and honour it and serve it and follow it,' the old chief said. This treaty also is read and talked of at the council."[27]

Meconqiues de la Coté et Cie, 1863).

[25]. Ottawa, NAC, MG 23 J6:135, S.W. Prenties, "Narrative of a Shipwreck on the Island of Cape Breton in a Voyage from Quebec, 1780".

[26]. Elsie Clews Parsons, "Micmac Notes: St. Ann's Mission on Chapel Island, Bras D'or Lakes, Cape Breton Island", Journal of American Folklore, 39 (1926). Clara Dennis, Cape Breton Over, (Toronto: The Ryerson Press, 1942), p. 51.

[27]. Dennis, Cape Breton Over, p. 51.

Knowledge of the treaties and their meanings was communicated orally from one generation to the next. In July of 1928, Joe Christmas, a former Grand Captain and then 74 years of age, testified in a Sydney courtroom that he had

Heard that according to treatys we had right to hunt and fish at any time. I cannot read. Heard it from our grand-fathers. Heard that King of England made Treaty with Micmacs with the whole tribe. Remember hearing that goods were given blankets under Treaty About 65 years ago, In the fall before Christmas Big coats and old fashioned guns and powder horns also And some hide to make moccasins And some food. In the Spring potatoes and beans for seed. Tobacco too. And some spears for spearing eels. Where people had little farms they got oats. These goods distributed every six months. Where people hunting they were supplied with powder shot and guns.[28]

Similarly, the Grand Chief, Gabriel Sylliboy testified that "Since I was a boy heard that Indians go from King free hunting and fishing at all times, " and Ben Christmas swore that the Mi'kmaq still believed that the Treaty of 1752 was still in force "as far as they are concerned."[29]

During the early 1920s as the Nova Scotia government attempted to regulate hunting, there were a number of enquiries from Game Wardens regarding whether the Mi'kmaq were exempt from provincial Game laws, implicitly suggesting that some hunters claimed exemption through the eighteenth century treaties. In March of 1922, J.A. Knight, the province's Game Commissioner, wrote to Noble Creelman, a guide from Lower Truro, that "some of the Indians have been claiming that they have a right under an old Treaty, to kill game at any time."[30] Similarly, two Mi'kmaq men living near Moncton

---

[28]. PANS, RG 38 [Inverness County], vol. 16:1916-1929, King vs. Sylliboy, 4 July, 1928.

[29]. Ibid., 4 July, 1928.

[30]. PANS, RG 20 821: file CR 23, Knight to Creelman, 30 March, 1922. In October, 1922, Knight wrote to A.H.H. DesBarres, a stipendiary Magistrate from Guysborough County that the "Mi'kmaq claim to be entitled to certain privileges by Treaty." RG 20

in 1925 claimed the right to hunt and fish "in any part of the country" by virtue of treaty rights.[31] In 1934, Gabriel Francis, of Indian Point, New Brunswick, claimed "the right to hunt and fish whenever he wants to, according to some of the old treaties etc. that have been made from time to time."[32]

Original treaties and agreements signed between the Mi'kmaq and Wuastukwiuk peoples and Europeans were kept by communities and read annually at social and political congregations. This likely involved not only treaties encompassing entire tribes but also agreements made with local Euro-American villages. Such an occurrence is suggested in a report a January 1940 Moncton Daily Times story regarding the 100th anniversary of a New Year’s Day custom followed by the Chignecto Mi'kmaq in which they celebrated the establishment of a reserve alongside the Petitcodiac River.[33]

Medals or other articles given to the Mi'kmaq or Wuastukwiuk at the time treaties or agreements were negotiated became a tangible reminder that an individual had been a party to the agreement. For instance, in April of 1922, a Charlottetown reporter wrote that the Abegweit Mi'kmaq had signed the 1752 treaty was evident from the Silver Medal of King George, which Chief Sark wears and which was handed down from his predecessor in office as Chiefs of the Micmacs of Prince Edward Island.[34]

821: file # 24, Knight to DesBarres, 4 Oct., 1922. Similar enquiries made by people claiming that local Mi'kmaq hunters claimed a right to hunt at any time can be found for Yarmouth County in RG 20 823: file #67, McKay (barrister) to F.F. Mathers (Deputy Attorney General), 17 May, 1922; and for Cumberland County, RG 20 823: file Ja-Jy, Knight to F.M. Johnson, 26 Nov., 1921.

[32]. PANB, RS 110, Game Law Violations, File 1934 - Victoria County, Report of the Royal Canadian Mounted Police, Perth, N.B. Detachment, "Re. Gabriel Francis", 5 Feb., 1934.

[33]. "Micmac Indians Observe Custom at Dorchester", Moncton Daily Times, 9 January, 1940.

[34]. "Agreement Between the British and Micmacs", The Patriot, 18 April, 1922.

As shown by the discovery of an ordinance from the Government of France to the Mi'kmaq in 1778, these documents could date from the eighteenth century[35] and were sometimes lodged with the missionary.[36]

4. Appealing to the Crown

As a result of their difficulty in providing for their families, sakamows and elders appealed to the Crown, usually through the Crown's representative in the colonies, the Lieutenant-Governor or occasionally by going to England themselves to talk to the Queen or King.[37] More commonly, however, families appealed directly to the Crown's representatives, usually the Lieutenant-Governor. Beginning in the late 1760s and continuing into the early nineteenth century, [38] a number of mainland Nova Scotian Mi'kmaq families appealed to colonial officials for relief during the winter months of

---

[35]. Rimouski, Archives nationales de Québec à Rimouski, Fonds Capuçins, Article 14, L-9, "Lettre de Washington." The ordinance can be found in

[36]. This is illustrated by the case among the Restigouche Mi'kmaq in the 1840's whose chief kept a number of papers lodged for safekeeping with the a missionary. He appears, however, to have been reticent to surrender the papers to subsequent chiefs. Rimouski, ANQR, Fonds Capuçins, Article 14, F-1, Dept. Affaires indiennes, Divers, D. C. Napier to Rev. Saint-Malo, 5 Aug., 1840.

[37]. On at least two occasions, Mi'kmaq delegations went to England to appeal directly to the Crown after 1760; in 1763 and 1842. In 1763 John Baptist of the Cape Sable Mi'kmaq and Joseph Shickakett, Captain of one of the Tribes inhabiting the District of Cumberland" visited England. PANS, RG 1 164:282, 30 August, 1763. In January, 1842 the chief of the Restigouche Mi'kmaq together with two villagers and an interpreter journeyed to London to seek an audience with the Queen, a request that was denied. A lengthy correspondence of this trip is in NAC, RG 10 470:487-531. Also see, Rimouski, ANQR, Article 14, 1-9 Autres Indiens.

December, January and February, ostensibly because their food resources had declined.[39] However, these appeals belie a deeper significance which dates from the Crown's obligations as a result of the 1752 treaty with the Mi'kmaq. For example, in 1780 a Nova Scotian official wrote to the Secretary of State in London that "it has been customary for Government to allow to the Indians Tribes of the Province" with an annual supply of provisions.[40] Though not explicitly stated, the suggestion is that in supplying the Mi'kmaq and Wuastukwuik peoples with an annual supply of goods, the Nova Scotia government was continuing a pattern of social interaction which had been formalized in the 1752 treaty.

The Crown's position on the treaties during the post-1786 period is not known. Between the last treaty signed with the Mi'kmaq in 1786 and the early 1920s, no references to them have been found in government correspondence. As the research done for this report did not exhaust all available source materials, the fact that mention of the treaties was not discovered, should not be interpreted to be of significance.

When mention of the treaties was made during the 1920s and 1930s, officials in the Nova Scotia government tended to view them as rather quaint historical documents, which bore no legal value. Thus in reply to enquiries regarding any special rights the Mi'kmaq might enjoy as a result of treaties signed with the British, Nova Scotia's Commissioner of Games and Forests, J.A. Knight in 1922 replied in the following manner:

---

[39]. For example, PANS, RG 20 "A", vol. 47, "Petition of Pierre Bernard, 30 Oct., 1813; PANS, RG 5 "P", 2:#15, The Petition of Andrew Mews..." 16 Jan., 1821.

[40]. RG 1, 45:#84, R. Hughes to George Germain, March 1780.

Indians the same as other people are subject to the Laws relating to hunting, fishing and trapping. They claim to be entitled to certain privileges by Treaty, but I cannot find anything to sustain such claim. Several Treaties were made with the Indians, the last one being that made at Halifax with the Micmacs in 1760. This was a renewal of a Treaty made originally in 1726 with the addition of provisions relating to trade with the Indians and the prices to be paid for pelts. The only Treaty that I have been able to find any record of which refers to rights of hunting and fishing is one negotiated in 1752 or 1753 with some Indians representing themselves as acting for the tribes. This treaty was afterwards repudiated by the Indians generally, who neither observed nor recognized it.[41]

A similar position was adopted by the Chief Game Warden for the Province of New Brunswick, who argued in a 1934 letter that both the Mi'kmaq and Wuastukwiuk peoples were "subject to the same laws as the white people."[42]

5. Game Laws of the Twentieth Century

During the late nineteenth and early twentieth centuries, the provincial governments of New Brunswick, Newfoundland, Nova Scotia and Prince Edward Island passed legislation to regulate the hunting of terrestrial mammals, particularly moose, deer, caribou and all fur bearing animals. This legislation reflected a general conservation movement throughout North America which had begun in the United States during the 1860s. The movement was composed of two separate groups, whose arguments for conservation were premised upon fundamentally different precepts. On the one hand, the "nature lovers" viewed wildlife as something to be treasured and preserved while

---

[41]. PANS, RG 20 821, file 24, J.A. Knight to A.H.H. DesBarres, 4 Oct., 1922. DesBarres was from Guysboro. Knight made similar replies to enquiries to R.S. McKay, K.C. of Yarmouth, (RG 20 823, File 67, Knight to McKay 5 June, 1922), and F. M. Johnson of Oxford. (RG 20 823 File Jo-Jy, Knight to Johnson, 26 Nov., 1921.)

[42]. PANB, RS 110, Game Law Violations, File 1934 - Victoria County, H.H. Ritchie

sportsmen saw conservation as a means to preserve game for their exclusive and continuing use. For the latter, hunting and fishing were virtuous activities which pitted man against nature in a ritual preparing young male urban dwellers for the challenges they would later face in life.[43]

The sports lobby in the United States and Canada influenced the character of game legislation, especially as the economic spin-offs from the tourist trade piqued government interest. In New Brunswick, for instance, the Game Commissioner reported in 1921 that the number of American hunters visiting the province during the past season had been 514 " a considerable increase over the previous year." The total revenue raised from the sale of game licenses had been $72,677 most of which "was derived from non-resident hunters" who, however, "only killed one-seventh of the game." [44] In the same year, 124 American hunters visited Nova Scotia, a small number in comparison to New Brunswick, but still according to the Game Commissioner, " a considerable increase' over 1920.[45] As new laws were passed in order to reap the benefits of this trade, one Nova Scotia legislator rose in the House of Assembly to complain that Game legislation "presumed that the birds and beasts of our forests and the fishes in our streams had been placed there

---

to Superintendent, "J" Divison, RCMP, Fredericton, 6 March, 1934.

[43]. Thomas Dunlap, Saving America's Wildlife, (Princeton: Princeton University Press), pp. 8-9. See also his "Sport hunting and Conservation, 1880-1920, Environmental Review, v. 12 (Spring 1988), pp. 51-60. More recently, Dunlap has examined the development of the conservation movement in Canada. "Ducks and Laws: Overthrowing Tradition from Ottawa -- and Washington", paper presented to the Canadian Historical Association Annual Meeting, Québec, June, 1989.

[44]. RG 20, 824 file 48, Enclosure in R.U. Parker to J.A. Knight, 7 April 1921.

[45]. RG 20, 824 file 48, Commission to R.U. Parker, 9 June, 1921.

for the sake of a few sportsmen."[46] The government, however, was undeterred and throughout the first quarter of the century, publicized big game hunting in Nova Scotia to attract non-resident hunters. In 1911, for example, Nova Scotia was represented at the Sportsman's Show in New York, in a display sponsored jointly by the Game Commission and the railways.[47] Up until at least the early 1920s, the Commission also participated actively in obtaining information regarding game availability throughout the province and publicizing it to residents of the Eastern United States and Canada.[48]

Periodically, this meant hunting and fishing had to be restricted for permanent residents of the province. Doing so, was complicated by at least two factors. First wild meat constituted an important component of the non-urban economy. As one member of the House of Assembly argued in March, 1905, restrictions concerning the sale of game meat meant that "a great many of our poor people who made a little money out of the sale of game would be deprived of that opportunity."[49] As suggested by a report from

---

[46]. Speech by Mr. Cooper, 21 March, 1905, Debates and Proceedings of the House of Assembly, (Halifax 1905), p. 180.

[47]. Journals and Proceedings of the House of Assembly of the Province of Nova Scotia, Session 1911, Part II, Appendix no. 24.

[48]. PANS, RG 20 823: file Moa-Moo, Knight to J.A. Maloy, 23 Feb., 1922. During the early 1920's the Commission distributed questionnaires prepared by the Railway were to Game Wardens. For an example copy, see RG 20 823 file 78, Information Circular, Dominion Atlantic Railway Company, 1 Feb., 1921. For 1920, there were 124 American big game hunters who visited Nova Scotia, "a considerable increase over the previous year. RG 20, 824 File #48, Knight to R.V. Parker, 9 June, 1921.

[49]. Mr. Cooper, 21 March, 1905, Debates and Proceedings of the House of Assembly, (Halifax 1905), p. 181. For an analysis of how new game laws affected backwoodsman in Washington County, Maine during an earlier period, see Edward D. Ives, George Magoon and the Down East Game War: History, Folklore, and the Law, (Urbana and Chicago: University of Illinois Press, 1988).

Lunenburg in October, 1921, two local butchers were selling moose meat, ostensibly purchased from local hunters.[50] Secondly, the early years of the century witnessed an increasing penetration of rural areas by urban dwellers on weekends and holidays, reflecting a general transportation revolution then sweeping the continent. The introduction of the automobile increased the accessibility of rural areas to urban dwellers who could now easily drive from the city to rural areas. In 1921, a businessman from Mount Uniacke, [51] complained of the "fishing and shooting carried on by parties who come out of town (Halifax) on Saturday evening train and by auto on Sundays", all of them strangers to local inhabitants.[52] Similarly, a resident of Village Mills, Cape Breton Island, complained of sports people from "Sydney and other surroundings (who) come here by train every year and scour the woods for the day and step off by evening or night train."[53] In effect, game laws would deprive some families of an important source of food and income. At the same time, the increasing accessibility of rural areas to urban dwellers meant that more and more, the animal population was potentially at risk. If new game legislation specifying closed seasons for certain animals was to have any effect, it would have to be strictly enforced.

Game legislation passed prior to 1867 had not affected Mi'kmaq and Wuastukwiuk hunters as in many cases, they were exempted from the laws' provisions.[54] This was true

---

[50]. PANS, RG 20 820: file Edwin J. Coldwell, Coldwell to Knight, 9 Oct., 1921.

[52]. PANS, RG 20 820, Bleis to Knight, 14 July, 1921.

[53]. PANS, RG 20 820: file Bl 10, Malcolm Blue to Knight, 16 Aug., 1921,

[54]. For instance, in 1816 the Mi'kmaq and poor settlers were exempt from an act “for the preservation of Snipes and woodcocks." The Statutes of Nova Scotia...1805-1816,

in Lower Canada.[55] And, in New Brunswick where legislation passed in 1865 had prohibited the hunting of moose from the first of February to the first of May, a special provision exempted the "Micmac or Milicete Tribe...provided that any such Indian shall not kill more than two Moose".[56] In Nova Scotia, the Mi'kmaq were exempted from laws regarding the partridges, snipes and woodcocks but not from laws regarding moose or caribou hunting.[57] In Newfoundland, wildlife legislation did not refer to either Mi'kmaq or Innu residents. However, legislation first passed in 1859 concerning caribou allowed poor settlers the right to kill "any caribou for his immediate consumption or that of this family" at any time while other residents could only do so from October first to mid-February.[58]

This changed after 1867 when any exemptions previously enacted by individual colonies were deleted from future wildlife legislation. As a result, both Mi'kmaq and Wuastukwiuk hunters faced new difficulties in providing for their families. In 1874, the

---

edited by Henry H. Cogswell, vol. II, (Halifax: John Howe, Son & Co., 1816) p. 200.

55. See Acts for 1845 on wildfowl and snipes, Provincial Statutes of Canada, vol. II (Montreal: Stewart Derbishire & George Desbarats, 1845), pp. 269-270; and on wild animals and other game in 1857, Statutes of the Province of Canada, (Toronto: Stewart Derbishire & George Desbarats, 1857), p. 248. However, a 1858 law stated that they could not use game "for sale, barter or gift." Statutes of the Province of Canada, (Toronto: Stewart Derbishire & George Desbarats, 1858), pp. 545-546.

56. "An Act for the protection of Moose", 8 June, 1865, Acts of the General Assembly of Her Majesty's Province of New Brunswick, (Fredericton 1865), pp. 69-71.

57. "Of the Preservation of useful Birds and Animals", in Revised Statues of Nova Scotia, (Halifax: Richard Nugent, Publisher, 1851), p. 278.

58. "An Act to provide for the Preservation of Deer" 1 June, 1889 in Acts of the General Assembly of Newfoundland, (St. John's: J.C. Witmers, 1889), p. 81.

Nova Scotian government placed a three year moratorium upon moose and beaver hunting and established closed seasons for partridge, woodcocks, hares and rabbits.[59] Three years later, the moratorium was lifted but closed seasons imposed on moose, caribou, beaver, otter, mink, and musquash.[60] In 1896, the usage of snares and dogs, both of which had been traditionally used to hunt moose, was outlawed. At the same time, a formal structure was established to oversee the implementation of the province's game laws. Legislation in Nova Scotia enabled the appointment of a Game Commissioner and agents throughout the province to sell licenses to non-residents and to ensure the Act's implementation.[61] Sixteen years later, new legislation was passed which regulated moose hunting from mid-September to mid-November. The new laws limited each hunter to one moose as well as forcing them to report each killing to a justice of the peace or warden who will then be able to "determine whether or not the moose has been legally killed." Also, the 1912 Game Act introduced new licensing fees which included fees for hunting guides and the payment of five dollars for residents to "hunt and kill caribou outside the county in which he resides."[62] Similar restrictions were implemented in New Brunswick.

The Game Laws represented a further attempt by government officials to restrict the economic activities and movement of Native peoples in the Atlantic region. By passing

---

[60]. "An Act further to amend the Laws `for the Preservation of Useful Birds and Animals', in The Statutes of Nova Scotia 1877, (Halifax: Nova Scotia Printing Co., 1877), pp. 23-27.

[61]. "An Act to further amend and to consolidate the Acts for the Preservation of Game" in The Statutes of Nova Scotia, 1896, (Halifax: Commissioner of Public Works and Mines, Queen's Printer, 1896), pp. 9-21.

[62]. "The Game Act 1912", in The Statutes of Nova Scotia 1912, (Halifax: King's Printer 1912), pp. 192-194, 202-203.

legislation limiting the time period in which moose and other animals could be killed, the provincial governments were in effect making it illegal for either the Mi'kmaq or Wuastukwiuk peoples to pursue a pattern of existence consonant with traditional lifestyles and values. Thus the full power of the state was marshalled in order to search Mi'kmaq homes for illegal killings of moose. The Game Warden for Shelburne Country, Wade Raymond, travelled to Sable River, Nova Scotia, in early February 1926 after receiving information that "an Indian by the name of Stephen Labrador had killed a Moose on Jan. 15th and had fresh Moose Meat in or on his premises. Acting on this information, (Raymond) ....made a Search of his (Labrador's) house and outbuildings." Finding no evidence, however, Raymond returned home. [63]

a) The Mi'kmaq

The Mi'kmaq challenged the legality of the provinces right to regulate their hunting activities, arguing that the eighteenth century treaties were still valid. In 1925, in a prelude to the more famous Sylliboy case of 1928, two Mi'kmaq men from southeastern New Brunswick, Alex Bernard and Peter Jacobs, were charged with trapping beaver in late April, but argued that the 1725 and 1752 treaties guaranteed their right to do so. The applicability of the treaties was not tested as the Crown failed to present a case so that the Judge did not deal with the constitutional aspects of the case." [64]

---

[63]. RG 20, 830 File 18, Raymond to Commissioner, 5 Feb., 1926.

[64]. "Case Against Indians Charged with Unlawfully Trapping Beaver Dismissed Yesterday Afternoon", Moncton Daily Times, 30 May, 1925, p. 5. A transcript of the trial has not been found.

Two years later, the Grand Chief of the Mi'kmaq nation, Gabriel Sylliboy, was charged with hunting muskrats out of season in Inverness County of Cape Breton Island. The charge laid against Grand Chief Sylliboy reflected a longstanding tension between Mi'kmaq and non-Mi'kmaq communities regarding hunting rights in both Cape Breton and other regions of Nova Scotia and New Brunswick. In late April, 1922, J. D. MacKenzie, a Game Warden living in Baddeck informed the Game Commissioner, J.A. Knight that the Mi'kmaq had been trapping muskrat out of season near Iona (on the Bras D'or Lakes) "but the residents of those places drove them away and destroyed some of their traps. Their (the Mi'kmaq) names I failed to find out yet as Indians are only Indian and will lie & [s_____] each other co. All I know is that they were from the Indian Reserve at Middle River."[65] A week later, Alexander MacDonald, a municipal councillor from St. Columba, informed Knight that a bunch of Mi'kmaq had been trapping in the area but he had gotten the Justice of the Pace to destroy their traps. MacDonald went on to complain that this had not been the "first Spring for Indians to be at work in close season."[66] MacKenzie was soon after instructed by Knight to investigate the affair, and if possible, to get the names of those setting traps.

Similar disputes occurred in other regions of Nova Scotia and in New Brunswick. This is suggested both by enquiries to the Game Commissioner regarding the applicability of the Game Laws to the Mi'kmaq and by the fact that between 1910 and 1922, 13 Mi'kmaq were found guilty of hunting in closed seasons in Nova Scotia. These

---

[65]. RG 20, 823 File 67, J.D. McKenzie to Knight, 26 April, 1922.

[66]. RG 20, 823 File McD-McG, Alexander MacDonald to J.A. Knight, 3 May, 1922.

individuals are listed in Table 5.6. Though they are not specifically identified in the records as Mi'kmaq, their surnames

TABLE 5.6

MI'KMAQ MEN FOUND GUILTY OF
GAME LAW VIOLATIONS IN NOVA SCOTIA, 1910-1922

Name	Year	Place of Prosecution
John Pictou	1910	[Yarmouth]
Jno Julian	1911	
William Labrador	1911	
Tom Labrador 1911		
Stephen Labrador	1911	
Jas. Toney	1911	
Louis Julian	1911	
J.J. Julian	1912	Halifax Co.
Knockwood	1912	[Kentville]
Louis Paul	1912	Halifax Co.
Joe Pictou	1916	
Louis E. Meuse	1919	[Yarmouth]
Peter Meuse	1919	[Yarmouth]

SOURCE: Journal and Proceedings of the House of Assembly of the Province of Nova Scotia, Game Commissioners Reports for 1910 to 1919.

would indicate this to be so. These are the only records regarding game violations which have been found for Nova Scotia. In New Brunswick, a total of four Mi'kmaq or Wuastukwiuk men were prosecuted for Game law violations between 1934 and 1937, the only years for which a listing of prosecutions has been found. These figures, however, only relate to the western and central portions of the province and do not include its eastern borders where the majority of the Mi'kmaq population lived.[67]

In at least four counties -Westmoreland, Cumberland, Yarmouth and Guysborough - the Mi’kmaq argued that treaties signed during the eighteenth century superseded provincial law. That argument threatened the provinces' ability to regulate hunting and thus to protect game as a tourist resource. Thus, the argument presented in the trial of Gabriel Sylliboy that the Mi'kmaq were exempt from the Game Laws by the 1752 treaty which had guaranteed "free liberty of hunting and fishing as usual", was actually part of a longstanding dispute with the provincial governments in the Atlantic region.

The only extant record from the trial is an eight page transcript which contains the condensed testimony of six elder Mi'kmaq residents of Cape Breton, Joe Christmas, Gabriel Sylliboy, Andrew Alek, Andrew Bernard, Francis Gould and Ben Christmas. The six men testified that from the time of their youth they had been told that the Treaty gave their people the right to fish and hunt and they had continued to do so without interference from the provincial government. As reflecting the government's continuing adherence to the Treaty's articles, a number of the Mi'kmaq witnesses stated that they and their fathers had received an annual allotment of goods from the government as had been

---

[67]. PANB, RS 110, Game Law Violations.

promised by the Crown in 1752.

Though the defense attorney, Colin MacKenzie, introduced a copy of the treaty, the Royal Proclamation, and a number of other relevant documents at the trial, there is no evidence to indicate that a substantive research of the Treaty was made by either the Crown or the defense. Judge Patterson in delivering his decision ignored the oral testimony of the six Mi'kmaq elders and relied exclusively upon the English documentation submitted by the defense and Crown. This documentation framed the arguments contained in his decision which emphasized that the 1752 treaty had been made “not with the Mick Mack Tribe as a whole but with a small body of that tribe living in the eastern part of Nova Scotia proper, with headquarters in and about Shubenacadie.” [68] As Grand Chief Sylliboy was not a member of this band, he was not covered by the Treaty's provisions. Even if he was, however, Patterson argued that Sylliboy would still have been found guilty because at the time the Treaty was signed, the Mi'kmaq did not have the "status to enter into a treaty" as they were not then an independent power.

Grand Chief Sylliboy wanted to appeal the decision. Further legal action, however, appears to have been blocked as a result of advice offered by the Department of Indian Affairs to the lawyer it had hired to defend Grand Chief Sylliboy. In a letter dated early May, 1929, the Acting Deputy Superintendent-General wrote that

> no good purpose would be served by taking an appeal from this judgement. The Indians are apparently amenable to the provisions of the Provincial Game laws. The only thing therefor that we can do is to ask the Provincial Government for some modification of the Game Laws in favour of the Indians where

[68]. "Rex v. Sylliboy" Canadian Criminal Cases edited by R.M. Willes Chitty, 50 (Toronto: Canada Law Book Col. Ltd. 1928), pp. 390-391.

such laws create a hardship."[6]

Though the ruling had occurred in a lower court, it was reported both in the Dominion Law Reports of 1928 and in Canadian Criminal Cases of the same year. For the next sixty years, the ruling influenced lower court decisions throughout the Atlantic region regarding the applicability of the Game Laws to Native peoples. In at least one known case, a Wuastukwiuk hunter revised his initial plea of "not guilty" after being advised by defense counsel of the difficulties in overturning the Patterson decision.[70] Only recently `overturned' in a Supreme Court decision of 1985 in R v. Simon, was the 1752 treaty recognized as having an applicability in determining the character of Mi'kmaq-Crown relations. No decision was made, however, as to whether the treaty applied to all Mi'kmaq or just to members of the Shubenacadie band.[71]

The Patterson ruling of 1928, however, did not resolve the issue and during the following decades, the Mi'kmaq in Nova Scotia continued to challenge the province's right to override 18th century treaty rights. Little support came from the Department of Indian Affairs who at least on one occasion, in 1934, refused to supply counsel to a Mi'kmaq man, Steve Maloney, accused of "having deer meat in his possession in a public place contrary to the Game laws." [72] Some attempts were made to negotiate directly with

---

[70]. PANB, RS 110, Game Violations, File 1934 - Victoria County, C.H. Elliot to H.H. Ritchie, 5 April, 1934.

[71]. R. v. Simon, Supreme Court of Canada, 21 Nov., 1985, Atlantic Provinces Reports, 171 (Fredericton: Maritime Law Book Ltd., 1986), pp. 15-35.

[72]. TAR, Ben Christmas Papers, 1930-1939, 92-1002-01-007, Chief John Maloney to [ ], 26 Jan., 1934.

the Province, though apparently to no avail. During the mid-1930's, for instance, Ben Christmas, chief of the Membertou band, suggested to other chiefs that the government either "pass the Legislation to recognize our Treaty rights in the matter of hunting in closed seasons, or else pay every Indian hunter and trapper in Nova Scotia, at least, ten or fifteen dollars a month during closed season."[73]

b) The Wuastukwiuk

Information regarding challenges to provincial game laws by Wuastukwiuk peoples is less easily accessible. This is largely because the major manuscript sources regarding the regulation of provincial game laws in New Brunswick still has not been sorted and therefore is not available for consultation to researchers.

73

. TAR, Ben Christmas Papers, 1930-1939, 92-1002-01-007, Chief Ben Christmas to Chief John Maloney, 16 Jan, 193- .

TABLE 5.7
OCCUPATIONS OF WUASTUKWIUK MEN
ACCORDING TO THE 1871 CENSUS

	Male Family Head	Other Males 18+	Total
Hunter	44	10	54
Hunter/Fisherman	4	1	5
Hunter/labourer	-	-	-
Hunter/Basket Maker	1	-	1
Labourer/Hunter	-	-	-
Farmer/Hunter	-	-	-
Fisherman	-	-	-
Fisherman/Hunter	-	-	-
Farmer/Fisherman	-	-	-
Cooper	10	2	12
Cooper/Basket Maker	3	-	3
Cooper/Farmer	-	-	-
Basket Maker	2	2	4
Farmer	8	2	10
Farmer/labourer	2	-	2
Labourer	6	3	9
Labourer/Farmer	1	-	1
Carpenter	2	-	2
Lumberman	2	-	2
Teacher	-	1	1
Not given	9	18	27
Totals	94	39	133

SOURCE: 1871 CENSUS

As indicated by the Table, 65 of 83 male family heads for whom occupations are listed, were engaged in some form of economic activity which involved living off the forest. The majority of this total were hunters and in 1871 were living in York County, just west of Fredericton.

Perhaps not unrelated to this, is the fact that the principal legal challenge to the province's ability to restrict the economic activities of Native people was launched by a Wuastukwiuk man living in this area. The subsequent case, R. vs. Peter Paul, was not reported in the Atlantic Canada reports and consequently has not attracted the notice of lawyers and legal historians. The case, however, is significant for two reasons. First, it is the best documented case involving the Wuastukwiuk people. Secondly, unlike the Sylliboy case of 1928, the defense made an extensive investigation of relevant eighteenth century treaties which had been signed by the Wuastukwiuk peoples. Some of the documentation has survived and is contained in the personal papers of Edwin Tappan Adney, a resident of Woodstock, New Brunswick, who throughout the trial, acted as an advisor to defense counsel regarding the historical documentation.

Peter Paul was a resident and constable for the Woodstock community who was arrested on 21 August, 1946 and charged "with theft of some barrel-hoop poles of ash, amounting to less than half a cord in all, from one Harold Rogers of Benton."[74] Hoop-poles, as Adney was later to write, were saplings "about an inch and a quarter at the butt and six feet long, and were used to make baskets, an occupation that became more important as the province restricted hunting and fishing in the province.[75]

---

[74]. Fredericton, University of New Brunswick, Harriet Irving Library Archives, MG H22, Tappan Adney Papers, Case 3, File 1, #34, Peter Paul Case, n.d.

[75]. Adney Papers, Case 2, file 6, untitled and undated manuscript.

Aware that the case was unusual, the Indian Agent solicited the help of a lawyer "and had him retained by the accused thus leaving counsel free to go outside and beyond the Indian Act by which the Agent would be naturally bound."[76] Adney as a personal friend of the defendant, became interested in the case and the importance that eighteenth treaties might have played in defending Peter Paul. Counsel for the accused did not share Adney's opinion.[77] Paul was convicted. On 23 November, he appealed the decision, but withdrew soon after choosing to present his case before a Parliamentary Commission which was scheduled to tour the Atlantic region to investigate the conditions of Aboriginal peoples.

* * * * * * * * * *

The Sylliboy decision was a part of a consistent policy of the Crown towards Aboriginal peoples in the Atlantic region which had, from the first beginnings of Loyalist immigration in the 1780s, attempted to restrict the movements and settlement patterns of both Mi'kmaq and Wuastukwiuk peoples. By the early twentieth century, those measures had not succeeded and many Mi'kmaq peoples continued to hunt to fish, as well to make baskets and other wares from wood acquired in forest lands. This meant, however, that many families did not live on `reserve' land or that for many months of the year, families lived in the bush, and occasionally migrated into the larger European settlements. With the introduction of Game Laws, a new phase of government policy was initiated by making year round hunting a criminal offence. In effect, the

---

[76]. Adney Papers, Case 2, file 6, "Miscellaneous Odd papers," p. 129, n.d.

[77]. Adney Papers, Case 3, file 1, Adney to Whalen, 21 Oct. 1946.

Game Laws had a devastating effect upon both Mi'kmaq and Wuastukwiuk peoples, as game wardens now had the full power of the law to enter peoples' home, searching for `illegal' catches of moose, deer and other animals. The process of colonization had come full circle, and many Mi'kmaq families likely had no choice but to move to the lands which had been `reserved' for them by the Crown in the early 1780s and 1830. Since many of these lands were not located along the coastline or adjacent to river systems, some Mi'kmaq communities quickly became dependent upon government assistance or became part of a continual movement between the `reserve' and white settlements either peddling their finely crafted goods or searching for work as a labourer.

CONCLUSION

One of the effects of colonization is the loss of peoples' history; the memory of the past conveyed from generation to generation, ether orally, through hieroglyphics, through documents, or by objects. European societies and their descendants have harnessed the collective memory of their past and that of many other peoples in a vast assemblage of documentation. Just the sheer weight of that documentation has impressed researchers with the sometimes mistaken belief that documents can tell the `truth'; successfully reconstruct the past and tell us what happened in the eighteenth century. Treaties signed between the Mi’kmaq and the Wuastukwiuk and the English Crown during the eighteenth century illustrates this problem. How can we go beyond the English text of the treaties which appear to state in unambiguous language the agreement that both parties signed? How so, when we lack treaty minutes from the conferences? Knowing that

both parties had evolved from fundamentally different political and legal cultures? There are no easy answers to those questions. At best, what we can do is to reconstruct the social, economic and political structures which underlay each society, through reference not just to ten years or twenty years, but one hundred and two hundred year spans of time. This is what Fernand Braudel and others of the Annales School have called "the long duree." The political conjuncture may change, sakamows and elders, Kings and Queen, come and go, but the essential components of the society remain. This report has in part, attempted such an analysis, albeit in a limited manner. Europeans came to North America, spreading disease, bringing technological wonders, and establishing farms, villages, garrison towns, and eventually cities. Aboriginal societies changed though in a manner less pronounced and dramatically than European documentation would have us believe. Rather, the essential economic, political and cultural structures persisted. Mi'kmaq people continued to fish, to hunt, to trade, to have children while at the same time maintaining their political-decision making bodies. Though there is some uncertainty as to the character of that polity, there is no evidence to suggest that the society was fractured or immobilized.

Both sides recognized that accommodation was necessary. For the English, accommodation was essential if settlement was to proceed. The Mi'kmaq and the Wuastukwiuk saw treaties as a means to resolve longstanding disputes while ensuring the future security of their communities. But problems arose, in part because of the very expansionary character of English society but also because both sides had different views of treaty-making. The English were represented by the King's representative, the Mi'kmaq and Wuastukwiuk by sakamows and elders, whose influence was dependent upon a consensual form of government. Thus, treaties were long affairs, spanning days, months, and even years. Yet we are faced with a documentary record which

represents treaties as documents, texts easily decipherable, and even more easily conveyed to London for approbation. But the Mi'kmaq and Wuastukwiuk recognized no such system, and saw the treaties as a chain encompassing discussions held over many years. Nowhere is that contradiction more apparent than when we examine the post-treaty period. The Mi'kmaq remembered the treaties, reciting its meanings to their people year after year. The English forgot them, lost as it were in the vast documentation which too often is represented as history. So, the Mi'kmaq and the Wuatikwiuk continued to hunt, to fish, to trade, confident that the treaties protected them from further interference. But the political conjuncture changed, new governments were appointed and elected, European settlement increased and the treaties, forgotten. Now, we must try to remember. Perhaps, ultimately we must ask both the Mi'kmaq and Wuastukwiuk, to listen to their memories.

BIBLIOGRAPHY

Organization

1. Manuscript Sources

2. Printed Sources

3. Reference Works

4. Secondary Sources

1. MANUSCRIPT SOURCES

a) Canada

Archives nationales de Québec à Rimouski

Fonds Capucins, article 1-23

Archives du Séminaire de Québec, Québec

Lettre M, no. 35, 37
Lettre N, no. 48, 86, 121
Lettre P, no. 8, 60-64
Lettre R, no. 180

National Archives of Canada, Ottawa, Ontario

MG 18 E29 Collection Charlevoix Discours des Sauvages Micmaques.... 1749 one volume

MG 18 F8 Paul Mascarene Journal 1742-53 one volume

MG 18 F12 Collection Pichon 1751, one volume

MG 18 H27 Felix Martin Papers 1747, one volume

MG 18 M Lt. Col Robert Monckton Papers, v. 1-13

MG 18 N8 Muster Rolls, New England Expedition against Port Royal, 1710, one volume

MG 23 A1 Earl of Dartmouth Papers 1771-1776, three volumes

MG 23 G11-19 Monk Family Papers 1784-1797, four volumes

MG 23 J6 Samuel Prenties Journal 1780-81, one volume

RG 10 Indian Affairs, Nova Scotia, v. 459-461

New Brunswick Museum, Saint John, New Brunswick

W.F. Ganong Scrapbooks

Public Archives of New Brunswick, Fredericton, New Brunswick

Charles Robin Journal, one volume, 1767-1774

Public Archives of Nova Scotia, Halifax, Nova Scotia

RG 1 Akin Transcripts
v. 1-25, 35-57, 166-172,
186-191, 215-217, 286-87, 318-320,
380, 394-398, 491-494
1603-1800

RG 5 House of Assembly Series "P" Petitions
1816-1850

RG 20 Land Records, A and C
Petitions, Land Surveys and Land Grants
1760-1830

RG 34 Quarter Sessions County Proceedings to 1800
Colchester
Halifax
King's
Pictou
Queens
Shelburne
Yarmouth

MG 1

Baker Papers v. 106

Chipman Papers v. 181

Cunningham Papers v. 249

Isaac Deschamps Papers v. 258 and 258a

Rev. John Seccombe Diary 1759

Wentworth Papers v. 939 and 941

MG 15 Abbé Sigogne Papers v. 17

b) France

Microfilm copies of manuscripts in France were consulted at the National Archives of Canada, Ottawa.

Archives de la Compagnie de Saint-Sulpice à Paris

Série II, v. 25, 1701

Archives départementales

Charente-Maritime

Amirauté de La Rochelle, Serie B, Cours et jurisdictions, 1634-1646

Amirauté de Louisbourg, v. 272, 1742-1743

Ille-et-Vilaine (Rennes),

Registre de Saint-Pierre-du-Nord, Ile Saint-Jean, 1725-1758

Archives nationales, Paris: Fonds des colonies.

B - Lettres envoyées aux colonies, v. 3-97, 1671-1753

C11A - Correspondance du Canada, v. 1-99, 122, 1663-1760
C11B - Correspondance de l'Ile Royale, v. 1-38, 1714-1758
C11C - Amérique du Nord, v. 1-16, 1705-1771
C11D - Correspondance de l'Acadie, v. 1-10, 1604-1760

F2B - Commerce aux colonies, v.11, 1742 1754
F3 - Collection Moreau de Saint-Méry, v. 5-6, 40, 1678-1755

Archives nationales, Paris: Section ancienne

Série K. Monuments historiques, carton 1232

Archives nationales, Paris: Section outre-mer

G1 - Etat civil de l'Ile Royale, Ile Saint-Jean, v. 411, 1721-58,

G1 - Concessions, recensements de l'Acadie et l'île Royale, v. 466

Service historique de l'armée, Paris

Série A1.- Correspondance générale, opérations militaires
v. 3393, 3499, 1751-1754, 1758

c) Great Britain

Microfilmed copies of these records are on deposit at the National Archives of Canada in Ottawa with the exception of the Admiralty Papers. These manuscripts are on deposit at the Fortress of Louisbourg Archives, Louisbourg, Nova Scotia.

British Museum, London

Additional Manuscripts # 19069-19076, Andrew Brown transcripts

Public Record Office, London

Admiralty Papers 1 - selected volumes

Colonial Office Series 1
Colonial Office Papers Series 5 – Massachusetts v. 751-754, 785-794, 863-869
1686

Colonial Office Papers Series 217 - Nova Scotia, Original Correspondence
to the Board of Trade, v. 1-60, 1710-1788

Colonial Office Papers Series 218 - Nova Scotia, Original Correspondence, Board of Trade to Nova Scotia, v. 1-5, 1710-1760

Colonial Office Papers Series 221 - Shipping Returns Nova Scotia, v. 28-31, 1730-1765

Colonial Office Series 324

State Papers 103 and 104

War Office Papers Series 34 - Amherst Correspondence, v. 11-13, 1756-1763

d) United States

Massachusetts State Archives, Boston, Massachusetts

Massachusetts Archive Series, selected volumes
1686-1776

Suffolk County Court Records
Supreme Court Judicature, selected files, 1671, 1720-1726

Massachusetts Historical Society, Boston, Massachusetts

Belknap Papers
Miscellaneous Unbound Volumes
Parkman Papers

2. PRINTED SOURCES

Acts and Resolves Public and Private of the Province of Massachusetts Bay. vols. 1-16, Boston 1869-1909.

Amherst, General. "Papiers Amherst concernant les Acadiens", La Societé Historique Acadienne, (1970), pp. 256-320.

Anonymous. "Réglement des Limites (Acadie 1753), "Collection de documents inédits sur l'Acadie." Canada-Français, 3 (Québec: 1889), 60-87.

Baxter, James Phinney, ed. Documentary History of the State of Maine. vol. 1-23, Portland 1916.

Biggar, H.P., ed. The Precursors of Jacques Cartier. Ottawa: Government Printing Office, 1911.

-----., ed. The Voyages of Jacques Cartier. Toronto: The Champlain Society, 1924.

-----. ed. The Works of Samuel de Champlain. 6 vols. Toronto: The Champlain Society, 1922-1928.

Boston Gazette, 1719-1727

Boston Newsletter, 1704-1727

Brereton, John. "Briefe and True Relation of the Discoverie of the North Part of Virginia in 1602." in Early English and French Voyages 1534-1608. Edited by Henry S. Burrage. New York: Charles Scribner's Sons, 1906.

Breslay, Charles René de. "L'abbé de Breslay to Gov. Philipps." Report of the Canadian Archives for 1905, Ottawa: Government Printing Office 1906, 70-72.

Brunet, Henri. "Letters of an Acadian trader, 1674-1676." Edited by Louis-André Vigneras. New England Quarterly, 13 (1940), 98-110.

Campbell, Patrick. Travels in the Interior Inhabited Parts of North America in the Years 1791 and 1792. Edited by H.H. Langton. Toronto: The Champlain Society, 1937.

Campeau, Lucien, ed. Monumenta Novae Franciae, vol 1: La première mission d'Acadie. Québec: Les Presses de l'université Laval, 1967.

Casteel, Anthony. "Journal", in "Collection de documents inédits sur le Canada et l'Amérique." Canada-Français 3 (Québec 1890), 111-126.

Certain, André. "The Proces-Verbal of Andrew Certain." Edited by Gilbert Bent. Acadiensis, 5 (1905) 37-46.

Chancels de Lagrange, Louis. "Voyage fait à Isle Royale ou Cap Breton en Canada, 1716." Revue d'histoire de l'Amérique française, 13 (1959), 422-34.

Chappell, Edward. Voyage of His Majesty's Ship Rosamond to Newfoundland. London: Printed for J. Mawman 1818.

Church, Benjamin. The History of the Eastern Expeditions of 1689, 1692, 1696 and 1704. Edited by A. M. Dexter, Boston: Wiggin and Lunt, 1867.

Church, Thomas. The History of Philip's War. Edited by Samuel Drake. Boston: J.H.A. Frost, 1827.

A Conference Held at Watertown, between the Honourable Council of the said Colony in behalf of the said Colony and of all the United Colonies, on the one part, and the

Delegates of the St. John's and Mickmac Tribes of Indians in Nova Scotia, on the other part, 12 July 1776." American Archives, vol. 1, Edited by Peter Force, Washington 1848, pp. 838-848.

De Forest, Louis, ed. The Journals and Papers of Seth Pomeroy. (Boston 1926).

DeMeulles, Jacques. "Un Recensement de l'Acadie en 1686." Bulletin des recherches historiques, 38 (1932), 677-96.

-----. "Account of the Voyage of Monsieur DeMeulles to Acadie." Acadiensia Nova. Edited by William I. Morse. London: Bernard Quaritch Ltd. 1935, 84-131.

Denys, Nicolas. The Description and Natural History of the Coasts of North America (Acadia). Edited by William F. Ganong. Toronto: The Champlain Society, 1908.

Dièreville, Sieur de. Relation de voyage du Port Royal de l'Acadie. Toronto: The Champlain Society, 1933.

Du Bosq de Beaumont, Gaston. Les derniers jours de l'Acadie (1748-1758) (Paris 1899).

Du Pont Duvivier, Joseph. Course à l'Acadie: Journal de Campagne de François Du Pont Duvivier. Edited by Bernard Pothier, Ottawa: Editions d'Acadie, 1982.

"Eastern Indians' Letter to the Governour July 27, 1721." Collections of the Massachusetts Historical Society, 2nd Series, vol. VIII, (Boston 1819), 259-263.
Entremont, Charles J. d'. "Census of Port Royal 1678." French-Canadian Genealogical Review, 7 (1979), 47-66.

Fergusson, Charles B., ed. Minutes of his Majesty's Council at Annapolis Royal 1736-1749, Halifax: Public Archives of Nova Scotia, 1967, 1-113.

Fisher, Richard. "The Voyage of the ship called the Marigold of M. Hill of Redrife unto Cape Briton and beyond." The Voyages of the English Nation Before the year 1600 from Hakluyt's Collection of Voyages. Edited by Edmund Goldsmid, vol. II Edinburgh: E & G Goldsmid, 1889, 55-76.

Francklin, Michael. "Memoirs of Lt.-Gov. Michael Francklin." Collections of the Nova Scotia Historical Society, 16 (1912), 7-39.

Franquet, Louis. "Voyage du Sieur Franquet au Port La Joie au Havre de Saint Pierre...de l'isle Royale." Rapport de l'archiviste de la province de Québec, (1923-24), 111-140.

Frye, Joseph to Charles Lawrence, 7 March, 1760. Collections of the Massachusetts Historical Society, First Series, X (1809), 116.

Gargas, M. de. "Mon séjour de l'Acadie." Acadiensia Nova. vol.1, Edited by William Morse. London: Bernard Quaritch, 1935, 165-199.

-----. "General Census of the Country of Acadie, 1687-88." Acadiensia Nova, vol. 1, Edited by William Morse. London: Quaritch, 1935, 144-155.

Gaudet, Placide. "Généaologie des familles acadiennes avec documents." Canadian Archives Report for 1905. II, Ottawa: Government Printing Office 1906, 1-438.

Gesner, Abraham. The Industrial Resources of Nova Scotia. Halifax: A & W. MacKinlay, 1849.

Grace, Henry. The History of the life and Sufferings of Henry Grace. Reading: The Author 1764.

Guthry, Richard. "A Relation of the Voyage and plantation of the Scotts Colony in New Scotland under the conduct of Sir William Alexander 13 August, 1629." Edited by N.E.S. Griffiths and John G. Reid, William and Mary Quarterly, 49 (1992), 492-508.

Gwyn, Julian, ed. The Warren Papers, 1736-1752. London: Navy Records Society, 1973.

Gyles, John. Memoirs of Odd Adventures and Signal Deliverances in the Captivity of John Gyles. 2nd edition, Cincinnati: Siller and Gates 1869.

Haies, Edward. "A Report of the Voyage of Sir Humphrey Gilbert Knight." The Voyages of the English Nation Before the year 1600 from Hakluyt's Collection of Voyages, 1598-1600. Edited by Edmund Goldsmid, vol. 1 Edinburgh: E & G Goldsmid, 1889, 339-347.

Hale, Robert. "Journal of a Voyage made to Nova Scotia By Robert Hale of Beverly." Essex Institute Historical Collections XLII (1906).

Haliburton, Thomas Chandler. A General Description of Nova Scotia. Halifax: Royal Acadian School, 1823.

Hardy, Campbell. Sporting Adventures in the New World or Days and Nights in the Pine Forests of Acadia. London: Hurst and Blackett, Publishers, 1855.

Harvey, D. C., ed. Holland's Description of Cape Breton Island and other Documents. Halifax: Public Archives of Nova Scotia, 1935.

Hoffman, Bernard, ed. Cabot to Cartier: Sources for a Historical Ethnography of Northeastern North America 1497-1550. Toronto: University of Toronto Press, 1961.

Hollingsworth, S. The Present State of Nova Scotia with a Brief Account of Canada and the British Islands on the Coasts of North America. Edinburgh, 1787.

Hubbard, William. A Narrative of the Troubles with the Indians in New England. Ed. Samuel G. Drake. 2 vols. Roxbury, Mass.: W. Eliot Woodward, 1865. First published 1677.

"Journal of Abijah Willard, 1755." Collections of New Brunswick Historical Society. no. 13 (1930).

Journal du Voyage de M. Saint-Luc de la Corne. Québec: A. Coté et. cie. 1863.

"The Journal of a Captive, 1745-1748", Colonial Captivities, Marches and Journeys. Edited by Isabel M. Calder. New York: The MacMillan Company, 1935, 3-136.

La Fargue. A Geographical History of Nova Scotia. London: Printed for Paul Vaillant 1749.

La Guerne, François. Lettre de l'abbé La Guerne. Québec: A. Coté, 1889.

La Rocque, M. de. "Journal and Census of Ile Royale, 1752." Report of the Canadian Archives for 1905, II, Ottawa: Government Printing Office 1906, 3-172.

La Rue, Pierre de. "Correspondance." Rapport des archives de la province de Québec (1935-36), 273-410.

La Varenne, M. de. "A Letter from Louisbourg." Edited by Kenneth Donovan. Acadiensis, X (1980), 113-130.

Lawrence, Charles. "The Journals and Letters of Colonel Charles Lawrence." Halifax: Public Archives of Nova Scotia, Bulletin no. 10, 1955.

-----. "Two Letters of Charles Lawrence." Cahiers de la Société Historique Acadienne, 3 (1969) 174-77.

LeClercq, Chrestien. New Relation of Gaspesia. Edited by William F. Ganong. Toronto: The Champlain Society, 1910.

Le Loutre, Jean-Louis. "Une autobiographie de l'abbé Le Loutre (1709-1772)." Edited by Albert David. Nova Francia, 6 (1931), 1-34.

-----. "Lettres de M. l'abbé Le Loutre." Canada-Français, 1 (Québec 1888), 19-39.

Lescarbot, Marc. History of New France. 3 vols. translated by W.L. Grant. Toronto: The Champlain Society, 1907-1914.

Mather, Cotton. Magnalia Christi Americana, Books I and II. Ed. Kenneth B. Murdock, with the assistance of Elizabeth W. Miller. Cambridge, Mass.: Harvard University Press, 1977. First published 1702.

Morrison, Alvin, ed., "Membertou's Raid on the Chouacoet Almouchiquois",: the Micmac Sack of Saco in 1607." Translated by Thomas Goetz. Papers of the Sixth Algonquian Conference, Edited by William Cowan, Ottawa: Carleton University Press, 1975.

Little, Otis. The State of Trade in the Northern Colonies Considered with An Account of their Produce and a particular Description of Nova Scotia. London: G Woodfall, 1748.

Macmechan, Archibald M., ed. A Calendar of Two Letter Books and One Commission Book in the Possession of the Government of Nova Scotia, 1713-1741. Halifax: Public Archives of Nova Scotia, 1900.

-----, ed. Original Minutes of Her Majesty's Council at Annapolis Royal, 1720-1739. Halifax: Public Archives of Nova Scotia, 1908.

Maillard, Pierre-Antoine-Simon. An Account of the Customs and Manners of the Micmakis and Marucgeets Savage Nation, Now Dependent on the Government of Cape Breton. London: S Hooper and A. Morley, 1758.

------. "Lettre de M. l'abbé Maillard sur les missions d'Acadie et particulièrement sur les missions micmaques (1756)." Les Soirées canadiennes, (1863), 296-426.

Marcel, Gabriel, ed. Factum du procès entre Jean de Biencourt, Sr. de Poutrincourt et les Pères Biard et Massés, jesuites. Paris: Maisonneuve et Leclerc, 1887.

Mascarene, Paul. "A Narrative of Events at Annapolis from the Capture in October 1710 till Sept 1711." Collections of the Nova Scotia Historical Society, IV (Halifax, 1885), 69-85.

------. “Paul Mascarene to Francis Nicolson, November 6, 1713." Report of the Canadian Archives for 1928, Ottawa: Government Printing Office, 1929, 45-55.

"Memorandum of the Number of Indians in Each Tribe from Boston in New England unto Canso in Nova Scotia in the Year 1690....But now in the Year 1726 Left but so Many..." in Year-book of the Society of Colonial Society of Colonial Wars in the

Commonwealth of Massachusetts For 1890, Boston 1890, 110.

Morse, Colonel Robert. "A General Description of the Province of Nova Scotia." in Report of the Archives of Canada, Ottawa: Government Printing Office 1884, xxvii-lv.

Morse, William, ed. "Letters re. the Sieur de Melançon." The Canadian Collection of Harvard University, Bulletin V, Cambridge: Harvard University Printing Office, 1948, 13-15, and 22-25.

Munro, James. "History and description and state of the southern and eastern Townships of Nova Scotia in 1795." Report of the Board of Trustees of the Public Archives of Nova Scotia, Halifax: Public Archives of Nova Scotia 1947.

New England Courant, 1721-1726

New England Weekly Journal, 1727-1732

Pankhurst, Anthony to M. Richard Hakluyt, 1578. The Principal Voyages Traffiques & Discoveries of the English Nation. vol. VIII, Glasgow:, 1904, 10-11.

Phips, William. A Journal of the Proceedings in the late Expedition to Port Royal. Boston 1690.

Pichon, Thomas. Lettres et mémoires pour servir à l'histoire naturelle civile et politique du Cap Breton. La Haye: P. Gosse 1760.

Pote, Captain William. The Journal of Captain William Pote, junior during his captivity in the French and Indian War, 1745-47. New York: Dodd, Mead & Co., 1896.

Quinn, David Beers, ed. New American World: A Documentary History of North America to 1612. vol. III New York: Arno Press, 1979.

Rand, Silas T., ed. Legends of the Micmacs. New York: Longmans, Green 1894.

Rand, Silas. A Short Statement of Facts Relating to the History Manners, Customs, Language and Literature of the Micmac Tribe of Indians in Nova Scotia and Prince Edward Island. Halifax: James Browne & Son, 1850.

Recensement de l'Acadie, 1671. Report of the Canadian Archives for 1905, Part III Ottawa: Government Printing Office, 1906, 1-6.

Rosier, James. "A True Relation of the Voyage of Captaine George Waymouth." Early English and French Voyages 1534-1608. Edited by H.S. Burrage. New York: Charles Scribner's, 1906, 357-94.

Roules, Robert. "The Vengeful Women of Marblehead: Robert Roule's Deposition of 1677." Edited by James Axtell. William and Mary Quarterly, 31, 3rd Series (1974), 650-52.

Saint-Vallier, Jean Baptiste. Estat présent de l'Eglise et de la colonie Française. Paris: Chez Robert Pepie, 1686.

Sewall, Samuel. The Diary of Samuel Sewall. 2 vols., New York: Putnam, 1972.

Sixte Le Tac. Histoire Chronologique de la Nouvelle-France. Paris: G. Fischbach 1888.

Smethurst, Gamaliel. A Narrative of an Extraordinary Escape. London 1774.

Tibierge, M. "Report on What I Have Seen Since my Arrival Upon the Shores of Acadia, Up to September 30, 1695." Acadia at the End of the 17th Century. Edited by John C. Webster. Saint John: New Brunswick Museum, 1934, 141-151.

The Trial of Five Persons for Piracy, Felony and Robbery.....Held at the Court House in Boston, within His Majesty's Province of the Massachusetts-Bay in New England on Tuesday the Fourth Day of October, Anno Domini, 1726, Boston 1726.

Vital Records of Gloucestor, Massachusetts to the End of the Year 1849, vol. III, Salem 1924.

"The Voyage of Etienne Bellenger to the Maritimes in 1583: A New Document", Edited by David Beers Quinn. Canadian Historical Review, 63 (1962), 328-43.

"The voyage of M. Charles Leigh, and divers others to Cape Briton and the Isle of Ramea", The Voyages of the English Nation Before the year 1600 from Hakluyt's Collection of Voyages, 1598-1600, vol. 1, Edited by Edmund Goldsmid. Edinburgh: E & G Goldsmid, 1889, 62-74.

Webster, John C., ed. Acadia at the End of the 17th Century, Saint John: New Brunswick Museum 1934.

Whitelaw, Marjory, ed. The Dalhousie Journals, vol. 1 (Canada 1978).
Sewall, Samuel. The Diary of Samuel Sewall, 1674-1729, Vol. 2, 1699/1700-1714. Massachusetts Historical Society Collections. 5th series, Vol. 6. Boston, 1879.

Willis, William, et al., eds. Documentary History of the State of Maine. Maine Historical Society Collections. Series 2. 24 vols. Portland, Maine, and Cambridge,
Wroth, Lawrence ed. The Voyages of Giovanni da Verrazano 1524-1528. New Haven: Yale University Press, 1970.

Wrong, George, ed. Lettre d'un Habitant de Louisbourg, 1745. translated by George Wrong. Toronto: William Briggs, 1897.

3. REFERENCE WORKS

Brown, Thomas J. Place Names in Nova Scotia. Halifax 1922.

Dictionary of Canadian Biography. vols. I-IV, Toronto: University of Toronto Press, 1966-1980.

Historical Atlas of Canada. edited by R. Cole Harris, Toronto: University of Toronto Press, 1987.

A Map of the Province of Nova Scotia. revised edition 1985, Halifax: Department of Lands and Forests, 1985.

4. SECONDARY SOURCES

Adney, E. Tappan and Howard I. Chapelle. The Bark Canoes and Skin Boats of North America. Washington: U.S. National Museum Bulletin 230, 1964.

Allan, Arthur. "The Relationship Between Habitat and Furbearers." Wild Furbearer Management and Conservation in North America. Edited by Milan Novak. North Bay: Ontario Trapper's Association, 1987, 164-179.

Allen, Patricia. "The Gerrish Site: A Report on Preliminary Excavations." Man in the Northeast, no. 37 (1989), 25-34.

Ambrose, John. "On the Fishes of St. Margaret's Bay." Proceedings of the Nova Scotia Institute of Science, (1867), 89-90.
Axtell, James. After Columbus: Essays in the Ethnohistory of Colonial North America. New York: Oxford University Press, 1988.

------. The Invasion Within: The Contest of Cultures in Colonial North America. New York and London: Oxford University Press, 1985.

Baillargeon, Noël. Le Séminaire de Québec sous l'épiscopat de Mgr. de Laval. Québec:

les Presses de l'université Laval 1972.

-----. Le Séminaire de Québec de 1685 à 1760. Québec: les Presses de l'université Laval 1977.

Baker, Emerson W. The Clarke and Lake Company: The Historical Archaeology of a Seventeenth Century Maine Settlement. Augusta, Maine: Occasional Papers in Maine Archaeology, no. 4, 1985.

Baker, Emerson Woods, II. "Trouble to the Eastward: The Failure of Anglo-Indian Relations in Early Maine." Ph.D. thesis. William and Mary College, 1986.

Bakker, Peter. "Basque Pidgin Vocabulary in European-Algonquian trade Contacts." Papers of the 19th Algonquian Conference, Ottawa: Carleton University Press, 1988, 7-15.

Bakker, Peter. "Two Basque Loanwords in Micmac." International Journal of American Linguistics, (1986), 258-261.

Banfield, A.W.F. The Mammals of Canada. 2nd edition. Toronto: University of Toronto Press, 1981.

Barkham, Selma. "A Note on the Strait of Belle Isle during the Period of Basque Contact with Indians and Inuit." Etudes Inuit, 4 (1980), 51-58.

Baron, William. "Historical Climates of the Northeastern United States: Seventeenth through Nineteenth Centuries." Holocene Human Ecology in Northeastern North America. Edited by George P. Nicholas. New York and London: Plenum Press, 1988, 29-45.

Bentley, P.A. and E.C. Smith. "The Forests of Cape Breton in the Seventeenth and Eighteenth Centuries." Proceedings of the Nova Scotian Institute of Science, XXIV (1956), 1-15.

Biggar, Henry Percival. The Early Trading Companies of New France. Toronto: The University of Toronto Studies in History, 1901.

Bishop, Jennifer and David Black, "The lands edge also: cultural history and seasonality at the Partridge Islands Shell Midden. Canadian Journal of Archaeology, 12 (1988), 17-37.

Black, David and Whitehead, Ruth Holmes. "Prehistoric Shellfish Preservation and Storage in the Northeast Coast." North American Archaeologist, 9 (1988), 17-30.

Blakely, Robert L. and Detweiler-Blakely, Bettina. "The Impact of European Diseases in the 16th Century Southeast: A Case Study." Mid-Continental Journal of Archaeology, 14 (1989), 62-89.
Blanchette, Jean-François. "Firearms", Burr's Hill: A 17th Century Wampanoag Burial Ground in Warren, Rhode Island. Edited by Susan G. Gibson. Providence: Haffenretter Museum of Anthropology, Brown University, 1980, 67-71.

Bonner, W. Nigel. "Man's Impact on Seals." Mammal Review, 8 (1978), 3-13.

Bourque, Bruce. "Aboriginal Settlement and Subsistence on the Maine Coast." Man in the Northeast, no. 6 (1973), 3-10.

----- "Ethnicity on the Maritime Peninsula, 1600-1759." Ethnohistory, 36 (1989), 257-284.

-----. "The Moosehorn Fluted Point Discovery in Northern Maine." Archaeology of Eastern North America, 11 (1983), 36-48.

-----. "The Turner Farm Site: a preliminary report." Man in the Northeast, no. 11 (1976), 21-30.

----- and Cox, Steven. "Maine State Museum Investigation of the Goddard Site 1979." Man in the Northeast, no. 22 (1981), 3-27.

----; Speiss, Arthur; and Cox, Steven. "Cultural Complexity in Maritime Cultures: Evidence from Penobscot Bay." in The Evolution of Maritime Cultures on the Northeast and the Northwest Coasts of America. Edited by Ronald J. Nash Vancouver: Publication no. 11, Department of Archaeology, Simon Fraser University, 1983, 91-108.

----- and Whitehead, Ruth Holmes. "Tarrentines and the Introduction of European Trade Goods in the Gulf of Maine." Ethnohistory, 32 (1986), 327-341.

Bradley, James W. Onondaga Prehistory. Syracuse: Syracuse University Press 1980.

Bratton, Timothy L. "The Identity of the New England Indian Epidemic of 1616-19." Bulletin of the History of Medicine, 62 (1988), 351-383.

Brebner, J.B. New England's Outpost: Acadia Before the Conquest of Canada. New York: Columbia University Press, 1927.

Brown, George W., et al, eds., Dictionary of Canadian Biography. 12 vols. to date. Toronto: University of Toronto Press, 1966- .

Brown, Jennifer S.H. "The Metis: Genesis and Rebirth." Native Peoples, Native Lands:

Canadian Indians, Inuit and Metis. Edited by Bruce Cox. Ottawa: Carleton University Press. 1988, 136-147.

Buffinton, Arthur H. "John Nelson's Voyage to Quebec in 1682: A chapter in the Fisheries Controversy." Publications of the Colonial Society of Massachusetts, 26, (Boston, 1927), 427-437.

Burley, David. "Proto-Historic Ecological Effects of the Fur Trade on Micmac Culture." Ethnohistory, 28 (1981), 203-214.

Calloway, Colin G. The Western Abenakis of Vermont, 1600-1800: War, Migration, and the Survival of an Indian People. Norman and London: University of Oklahoma Press, 1990.

Carmichael, Ann G. and Silverstein, Arthur M. "Smallpox in Europe before the Seventeenth Century: Virulent Killer or Benign Disease?" Journal of the History of Medicine and Allied Sciences, 42 (1987), 147-168.

Casgrain, H.R. Les Sulpiciens et les prêtres des missions-etrangères en Acadie (1676-1762). Québec: Pruneau & Kirouac, 1897.

Chard, Donald F. "Canso, 1710-1721: Focal Point of New England--Cape Breton Rivalry." Collections of the Nova Scotia Historical Society, 39 (1977), 49-77.

Charlton, D.G. New Images of the Natural in France. Cambridge: Cambridge University Press, 1984.

Chiffoleau, Jacques. "La religion flamboyante (1320-1520)." in Histoire de la France religieuse. Edited by Jacques Le Goff. t. 2, (Paris: Editions du Seuil 1988), 13-183.

Christie, A.B. Infectious Diseases: Epidemiology and Clinical Practise. 3rd edition. Edinburgh: Churchill, Livingstone, 1980.

Churchill, E.A. "A Most Ordinary Lot of Men: The Fishermen at Richmond Island, Maine, in the Early Seventeenth Century." New England Quarterly, LVII (1984), 184-204.

Chute, Janet. "Ceremony, Social Revitalization and Change: Micmac Leadership and the Annual Festival of St. Anne", Papers of the 23rd Algonquian Conference. Edited by William Cowan. Ottawa: Carleton University Press, 1992, 45-61.

Clark, Andrew Hill. Acadia: The Geography of Early Nova Scotia to 1760. Madison: University of Wisconsin Press, 1968.

Clark, George A.; Kelley, Marc A.; Grange, John M.; and Hill, M. Cassandra. "The Evolution of Mycobacterial Disease in Human Populations." Current Anthropology, 28 (1987), 45-51.

Clarke, George Frederick. Someone before Us: Our Maritime Indians. Fredericton: Brunswick Press, 1968.

Codignola, Luca. "Roman Sources of Canadian Religious History to 1799." Canadian Catholic Historical Association, Study Sessions, 50 (1983), 73-88.

Cohen, Ronald D. "New England and New France, 1632-1651: External Relations and Internal Disagreements among the Puritans." Essex Institute Historical Collections, CVIII (1972), 252-271.

Conkling, Robert. "Legitimacy and Conversion in Social Change: The Case of French Missionaries and the Northeastern Algonkian." Ethnohistory, 21 (1974), 1-24.

Connolly, John. "Bear River, Nova Scotia: A Collection Analysis." Man in the Northeast, no. 14 (1977), 35-47.
Cook, Noble David. Demographic Collapse: Indian Peru, 1520-1620. Cambridge: Cambridge University Press 1981.

Cook, Shelburne. "The Significance of Disease in the Extinction of the New England Indians." Human Biology, 44 (1973), 485-508.

Couillard Després, Abbé A. Charles de Saint-Etienne de La Tour et son temps. Arthabaska, Québec: Imprimerie d'Arthabaska, 1930.

Cowdrey, Albert. This Land, This South: An Environmental History of the South. Lexington: University of Kentucky Press, 1983.

Cramer, Leon E. Cushnoc: The History and Archaeology of Plymouth Colony Traders on the Kennebec. Augusta: Occasional Papers in Archaeology, Maine 1990.

Cronon, William. Changes in the Land: Indians, Colonists and the Ecology of New England. New York: Hill and Wang, 1983.

Crosby, Alfred E., Jr. The Columbian Exchange: Biological and Social Consequences of 1492. Wesport Conn.: Greenwood, 1972.

-----. Ecological Imperialism: the biological expansion of Europe, 900-1900. New York: Cambridge University Press, 1986.

-----. "Virgin Soil Epidemics as a Factor in the Aboriginal Depopulation in America."

William and Mary Quarterly, 3rd series, 33 (1976), 289-299.

Cushing, D.H. Climate and Fisheries. London: Academic Press 1982.

Daugherty, William. The Maritime Treaties in Historical Perspective. Ottawa: Department of Indian Affairs, Historical and Treaties Research Branch, 1983.

Davis, Stephen. "The Archaeology of Nova Scotia", unpublished manuscript 1990.

Davis, Stephen. Archaeology in Nova Scotia, 1985 and 1986, Halifax: Nova Scotia Museum, 1987.

-----. The Micmac. Tantallon, Nova Scotia: Four East, 1991.

Dawson, Joan. "Colonists or Birds of Passage? A Glimpse of the Inhabitants of LaHave, 1632-1636." Nova Scotia Historical Review, (1989), 42-61.

-----. "The Governor's Goods: The Inventories of the Personal Property of Isaac de Razilly." Nova Scotia Historical Review, 5 (1985), 99-112.

-----. A Mapmaker's Eye: Nova Scotia in Early Maps. Halifax: Nimbus Publishing Ltd., 1988.

Day, Gordon. "The Indian as an Ecological Factor in the Northeastern Forest." Ecology, 34 (1953), 329-346.

Delafosse, M. "La Rochelle et le Canada au XVIIe siècle." Revue de l'histoire de l'Amérique Française, 4 (1950-51), 469-511.

Delumeau, Jean. Un chemin d'histoire: Chrétienté et Christianisation. Paris: Librarie Arthène Fayard 1981.

Denevan, William. "Epilogue." The Native Population of North America in 1492, Madison: University of Wisconsin Press, 1976.

Dening, Greg. Islands and Beaches: Discourse on a Silent Land Marquesas, 1774-1880. Honolulu: University of Hawaii Press, 1980.

Dickason, Olive P. "Amerindians Between French and English in Nova Scotia, 1713-1763," American Indian Culture and Research Journal, 10 (1986), 31-56.

-----. Canada's First Nations: A History of Founding Peoples from Earliest Times Toronto: McClelland and Stewart 1992.

-----. "From 'One Nation' in the Northeast to `New Nation' in the Northwest: A Look at the Emergence of the Metis." American Indian Culture and Research Journal, 6 (1982), 1-21.

-----. "La `Guerre Navale' Des Micmacs Contre les Britanniques, 1713-1763." Les Micmacs et la mer. Charles Martijn, dir. Québec: Recherches amérindienne au Québec, 1986, 233-248.

------. Louisbourg and the Indians: A Study in Imperial Relations, 1713-1760. Ottawa: Parks Canada History and Archaeology 6, 1976.

Dickerson, Oliver Morton. American Colonial Government, 1696-1765: A study of the British Board of Trade in its relation to the American Colonies, Political, Industrial, Administrative. Cleveland: The Arthur H. Clark Company, 1912.

Dilliplane, Timothy L. "European Trade Kettles." Burr's Hill: A 17th Century Wampanoag Burial Ground in Warren, Rhode Island. Edited by Susan Gibson. Providence: Haffenretter Museum of Anthropology, Brown University, 1980, 79-83.

Dobyns, Henry. "More Methodological Perspectives on Historical Demography." Ethnohistory, 36 (1989), 285-299.

-----. Their Numbers Become Thinned: Native American Population Dynamics in Eastern North America. Knoxville: University of Tennessee Press, 1983.

Dumont-Johnson, Micheline. Apôtres ou Agitateurs: la France missionaire en Acadie. Trois Rivières: Boréal Press, 1970.

Duviols, Pierre. La lutte contre les religions autochtones dan le Pérou colonial. Paris 1971.

Eccles, W.J. The Fur Trade in Canada: An Introduction to Canadian Economic History. Toronto: University of Toronto Press, 1975.

-----. "The Social, Economic, and Political Significance of the Military Establishment in New France." Canadian Historical Review, 52 (1971), 1-21.

Eckstorm, Fanny Hardy. Old John Neptune and other Maine Indian Shamans. 2nd edition, Orono: University of Maine at Orono Press 1980.

Elton, Charles. Animal Ecology. New York: Sidgwick & Jackson 1927.

Entremont, Clarence J. d'. Histoire du Cap Sable de l'an mil au traité de Paris., 6 vols., Eunice, Lousiana: Hebert Publications, 1981.

Entremont, H. Leander d'. The Baronnie de Pomcoup and the Acadians. Yarmouth: Herald-Telegram Press, 1931.

Farriss, Nancy M. Maya Society Under Colonial Rule: The Collective Enterprise of Survival. Princeton: Princeton University Press, 1984.

Fewkes, Walter. "A Contribution to Passamaquoddy Folk-Lore." Journal of American Folklore, III (1890), 257-280.

Fitzhugh, William. "Early Contacts North of Newfoundland before A.D. 1600: A Review." Cultures in Contact: The Impact of European Contacts in Native American Cultural Institutions, A.D. 1000-1800. Washington: The Smithsonian Institution Press, 1985, 23-43.

Flemming, David. The Canso Islands: An 18th Century Fishing Station. Ottawa: Parks Canada Manuscript Report # 308, 1977.

Francis, Daniel and Toby Morantz. Partners in Fur: A History of the Fur Trade in Eastern James Bay 1600-1870. Montréal: McGill-Queens University Press, 1983.

Gates, David, et. al. "Wildlife in a Changing Environment." The Great Lakes Forest: An Environmental and Social History. Edited by Susan Flader, St. Paul: University of Minnesota Press 1983, 52-82.

Ghere, David Lynn. "Abenaki Factionalism, Emigration and Social Continuity: Indian Society in Northern New England, 1725 to 1765." Ph.D. dissertation, University of Maine, 1988.

Gibson, Susan, ed., Burr's Hill: A 17th Century Wampanoag Burial Ground in Warren, Rhode Island. Providence: Haffenretter Museum of Anthropology, Brown University, 1980.

Gonzalez, Ellice B. "An Ethnohistorical Analysis of Micmac Male and Female Economic Roles." Ethnohistory, 29 (1982), 117-129.

Greer, Allan. "Mutiny at Louisbourg, December 1744", Histoire Sociale/Social History, X (1977), 305-336.

-----. "The Soldiers of Isle Royale, 1720-1745", History and Archaeology, # 28 (Ottawa 1979).

Griffiths, N.E.S. The Contexts of Acadian History, 1686-1784. Montréal: McGill-Queen's University Press, 1992.

Hamell, George R. "Strawberries, Floating Islands, and Rabbit Captains: Mythical Realities and European Contact in the Northeast during the Sixteenth and Seventeenth Centuries." Journal of Canadian Studies, 21 (1986-87), 72-94.

Hansen, Denise. "Seventeenth Century Ceramics from Nicolas Denys' Fort Saint-Pierre." Parks Canada: Research Bulletin 271, March 1989.

Harper, J. Russel. Portland Point: Crossroads of New Brunswick History. Saint John: New Brunswick Museum 1956.

-----. "Two Seventeenth Century Micmac 'Copper Kettle' Burials." Anthropologica, (1957), 11-29.

Harrington, Faith. "Sea Tenure in seventeenth Century New England: Native Americans and Englishmen in the sphere of marine resources." Ph.D. dissertation, Berkeley, 1985.

Henige, David. "Primary Source by Primary Source? On the Role of Epidemics in New World Depopulation." Ethnohistory, 33 (1986), 293-311.

Hoffman, Bernard G. "The Historical Ethnography of the Micmac of the Sixteenth and Seventeen Centuries." Ph.D. dissertation, University of California, Berkeley, 1955.

-----. "Souriqouis, Etechemin and Kwedech - A Lost Chapter in American Ethnography." Ethnohistory, 2 (1955), 65-87.

Holmes, Geoffrey. British Politics in the Age of Anne. London: Macmillan, 1967.
Holmes, Geoffrey, ed. Britain after the Glorious Revolution, 1689-1714. London: Macmillan, 1969.

Hopkins, Donald. Princes and Peasants: Smallpox in History. Chicago: University of Chicago Press 1983.

Houdaille, Jacques. "Quelques aspects de la démographie ancienne de l'Acadie." Population, 3 (1980), 581-602.

Hynes, Gisa. "Some Aspects of the Demography of Port Royal, 1650-1755." Acadiensis, 3 (1973), 3-17.

Ingold, Tim. The appropriation of nature: Essays on human ecology and social relations. Iowa City: University of Iowa Press, 1987.

Innis, Harold. The Cod Fisheries: The History of an International Economy. New Haven: Yale University Press, 1930.

Jackes, M.K. "Osteolgocial Evidence for Smallpox: A Possible Case From Seventeenth Century Ontario." American Journal of Physical Anthropology, 60 (1983), 75-81.

Jacoby Jr., Gordon C. and D'Arrigo, Roseanne. "Reconstructed Northern Hemisphere Annual Temperature since 1671 Based on High-Latitude Tree-Ring Data from North America." Climatic Change, 14 (1989), 39-59.

Jaenen, Cornelius. Friend and Foe: Aspects of French-Amerindian Cultural Contact in the Sixteenth and Seventeenth Centuries. Toronto: McClelland Stewart, 1976.

-----. "The Role of Presents in French-amerindian Trade." Explorations in Canadian Economic History: Essays in Honour of Irene M. Spry. Edited by Duncan Cameron. Ottawa: University of Ottawa Press, 1985, 231-250.

Jennings, Francis. Empire of Fortune: Crowns, Colonies & Tribes in the Seven Years War in America. New York: W.W. Norton, 1988.

Johnson, Frederick. "Notes on Micmac Shamanism." Primitive Man XVI (1943), 53-80.

Johnson, Richard. John Nelson, Merchant Adventurer: A Life between Empires. New York: Oxford University Press 1991.

-----. "The Search for a Usable Indian." Journal of American History, 64 (1977-78), 623-651.

Jones, Douglas Lamar. Village and Seaport: Migration and Society in Eighteenth Century Massachusetts, Hanover: University Press of New England, 1981.

Jones, Rhys. "Hunters and History: A Case Study from Western Tasmania." Past and Present in Hunter Gatherer Societies. Edited by Carmel Schrire. New York: Academic Press 1984, 27-66.

Kelley, Robert. "Hunter-Gatherer Mobility Strategies." Journal of Anthropological Research, 39 (1983), 277-306.

Kershaw, Gordon E. "Gentlemen of Large Property and Judicious Men": The Kennebeck Proprietors, 1749-1775. Portland: Maine Historical Society, 1975.

La Morandière, Charles de. Histoire de la pêche française de la morue dan l'Amérique Septentionale. t. 1, Paris: G.P. Maisonneuve et Larose, 1962.

Lamb, Hubert H. "Climatic Fluctuations." in General Climatology. Edited by H. Flohn Amsterdam: Elsevier 1969.

Launey, Adrien. Histoire générale de la Societé des Missions étrangères. Paris: Téqui, 1894.

Lauvrière, Emile. La tragédie d'un peuple: Histoire du peuple Acadien de ses origines à nos jours. Paris: H. Goulet, 1924.

Le Blant, Robert. "L'Avitaillement du Port Royal d'Acadie par Charles de Biencourt et les marchands Rochelais 1615-1618." Revue d'histoire des colonies, (1957), 138-164.

Leger, Mary. The Catholic Indian Missions in Maine (1611-1820). Washington: Catholic University of America, 1929.

Letson, E. Marguerite. Port Medway: A short history of Port Medway, Nova Scotia. Duncan Harper Publisher, 1985.

Long S.P. and C.F. Mason. Saltmarsh Ecology. Glasgow and London: Blackie, 1983.

Lowe, Richard G. "Massachusetts and the Acadians." William and Mary Quarterly, 3rd Series, 25 (1968), 212-229.

MacCormack, Sabine. "The Heart Has its Reasons: Predicaments of Missionary Christianity in Early Colonial Peru." Hispanic American Historical Review, 63 (1985), 443-466.

MacDonald, J. W. History of Antigonish County. 2nd edition, Halifax: Formac 1975.

MacDonald, Martha. Fortune and La Tour: The Civil War in Acadia. Toronto: Methuen, 1983.

Malone, Patrick. "Changing Military Technology Among the Indians of Southern New England." American Quarterly, (1973), 48-63.

Marshall, Donald Sr.; Denny, Alexander; and Marshall, Simon. "The Covenant Chain." Drumbeat: Anger and Renewal in Indian Country. Edited by Boyce Richardson. (Toronto: Summerhill Press and the Assembly of First Nations, 1989), 71-104.

Marshall, Ingeborg. "Le Canot de Haute Mer des Micmacs." Les Micmacs et la mer. Charles Martijn, dir. Québec: Recherches amérindienes au Québec 1986.

Martijn, Charles. "An Eastern Micmac Domain of Islands." Actes du Vingtième Congrés des Algonquinistes/Papers of the Twentieth Algonquian Conference Edited by William Cowan. Ottawa: Carleton University Press, 1989, 208-231.

Martin, Calvin. Keepers of the Game: Indian-Animal Relationships and the Fur Trade. Berkeley: University of California Press, 1978.

Matthews, L. Harrison. The Natural History of the Whale. New York: Columbia University Press 1978.

McCully, Bruce T. "The New England-Acadia Dispute and the Nicholson Mission of August, 1687." Essex Institute Historical Collections, 96 (1960), 277-286.

McCusker, John J. and Menard, Russell. The Economy of British North America, 1607-1789. Chapel Hill: University of North Carolina Press, 1985.

McLeod Robert. In the Acadian Land: Nature Studies. Boston: Bradlee Whidden, 1899.

Mechling, W.H. "The Malecite Indians with Notes on the Micmacs." Anthropologica, 8 (1959), 161-204.

Melançon, Arthur. Liste des missionaires Jesuites en Nouvelle- France et Louisiane, 1611-1800. Montréal 1929.

Merrell, James. The Indians' New World: Catawbas and Their Neighbours from European Contact through the Era of Removal. Chapel Hill: University of North Press, 1989.

Miller, Virginia. "Aboriginal Micmac Population: A Review of the Evidence." Ethnohistory, 23 (1976), 117-129.

-----. "The Decline of the Nova Scotia Micmac Population, A.D. 1600-1850." Culture 11 (1982), 107-120.

------. "The Micmac: A Maritime Woodland Group." in Native Peoples: The Canadian Experience. Edited by R. Bruce Morrison and C. Roderick Wilson. Toronto: McLelland and Stewart, 1986, 324-351.

-----. "Social and Political Complexity on the East Coast: The Micmac Case." The Evolution of Maritime Cultures on the Northeast and the Northwest Coasts of America. Edited by Ronald Nash. Vancouver: Department of Archaeology, Simon Fraser University 1983, 41-53.

Miquelon, Dale. New France 1701-1744: `A Supplement to Europe'. Toronto: McClelland and Stewart, 1987.

Moody, Barry. "`A just and disinterested Man': The Nova Scotia Career of Paul Mascarene, 1710-1752." Ph.D. dissertation, Queen's University, 1976.

Moore, Christopher. "The Other Louisbourg: Trade and Merchant Enterprise in Ile Royale 1713-1758." Histoire Sociale/Social History, XII (1979), 79-96.

Morantz, Toby. An Ethnohistoric Study of Eastern James Bay Cree Social Organization, 1700-1850. Ottawa: National Museum of Canada 1983.

-----. "The Fur Trade and the Cree of James Bay", in Old Trails and New Directions: Papers of the Third North American Fur Trade Conference. Edited by Carol Judd and Arthur Ray. Toronto: University of Toronto Press, 1980, 39-58.

More, James. History of Queen's County. Halifax: Nova Scotia Printing Company, 1873.

Morison, Samuel E. The European Discovery of America: The Northern Voyages, A.D. 500-1600. New York: Oxford University Press, 1971.

Morrison, Alvin. "Dawnland Decisions: Seventeenth Century Wabanaki Leaders and their Responses to the Differential Contact Stimuli in the Overlap Area of New France and New England." Ph.D. dissertation, State University of New York at Buffalo, 1974.

-----. "Dawnland Directors: Status and Role of 17th Century Wabanaki Sagamores." Papers of the Seventh Algonquian Conference, Edited by William Cowan. Ottawa: Carleton University Press, 1976, 1-19.

Morrison, Kenneth. The Embattled Northeast: The Elusive Ideal of Alliance in Abenaki-Euro-American Relations. Berkeley: University of California Press, 1984.

Myers, Brad. "Archaeological Survey of Kejimkujik National Park." Ottawa: Parks Canada Manuscript Report, 1972.

Nash, Ronald J. Mi'kmaq: Economics and Evolution. Halifax: Nova Scotia Museum, 1986.

-----. "Prehistory and Cultural Ecology - Cape Breton Island, Nova Scotia." in Papers from the Fourth Annual Congress 1977, Canadian Ethnology Society. Edited by Richard J. Preston, Ottawa: National Museum of Man, 1978, 131-155.

Nicholas, Andrea Bear. "Maliseet Aboriginal Rights and Mascarene's Treaty, Not Dummer's Treaty." Acts of the 17th Algonquian Conference, Edited by William Cowan. Ottawa: Carleton University Press, 1986, 215-229.

Nietfeld, Patricia. "Determinants of Aboriginal Micmac Political Structure." Ph.D. dissertation, University of New Mexico, 1981.

Parsons, Elsie Clews. "Micmac Notes." Journal of American Folklore, 39 (1926), 460-485.

Patterson, George. A History of the County of Pictou, Nova Scotia. Montréal: Dawson Brothers, 1877.

Patterson III, William A. and Sassman, Kenneth E. "Indian Fires in the Prehistory of New England." in Holocene Human Ecology in Northeastern North America. Edited by George P. Nicholas. New York and London: Plenum Press, 1988, 107-136.

Pelletier, Gaby. Traditions décoratives: Micmac & Maliseet Decorative Traditions. Saint John: New Brunswick Museum, 1977.

Piers, Harry. "Aboriginal remains of Nova Scotia." Nova Scotia Institute of Natural Sciences, Transactions, 7 (1889), 276-99.

-----. "Relics of the Stone Age in Nova Scotia." Nova Scotia Institute of Natural Sciences, Transactions, 9 (1896), 26-58.

Pothier, Bernard. "Acadian Emigration to Ile Royale After the Conquest of Acadia." Histoire Sociale/Social History, 6 (1970), 116-131.

Prins, Harald E.L. "Cornfields at Meductic: Ethnic and Territorial Reconfigurations in Colonial Acadia." Man in the Northeast, no. 44 (1992), 55-72.

-----. "Micmacs and Maliseets in the St. Lawrence River Valley." Actes du Dix-Septième Congrès des Algonquinistes Edited by William Cowan. Ottawa: Carleton University Press, 1986, 263-277.

-----. "Tribulations of a Border Tribe: A Discourse on the Political Ecology of the Arrostook Band of Micmacs (16th-20th Centuries)." Ph.D. dissertation, New School for Social Research, 1988.

Pritchard, James S. "The Pattern of French colonial shipping to Canada before 1760." Revue française d'Histoire d'Outre-Mer, LXIII (1976), 189-210.

Quinn, David Beers. England and the Discovery of America, 1481-1620. New York: A.A. Knopf, 1974.

-----. "Newfoundland in the Consciousness of Europe in the Sixteenth and early Seventeenth Centuries." in Explorers and Colonies: America 1500-1625. London: Hambledon Press, 1990.

Rameau de Saint-Père, François-Edmé. Une Colonie féodale en Amérique L'Acadie

(1604-1881). t. 1, Paris: E. Plon, Nourrit et cie. 1889.

Ramenofsky, Ann. Vectors of Death: The Archaeology of European Contact. Albequerque: University of New Mexico Press, 1987.

Rawlyk, George. Nova Scotia's Massachusetts: A Study of Massachusetts-Nova Scotia Relationships, 1630-1784. Montréal: McGill-Queen's University Press, 1973.

Ray, Arthur. Indians in the Fur Trade: their role as hunters, trappers and middlemen in the lands southwest of Hudson Bay 1660-1870. Toronto: University of Toronto Press, 1974.

Rediker, Marcus. Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates and the Anglo-American Maritime World, 1700-1750. Cambridge: Cambridge University Press, 1987.

Reff, Daniel. Disease, Depopulation and Culture Change in Northwestern New Spain, 1518-1764. Salt Lake City: University of Utah Press, 1991.

-----. "The Introduction of Smallpox in the Greater Southwest." American Anthropologist, 89 (1987), 704-708.

Reid, John G. Acadia, Maine and New Scotland: Marginal Colonies in the Seventeenth Century. Toronto: University of Toronto Press, 1981.

Richter, Daniel K. The Ordeal of the Longhouse: The Peoples of the Iroquois League in the Era of European Colonization. Chapel Hill: University of North Carolina Press, 1990.

------. "War and Culture: The Iroquois Experience." William and Mary Quarterly, 40 (1983), 528-559.

Rickers, Jackson. Historical Sketches of Glenwood and the Argyles, Yarmouth County, Nova Scotia. Truro: Truro Publishing and Printing Company Ltd. 1941.
Ritchie, Robert. Captain Kidd and the War Against the Pirates. Cambridge: Harvard University Press, 1986.

Robertson, Marion. Rock Drawings of the Micmac Indians. Halifax: Nova Scotia Museum 1973.

Rojo, Alfonso J. "Faunal Analysis of Fish Remains From Cellar's Cove, Nova Scotia." Archaeology of Eastern North America, 18 (1990), 89-108.

Roots, Clive. Animal Invaders. London 1976.

Roy, Raymond. "La Croissance démographique en Acadie de 1671 à 1763." M.A. thesis,

Université de Montréal, 1975.

Russell, Emily W.B. "Indian Set-Fires in the Forests of the Northeastern United States." Ecology, 64 (1983), 678-688.

Sahlins, Marshall. Stone-Age Economics. Chicago: Aldine-Atherton 1972.

Salisbury, Neal. Manitou and Providence: Indians, Europeans and the Making of New England, 1500-1643. New York: Oxford University Press, 1982.

Sanger, David. "An Introduction to the Prehistory of the Passamaquoddy Bay Region." American Review of Canadian Studies, XVI (1986), 139-59.

-----. "Maritime Adaptations in the Gulf of Maine." Archaeology of Eastern North America, 16 (1988), 81-99.

Sauer, Carl O. Sixteenth Century North America. Berkeley: University of California Press, 1971.

Sévigny, P.-André. Les Abenaquis: Habitat et migrations (17e et 18e siècles). Montréal: Les Editions Bellarmin, 1976.

Sheldon, Helen Louise. The Late Prehistory of Nova Scotia as viewed from the Brown Site. Halifax: Nova Scotia Museum, 1988.

Simmons, M., D. Davis; Griffiths, L.; and Muecke, A. Natural History of Nova Scotia. 2 vols. Halifax: Nova Scotia Museum, 1984.

Smith, Harlan and Wintemberg, W.S. "Some Shell-Heaps in Nova Scotia." National Museum of Canada Bulletin, 47 Ottawa 1929.

Snow, Dean. The Archaeology of New England. New York: Academic Press, 1980.

----- and Lanphear, Kim. "European Contact and Indian Depopulation in the Northeast: The Timing of the First Epidemics." Ethnohistory 35 (1988), 15-33.

----- and Starna, William. "Sixteenth-Century Depopulation: A View from the Mohawk Valley." American Anthropologist, 91 (1989), 142-149.

Speck, Frank. "The Eastern Algonkian Wabanaki Confederacy." American Anthropologist, 17 (1915), 492-508.

-----. "Micmac Slate Image." Indian Notes, Museum of the American Indian, Heye Foundation, 1 New York, 1924, p. 153.

-----. Naskapi: The Savage Hunters of the Labrador Peninsula. 2nd edition, Norman: University of Oklahoma Press, 1977.

----- and Ralph W. Dexter. "Utilization of animals and plants by the Micmac Indians of New Brunswick." Journal of the Washington Academy of Sciences, 41 (1951) 250-259.

Speiss, Arthur E. and Speiss, Bruce D. "New England Pandemic of 1616-1622: Cause and Archaeological Implication." Man in the Northeast, no. 34 (1987), 71-83.

Stanley, George F.G. New France: The Last Phase, 1744-1760. Toronto: McClelland and Stewart, 1968.

Steele, Ian K. The English Atlantic 1675-1740: An Explanation of Communication and Community. New York: Oxford University Press, 1986.

-----. Politics of Colonial Policy: The Board of Trade in Colonial Administration, 1696-1720. Oxford: Oxford University Press, 1968.

Stewart, Frances. Faunal Remains from the Delorey Site of Nova Scotia. Halifax: Nova Scotia Museum, 1986.

-----. "Seasonal Movements of Indians in Acadia as Evidenced by Historical Documents and Vertebrate Faunal Remains from Archaeological Sites." Man in the Northeast, no. 38 (1989), 55-77.

Tanner, Adrian. Bringing Home Animals: Religious Ideology and Mode of Production of the Mistassini Cree Hunters. St. John's: Institute of Social and Economic Research, 1979.

Teal, John and Teal, Mildred. Life and Death of the Salt Marsh. Boston and Toronto: Atlantic Monthly Press, 1969.

Thomson, Mark A. The Secretaries of State, 1681-1782. London: Frank Cass, 1932.

Thornton, Russell; Miller, Tim; and Warren, Jonathan. "American Indian Population." American Anthropologist, 93 (1991), 30-41.

Trigger, Bruce. Children of Aataentsic: A History of the Huron People to 1660. Montréal: McGill-Queen's University Press, 1976.

------. Natives and Newcomers: Canada's `Heroic' Age Reconsidered. Montréal: McGill-Queen's University Press, 1985.

Trudel, Marcel. Histoire de la Nouvelle-France v. II, Le Comptoir 1604-1627 (Montréal: Fides 1966); v. III, La seigneurie des Cent-Associés 1627-1663, tome I, Les événements Montréal: Fides, 1979.

Tuck, James. "Excavations at Red Bay, Labrador - 1986.", in Archaeology in Newfoundland & Labrador 1986. Edited by J. Callum Thomson and Jane Sproull Thomson. St. John's 1989, 213-237.

-----. Maritime Provinces Pre-history. Ottawa: National Museum of Canada, 1984.

----- and Robert Grenier. Red Bay, Labrador: World Whaling Capital A.D. 1550-1600. St. John's: Atlantic Archaeology, 1989.

Turgeon, Laurier. "Basque-Amerindian Trade in the Saint Lawrence During the Sixteenth Century: New Documents, New Perspectives." Man in the Northeast, no. 40 (1990), 81-87.

-----. "Pour Redécouvrir notre 16e siècle: les pêches à Terre-Neuve d'après les archives notariales de Bordeaux." Revue d'histoire de l'Amérique française, 39 (1986), 523-549.

Ubelaker, Douglas. "Prehistoric New World Population Size: Historical Reviews and Current Appraisal of North American Estimates." American Journal of Physical Anthropology, 45 (1976), 661-665.

Upham, Steadman. "Smallpox and Climate in the American Southwest." American Anthropologist, 88 (1986), 115-128.

Upton, L.F.S. Micmacs and Colonists: Indian-White Relations in the Maritimes, 1713-1867. Vancouver: University of British Columbia Press, 1979.

Vickers, Daniel. "The First Whalemen of Nantucket." William and Mary Quarterly, 3rd series, 60 (1983), 560-583.

-----. "Maritime Labor in Colonial Massachusetts: A Case Study of the Essex County Cod Fishery and the Whaling Industry of Nantucket, 1630-1775." Ph.D. dissertation, Princeton University, 1981.

Wallis, Wilson D. and Ruth S. Wallis. The Micmac Indians of Eastern Canada. Minneapolis: University of Minnesota Press, 1955.

Webster, K.G.T. "On the Fletcher Stone." in Proceedings of the Nova Scotia Institute of Science, 8 (1892), xxxxvi-xxxix.

White, Richard. Land Use, Environment and Social Change: the Shaping of Island

County, Washington. Washington: University of Washington Press 1980.

-----. The Middle Ground: Indians,Empires and Republics in the Great Lakes Regions, 1650-1815. Cambridge: Cambridge University Press, 1990.

Whitehead, Ruth Holmes. Elitekey: Micmac Material Culture from 1600 AD to the Present. Halifax: Nova Scotia Museum, 1980.

-----. Micmac Quillwork. Halifax: Nova Scotia Museum, 1982.

-----. Stories from the Six Worlds: Micmac Legends. Halifax: Nimbus Publishing Ltd., 1988.

Wicken, Bill. "Mi'kmaq Land in Southwestern Nova Scotia, 1771-1823." Making Adjustments: Change and Continuity in Planter Nova Scotia, 1759-1800. Edited by Margaret Conrad. Fredericton: Acadiensis Press, 1992, 113-122.

------. "26 August, 1726: A Case Study in Mi'kmaq-New England Relations." Acadiensis, XXIII (Autumn 1993), 5-22.

Williams, Robert and Graham R. Daborn. "Spawning of the American Shad in the Annapolis River, Nova Scotia." and "Spawning of the Striped Bass in the Annapolis River, Nova Scotia." Proceedings of the Nova Scotia Institute of Science, 34 (1984), 12-13 and 17-21

Williamson, William Durkee. The History of the State of Maine: From its First Discovery, A.D. 1602, to the Separation, A.D. 1820. 2 vols. Hallowell, Maine: Glazier and Masters, 1832.

Worster, Donald. Nature's Economy: A History of Ecological Ideas. New York: Cambridge University Press 1977.